

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Tuesday, 17 March 2015

(Extract from book 4)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

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FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

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Deputy Speaker:

Mr D. A. NARDELLA

Acting Speakers:

Mr Angus, Mr Blackwood, Ms Blandthorn, Mr Carbines, Mr Crisp, Mr Dixon, Ms Edwards, Ms Halfpenny,
Ms Kilkenny, Mr McCurdy, Ms McLeish, Mr Pearson, Ms Ryall, Ms Thomas,
Mr Thompson, Ms Thomson, Ms Ward and Mr Watt.

Leader of the Parliamentary Labor Party and Premier:

The Hon. D. M. ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. J. A. MERLINO

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

The Hon. M. J. GUY

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

The Hon. D. J. HODGETT

Leader of The Nationals:

The Hon. P. L. WALSH

Deputy Leader of The Nationals:

Ms S. RYAN

Heads of parliamentary departments

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Council — Acting Clerk of the Legislative Council: Mr A. Young

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	McLeish, Ms Lucinda Gaye	Eildon	LP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Merlino, Mr James Anthony	Monbulk	ALP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	Morris, Mr David Charles	Mornington	LP
Asher, Ms Louise	Brighton	LP	Mulder, Mr Terence Wynn	Polwarth	LP
Batin, Mr Bradley William	Gembrook	LP	Naphthine, Dr Denis Vincent	South-West Coast	LP
Blackwood, Mr Gary John	Narracan	LP	Nardella, Mr Donato Antonio	Melton	ALP
Blandthorn, Ms Elizabeth Anne	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
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Bull, Mr Joshua Michael	Sunbury	ALP	Northe, Mr Russell John	Morwell	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Daniel David ²	Gippsland South	Nats
Burgess, Mr Neale Ronald	Hastings	LP	O'Brien, Mr Michael Anthony	Malvern	LP
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Dimopoulos, Mr Stephen	Oakleigh	ALP	Richardson, Mr Timothy Noel	Mordialloc	ALP
Dixon, Mr Martin Francis	Nepean	LP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Ryall, Ms Deanne Sharon	Ringwood	LP
Edbrooke, Mr Paul Andrew	Frankston	ALP	Ryan, Mr Peter Julian ¹	Gippsland South	Nats
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Hibbins, Mr Samuel Peter	Prahran	Greens	Thomas, Ms Mary-Anne	Macedon	ALP
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Kairouz, Ms Marlene	Koroit	ALP	Victoria, Ms Heidi	Bayswater	LP
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Kilkenny, Ms Sonya	Carrum	ALP	Ward, Ms Vicki	Eltham	ALP
Knight, Ms Sharon Patricia	Wendouree	ALP	Watt, Mr Graham Travis	Burwood	LP
Languiller, Mr Telmo Ramon	Tarneit	ALP	Wells, Mr Kimberley Arthur	Rowville	LP
Lim, Mr Muy Hong	Clarinda	ALP	Williams, Ms Gabrielle	Dandenong	ALP
McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Wynne, Mr Richard William	Richmond	ALP
McGuire, Mr Frank	Broadmeadows	ALP			

¹ Resigned 2 February 2015

² Elected 14 March 2015

PARTY ABBREVIATIONS

ALP — Labor Party; Greens — The Greens;
Ind — Independent; LP — Liberal Party; Nats — The Nationals.

Joint committees

Environment and Natural Resources Committee — (*Assembly*): Mr Battin, Ms Halfpenny, Mr McCurdy, Mr Richardson and Ms Ward. (*Council*): Mr Ramsay and Ms Symes.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Mr J. Bull, Ms Blandthorn, Mr Dimopoulos, Ms Kealy, Ms Kilkenny and Mr Pesutto. (*Council*): Mr Dalla-Riva.

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Tuesday, 17 March 2015

The SPEAKER (Hon. Telmo Languiller) took the chair at 12.03 p.m. and read the prayer.

RULINGS BY THE CHAIR

Written responses to questions without notice

The SPEAKER — Order! In the last sitting week there were a number of matters raised with me that I committed to investigate and come back to the house with a response to.

I refer to written responses to questions. On Thursday, 26 February, the member for Warrandyte sought guidance on two matters: firstly, the time frame within which members can expect to have written answers to questions passed on from my office. It is clear from sessional order 11 that where a minister's answers to an oral question without notice is deemed to be unresponsive, that minister must provide a written answer to the Speaker by 2.00 p.m. the following day. There is no requirement in the sessional orders for when the Speaker must forward that answer to the member who asked the question.

I have no intention of unreasonably delaying the distribution of ministers' written responses to members. Members should be aware that I have a busy office with many meetings and commitments that may inevitably cause a delay in responses being drawn to my attention. However, I can provide a commitment that I and the staff in my office will always endeavour to process the written responses as quickly as possible to try to avoid any undue delay in their being passed on to members.

The second matter raised by the member for Warrandyte related to the processes used to determine the adequacy of a written response. The sessional orders require the Speaker to determine the adequacy of a written response. This is a matter that rests entirely with the Speaker. Members are aware that a supplementary question must relate to the subject matter of the substantive question or information provided by a minister in response to that substantive question. While I will assess each case on its merits, I can indicate that I will take account of the details of both the substantive and the supplementary questions when reaching my decision on whether or not an answer is responsive.

Answer to question without notice

The SPEAKER — Further, I refer to the adequacy of the oral response of the Minister for Health. On

Thursday, 26 February, the member for Warrandyte also raised a point of order concerning the adequacy of an oral response given by the Minister for Health to a question without notice. I have reviewed *Hansard* and confirm my original decision that the answer was responsive.

Unparliamentary language

The SPEAKER — Further, in relation to unparliamentary remarks, on Wednesday, 25 February, I upheld a point of order and required the Leader of the Opposition to rephrase a question that contained the words 'Labor lies', which in my view were unparliamentary. When rephrasing his question, the Leader of the Opposition commented that the offending words had been used in a number of previous questions that day. Whilst the Leader of the Opposition has not requested this of me, I do wish to comment on this. A review of *Hansard* confirmed that the words had been used on prior occasions, as suggested by the Leader of the Opposition.

It has always been the practice of this house that good temper and moderation are the characteristics of parliamentary language. Normally the Chair will intervene when inappropriate language is used during debate. However, this is not always the case, as the Chair may have been distracted or unaware that the words were used. In this particular case the member for Footscray drew my attention, through a point of order, to the inappropriate language contained in the question. Despite the words uttered by the Leader of the Opposition having been used before, I do believe they were unparliamentarily, and I caution members against using those words in the future.

Ministers statements

The SPEAKER — Further, in relation to ministers statements, one other matter that needs to be clarified is the new procedure of ministers statements, set out in sessional order 7. Ministers statements do not replace, and should not be confused with, the existing practice enabling ministers to make ministerial statements under standing order 43.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Minister for Sport

Mr WALSH (Murray Plains) — My question is to the Minister for Sport. I refer to media reports outlining the minister's close relationship with cage fighting promoter Allstar MMA, including receiving free hotel

accommodation, and I ask: has the minister complied with all the requirements of the Members of Parliament (Register of Interests Act 1978, such as disclosure of gifts, membership and affiliations)?

Mr EREN (Minister for Sport) — I thank the member for his question. Yes.

Supplementary question

Mr WALSH (Murray Plains) — With the register of interests act requiring that ordinary returns shall contain information ‘which the member considers might appear to raise a material conflict’, and given that Allstar MMA posted on its website a picture of the minister receiving the first unique Bruce Lee canvas print in Australia just after he accepted free accommodation, I ask: in the interests of transparency, why did he not disclose this gift?

Mr EREN (Minister for Sport) — I thank the member for his question. I have complied with the registry — —

Honourable members interjecting.

The SPEAKER — Order! Opposition members will allow the minister to respond to the supplementary question, and the Premier will also allow the minister to respond.

Mr EREN — I have complied with the requests under the guidelines for members register of interests, and I have complied with those interests.

Mr Clark — On a point of order, Speaker, I draw your attention to sessional order 11(2) in relation to answers being responsive to questions. I submit that the minister’s answer was not responsive to the supplementary question.

Ms Allan — On the point of order, Speaker, the minister could not have been more direct and more responsive to the question that was asked. I suggest that you rule the point of order out of order.

The SPEAKER — Order! I do not uphold the point of order. The minister was in order.

Ministers statements: employment

Mr ANDREWS (Premier) — I am very pleased to inform the house of a new government initiative that is getting Victoria back to work. Last week we learnt that our state’s unemployment rate fell from 6.6 per cent to 6 per cent — news that I am sure all members of this house and indeed all Victorians are pleased about. There is much more to do of course, but these are

promising results for workers and their families across our state.

Today I can inform the house that Australia’s largest paint manufacturer has shown its confidence in our state and our future. I can announce that Dulux will establish a major new — —

Honourable members interjecting.

Mr ANDREWS — Those opposite are disinterested. This government has delivered — —

Honourable members interjecting.

The SPEAKER — Order! The house will come to order.

Mr ANDREWS — As I was saying, I can inform the house and those opposite that Dulux, one of Australia’s largest paint manufacturers, will relocate its manufacturing facility from Queensland to Victoria — —

Mr Clark — On a point of order, Speaker, I draw your attention to sessional order 7 requiring that ministers statements relate to new government initiatives. My understanding is that this matter was an initiative of the Napthine government, and accordingly it is not a new government initiative.

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Hawthorn that when the Chair is on his feet the member will remain silent.

Mr ANDREWS — On the point of order, Speaker, the member for Box Hill is absolutely wrong. Let me assure the house that from my discussions with the chairman of the company and the CEO there was nothing done by that side of the house to secure this investment. It has been secured by this government, and it is proud to have done so.

Mr R. Smith — On the point of order, Speaker, it might be worth noting that the precinct structure plan that allowed for this was approved by the former Minister for Planning under the — —

The SPEAKER — Order! The member for Warrandyte will sit down. There is no point of order.

Mr ANDREWS — This is a \$165 million investment that will create 60 new full-time jobs at this state-of-the-art facility and 200 jobs in construction. It has been supported by this Labor government — a government committed to getting Victoria back to

work — with a modest but significant financial contribution to this company.

Honourable members interjecting.

The SPEAKER — Order! Opposition members will come to order, especially the member for Warrandyte.

Mr ANDREWS — It was a highly competitive process. This is in many respects, as the chairman indicated to me, a 50-year investment and a vote of confidence in Victorian manufacturing, Victorian skills and Victorian workers and in this government's clear leadership and determination to provide an environment where it is good to do business and good to invest. I want to thank the board of Dulux and its management for their vote of confidence in our state, and I wish them well in manufacturing the best products in the best state in our commonwealth.

Honourable members interjecting.

Minister for Sport

Mr WALSH (Murray Plains) — My question is again to the Minister for Sport, and I refer to the fact that the minister is prominently featured on the cage fighter promoter Allstar MMA website as a supporter, and I ask: was the minister listed as a supporter on this cage fighting promoter's website before or after he accepted free hotel accommodation from Allstar MMA in Queensland?

Mr EREN (Minister for Sport) — I thank the member for his question.

An honourable member interjected.

The SPEAKER — Order! The minister, to respond.

Mr EREN — Through you, Speaker. I am glad members of the opposition think this is a funny issue; it is not. MMA — mixed martial arts — is a well-regarded sport that is followed by many, many thousands of people across the country, including in Victoria. This is about making sure that we get our policy settings right. We attempted to talk to stakeholders. There are a number of — —

Mr Guy — On a point of order, Speaker, it was a very clear question. It had nothing to do with what the minister is talking about.

An honourable member interjected.

Mr Guy — No, it is not clear at all. The question was actually very clear: was the minister listed as a

supporter on the cage fighting promoter's website before or after he accepted hotel accommodation in Queensland? It is a very simple question.

Mr Merlino — On the point of order, Speaker, the Minister for Sport does not edit the website of this particular organisation. He had just begun answering the question and was being completely relevant to the question around mixed martial arts. The point of order should be ruled out of order.

Mr R. Smith — On the point of order, Speaker, and in response to the Deputy Premier, the question was not about who administers the website. The question was very plain, very simple and very narrow: was the minister put up as a supporter before or after he accepted free gifts from the organisation?

The SPEAKER — Order! The minister to continue, and the minister to be responsive to the question.

Mr EREN — I am not aware of websites — —

Honourable members interjecting.

Mr EREN — Do you want to listen to the answer or not?

The SPEAKER — Order! I have warned the minister before. The minister should speak through the Chair. The minister will continue and be responsive.

An honourable member interjected.

The SPEAKER — Order! The member for Gembrook! The minister to continue.

Mr EREN — I will ignore that interjection. As I have indicated, there are probably thousands of people through social media and other websites who know my stance and our policies supporting mixed martial arts; there is no question about that. In relation to the web page that the member is talking about, I am not aware of who controls that web page or what they put on that web page.

The other issue is, as I have indicated before, it is widely known that our stance and our policies in relation to mixed martial arts are that we do support mixed martial arts sport in this state, unlike the opposition, who have consistently put their head in the sand in relation to the issue. What they have actually done, Speaker, through you, is totally ignored the fact that for four years they were in government — —

Mr R. Smith — On a point of order, Speaker, it is clear that the minister is starting to debate the question. Can you please bring him back to order?

The SPEAKER — Order! The minister to continue, and the minister to be responsive.

Mr EREN — I have already responded to the question in relation to what people put on their web pages that I am not aware of. Clearly on this occasion I cannot control who puts what on their web pages. I am not aware of any such claims on any web page, and I cannot be responsible for the thousands of people who go on social media and comment about our strong support for mixed martial arts. That is one thing about the government side of the house: we support mixed martial arts and the community that does this sport.

Supplementary question

Mr WALSH (Murray Plains) — I refer to the fact that the cage fight promoter, Allstar MMA Tours, refers to it being an honour to be invited to Parliament to meet with its supporter, the minister, and I ask: was this invite to Parliament House just another pay-off to the cage fighting promoters who funded his Queensland junket?

Honourable members interjecting.

Ms Allan — On a point of order, Speaker, I am sure the minister will be very pleased to dispatch the question put by the Leader of The Nationals, but I suggest that it does not comply with the requirements of the sessional orders around the asking of supplementary questions. The original question that was asked went to the issue of who was hosting what on whose website, which is a very broad interpretation of government administration. This is an entirely different subject matter, which the member opposite is, I am sure, able to ask in his next question that will go down this same path. We are being preached to on these issues by the former minister responsible for the Office of Living Victoria; the irony is not lost on us on this matter.

Honourable members interjecting.

The SPEAKER — Order! The member for Melton and government members will come to order.

Ms Allan — I put it to you, Speaker, that the supplementary question should be ruled entirely out of order. It does not comply in any way with the sessional orders in being relevant to the original question that was asked.

Mr WALSH — On the point of order, Speaker, the supplementary question seeks further advice from the minister around the issue of the fact that he is listed as a supporter on the website of Allstar MMA and representatives of the company were actually his guests

in Parliament here for a photo opportunity standing in front of where you are sitting.

Ms Thomson — On the point of order, Speaker, there is no doubt that this supplementary question introduces a totally separate context from that of the original question, and I suggest that it should be ruled out of order. It is inconsistent with the question that was asked.

Mr Clark — On the point of order, Speaker, sessional order 6(2) makes it clear that supplementary questions can relate to not only the original question but also relate to or arise from the answer. The minister's answer indicated that he had no awareness of his involvement as a supporter of this organisation. The supplementary question relates to the relationship between him as a supporter of this organisation and its visit to Parliament House, and it therefore arises from the answer given by the minister.

The SPEAKER — Order! I do allow the question. It is in order, and the minister will respond.

Mr EREN (Minister for Sport) — I thank the member for his question, which is clearly scraping the bottom of the barrel. I am not sure who he invites to Parliament, but I saw him one day with Tony Abbott, the Prime Minister. However, I will not hold that against him.

Honourable members interjecting.

The SPEAKER — Order! The minister will sit down now.

Mr R. Smith — On a point of order, Speaker, I think — —

Honourable members interjecting.

The SPEAKER — Order! Points of order will be heard in silence, and government members will cooperate with that silence.

Mr R. SMITH — Thank you, Speaker. I am sure you can anticipate what my point of order is. The fact of the matter is that the minister, in a very aggressive fashion, is — —

The SPEAKER — Order! The member for Warrandyte will sit down. That is not a point of order.

Mr EREN — It is absurd to think that we as members of Parliament do not invite people to this place. We all invite people to this place. Of course we invite stakeholders and other people involved in our

portfolios, and indeed in our electorates, and yes, I have invited Allstar MMA Tours to Parliament — —

Honourable members interjecting.

Mr EREN — This is absurd. This is ridiculous. This is what we — —

Honourable members interjecting.

The SPEAKER — Order! The minister will continue.

Mr EREN — This shows how proud the members opposite are to be the opposition. This is an absurd question. Of course all members of Parliament invite — —

The SPEAKER — Order! The minister will sit down. His time has now expired.

Ministers statements: jury directions

Mr PAKULA (Attorney-General) — I rise to inform the house of a new initiative the government will be taking to reform current laws which perpetuate incorrect and outdated views about complainants in sexual offence cases. Today the government will introduce the Jury Directions Bill 2015 into Parliament. The bill will reform jury directions in criminal trials.

Jury directions have evolved over time to the point where the law on how to properly direct a jury is complex, uncertain and unfair.

A key concern for the government is the current law, which provides that a complainant's credibility may be affected by their failure to report a sexual offence at the earliest opportunity. This is based on inaccurate assumptions about the behaviour of complainants. In addition to perpetuating these misconceptions, the law currently requires judges to give contradictory directions, which are confusing for jurors.

The Jury Directions Bill 2015 will amend the law to require a judge to address any such misconceptions early in a trial in appropriate cases. The bill will also prevent the judge and the parties from saying or suggesting that sexual offence complainants are unreliable in general. However, the bill will continue to allow the parties to make specific arguments about delay and credibility in the trial. This is a significant reform which recognises the need for courts to challenge rather than perpetuate old-fashioned ideas about how a genuine victim would or should behave. There is no typical response to a sexual offence, and delay in making a complaint is common.

This bill will lead to fairer trials for victims of sexual assault, and by reducing the length and complexity of a range of other jury directions it will benefit the broader community by reducing court delays and the costs of appeals and retrials while increasing confidence that jury verdicts are based on a proper understanding of the law.

Questions and statements interrupted.

DISTINGUISHED VISITORS

The SPEAKER — Order! I wish to inform the house that we have in the gallery His Excellency Andris Teikmanis, Ambassador to Australia from the Republic of Latvia. We welcome the ambassador. We also have Mr Janis Delins, the Honorary Consul of the Republic of Latvia. Welcome.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Ministers statements: jury directions

Questions and statements resumed.

Mr Morris — On a point of order, Speaker, with regard to the ministers statement just made by the Attorney-General, I ask you to consider, perhaps overnight or at a later time, that while the rules of anticipation do not apply because this bill has not yet been introduced, having a quasi second-reading speech as part of a ministers statement is a serious — —

Honourable members interjecting.

The SPEAKER — Order! The member for Mornington will continue making his point of order. He will come to the point of order and make it directly.

Mr Morris — Regardless of how bills have been telegraphed, probably for decades, to introduce discussion and effectively a 2-minute speech in support of a bill prior to its introduction is a significant departure from the legislative process, and I ask you to consider its implications.

The SPEAKER — Order! I thank the member for Mornington for his point of order.

Honourable members interjecting.

The SPEAKER — Order! I advise the Leader of The Nationals that I have not finished the ruling. I do not uphold the point of order; the minister was in order.

Fight promoters

Mr WALSH (Murray Plains) — My question is to the Minister for Sport. Have you ever been lobbied by the fight industry to review the fit and proper person test for fight promoters?

Honourable members interjecting.

Mr EREN (Minister for Sport) — I thank the member for his question. Of course we as members of Parliament are approached by a number of different people in relation to our portfolios. Relating to sports and combat sports, there has been a lot of discussion about combat sports over the past few months, not only with stakeholders of course but within the media. Now that it is within the realm of my portfolio as a minister, we are very careful about our conduct in relation to — —

Honourable members interjecting.

Mr EREN — Excuse me, what are you laughing at?

The SPEAKER — Order! The minister to continue, through the Chair.

Mr EREN — We have always acted in a proper way in relation to dealing — —

Honourable members interjecting.

The SPEAKER — Order! The minister to continue.

Mr EREN — Speaker, through you, I am not going to yell. We are not going to change any of the legislation that was brought before the house when we were in opposition and they were in government. Clearly the probity issue is very important, particularly to the combat sports area. That is why some of the policy changes that we are making enshrine and make sure that they strengthen the fit and proper tests going forward in relation to the combat sports area.

I go back to the point that the Professional Boxing and Combat Sports Board, which is the regulator for this industry, reports to the minister in an independent manner and advises the minister of the day in relation to all these issues. Within that framework, as both the former opposition spokesperson on sport and the minister, I say we have obviously adhered to all the guidelines.

Supplementary question

Mr WALSH (Murray Plains) — Given the minister's answer, can the minister now give a guarantee that there will be no weakening of the laws

relating to the fit and proper person test for fight promoters? Can he give a guarantee?

Mr EREN (Minister for Sport) — I thank the member for his question. Yes, absolutely! That is why we have regulated the very important and fastest growing sport in the world — mixed martial arts. We have actually made it safer now, and we have regulated it to a point where not only the competitors but indeed the spectators and all the officials around the industry will be protected. Obviously we are very strong on making this industry very strong. Yes, is the answer to the question — unlike those opposite who, through you, Speaker, for four years ignored the industry and requests from the Professional Boxing and Combat Sports Board — —

Mr Clark — On a point of order, Speaker, the minister is now debating the question. I ask you to bring him back to answering it.

The SPEAKER — Order! The minister has finished.

Ministers statements: emergency services volunteers

Ms GARRETT (Minister for Emergency Services) — I rise to inform the house of a new government achievement by announcing the opening of the 2015–16 volunteers emergency services equipment program. This program ensures that the outstanding work performed by our tireless emergency services volunteers in protecting Victorians' lives and properties when these are threatened by disasters, which hit our state all too frequently, can continue. The Andrews Labor government will provide up to \$12.54 million to help volunteer emergency services organisations protect lives and properties across the state, which is an increase of several hundred thousand dollars on the previous year.

The program offers grants of up to \$100 000 for emergency services volunteer groups to purchase additional operational equipment — vehicles, trucks, tankers, watercraft and trailers — and make minor facility improvements. This funding is key to helping these selfless volunteers respond to emergencies such as fires, floods, heatwaves, storms, water rescues and related incidents. By matching every \$1 raised by local volunteer groups with \$2, this Labor government is ensuring that our tens of thousands of volunteers will be provided with the infrastructure they need to help out thousands of everyday Victorians year in year out.

Throughout my career, but particularly in the last few months I have had in this job, I have had the absolute privilege of seeing our volunteers' dedication to their skills and their communities as they have fought fires, patrolled our beaches and responded to critical incidents across the state. These grants, which I note were first commenced under the Bracks Labor government in 2000 as the community safety emergency support program, are just a small way in which we proudly contribute — —

Mr Watt — On a point of order, Speaker, I note that the sessional orders call for ministers statements to be about something new. The minister has just told us that it is not about something new; it is about something that was introduced years ago.

The SPEAKER — Order! There is no point of order.

Ms GARRETT — I do apologise to the member for Burwood. I did not notice him stand up — I do not know how — with that beard!

These grants, which first started under the Bracks — —

The SPEAKER — Order! The minister's time has expired.

Minister for Sport

Mr GUY (Leader of the Opposition) — My question is to the Premier. To ensure that all ministers act in an appropriate manner at all times, does this government have a ministerial code of conduct — yes or no?

Mr ANDREWS (Premier) — Arrangements around probity and standards have not changed from the previous government to this one. That answers the question. I say beyond that, for the benefit of the Leader of the Opposition and all members of this house, that each of us as members of Parliament first and foremost, and those of us who are fortunate enough to be given the great gift of serving with a commission from the Governor, all need to uphold the highest standards. That is what every member of this Parliament should do, and that is what every member of this government will do.

Supplementary question

Mr GUY (Leader of the Opposition) — I note that the ministerial code of conduct has been deleted from the department's website. However, in referring to the Minister for Sport's relationship with and support of cage fighting promoters, to his receipt of gifts, both

declared and undeclared, and to his introduction of cage fighting into Victoria days after returning from the Queensland junket — despite opposition from Victoria Police, the Australian Medical Association and victims of crime — I ask: has the Premier satisfied himself that the minister has acted at all times appropriately and in fact meets this now-deleted code of conduct?

Mr ANDREWS (Premier) — Yes.

Ministers statements: ambulance services

Ms HENNESSY (Minister for Ambulance Services) — I am pleased to inform the house of a new government initiative. The Premier and I released the Ambulance Performance and Policy Consultative Committee interim report last Saturday. I am delighted to advise the house that this report was released within 100 days of this government taking office. It confirms what paramedics have been telling the Victorian community for some time — that is, that our ambulance services are in crisis and will continue to worsen without a new start. The interim report tells a story of ambulance services that have been neglected for over four years under the previous government.

The interim report identifies a number of important areas for reform. First and foremost, the interim report released the data — data that the previous government refused to release. What did that data reveal? It showed us that the performance of ambulance services in this state is the worst on the Australian mainland. The second issue the report canvasses is how the gaps in our health services impact upon the ability of paramedic services to perform properly and to respond to life-threatening situations. The third important area goes to the culture of Ambulance Victoria.

We know that our paramedics are indeed hardworking, but we have high levels of fatigue, high levels of post-traumatic stress disorder and, very sadly, very high levels of suicide. We have an enormous amount of work to do to rebuild that culture. Forty-five per cent of paramedics surveyed in this report said they would not recommend Ambulance Victoria as a place to work. That is quite a damning and alarming statistic.

This government is committed to addressing these issues. We need to improve response times, we need to value our paramedics and we need to transform Ambulance Victoria and its performance into a modern organisation that is fit for purpose. I look forward to doing that work. Over the next two months we will be conducting more consultations. We will deliver a final report by the end of the year.

Cage fighting

Mr GUY (Leader of the Opposition) — My question is to the Premier. Can the Premier inform the house how many times he has met with cage fighting operators and promoters before allowing cage fighting into Victoria?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question, and conscious of my obligations to be accurate, I believe I have had one such meeting, but I am happy to check my records and come back to him. All meetings I have are conducted against the highest probity standards, and if the Leader of the Opposition has an allegation to make, then he ought to make it. I am more than happy to check my records and get back to the Leader of the Opposition. That is the appropriate way to go.

Supplementary question

Mr GUY (Leader of the Opposition) — With the Premier having previously met with Allstar MMA, can he now tell the house: what did they say to him to convince him that the advice of Ken Lay, the Australian Medical Association, victims of crime, Victoria Police and various women's groups not to allow cage fighting in Victoria was all wrong?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question. We took a very clear policy to the election, and Victorians voted for this government to get on with delivering on each and every one of the commitments it made. I refer the Leader of the Opposition to the overwhelming view of the governing body of the mixed martial arts sport that to continue this sport in a conventional boxing ring is not appropriate. We were convinced by that argument then, just as we are now, and that is why the minister has wasted no time making this change. This is a policy that Victorians voted for, and it is being delivered in full by this government.

Ministers statements: rail manufacturing industry

Ms ALLAN (Minister for Public Transport) — I am pleased today to make an announcement to the house about a new action the Andrews Labor government has taken that is addressing the chronic underinvestment in our public transport rolling stock and supporting jobs in Ballarat. A couple of weeks ago I was pleased to join the Premier and our fantastic representatives from Ballarat to make an announcement that we would be getting on with — —

Mr Watt — On a point of order, Speaker, sessional order 7 is very clear that ministers statements should be on new matters. The minister has just told us that the subject of this statement is not new; it is at least a couple of weeks old.

The SPEAKER — Order! There is no point of order. The minister to continue.

Ms ALLAN — We are getting on with it, and we are purchasing five 6-car train sets from Alstom in Ballarat to make a significant investment in this state's rolling stock, but most importantly we are helping to protect those workers and their jobs in the Ballarat workshops — a vital investment. This is part of the Andrews Labor government's commitment to purchase more trains, be it for the regional or the metropolitan train system, and we will be having a lot more to say about that in coming weeks.

Let me provide some information. This might be new information for the member for Burwood that he would be interested in. The new information is that the former government was given the option in 2014 of purchasing more trains from Alstom but declined to do so. It rejected that opportunity. This left the state with a lack of rolling stock and left Alstom and that workforce without a secure pipeline of work. Even if on our very first day in office we had gone in and straightaway ordered new trains, those Alstom workers would have been left with a difficult situation because of the gap in the order cycle that was left by the former government.

The former government had its chance last year to extend a lifeline to Alstom, and it did not. Instead it chose to return the money available to Treasury. Instead of investing in new trains and investing in the workforce in Ballarat, it returned the money to Treasury. We are getting on with ordering more trains for this state.

CONSTITUENCY QUESTIONS

Warrandyte electorate

Mr R. SMITH (Warrandyte) — (Question 93) I wish to raise an important matter for the Minister for Youth Affairs regarding support for local cubs and scouts in my electorate. The former coalition government was a great supporter of Victoria's scouts and guides. With a \$5 million investment, dozens of scout and guide halls were refurbished and renovated and support was given to train leaders and to encourage participation by young people from culturally and linguistically diverse backgrounds. The coalition shares many of the same values as the scouts and guides:

values such as respect, community service and the recognition of individual effort.

In order to continue to support these outstanding young Victorians, specifically those in my electorate, I ask the minister whether she will commit funding to the 1st Warrandyte/Park Orchards scouts. The Stiggants Reserve scout hall in Warrandyte was promised \$60 000 by the coalition government, and it is unfathomable that the Andrews Labor government would slash this funding and abandon these future young leaders. I ask: will the minister support these young Victorians with funding?

Broadmeadows electorate

Mr McGUIRE (Broadmeadows) — (Question 94) I call on the Minister for Local Government to report to the house on the issues regarding the Sunbury out of Hume proposal. This is an issue of great concern to constituents in my electorate, particularly with local media reports saying that the clock is ticking for anxious council workers who remain in the dark on whether they will remain Hume City Council employees or be transferred. It is also an issue of concern to ratepayers given the impact the separation will have on rates, on services and on debt if it goes ahead. This issue has been going for a long time in this area, and it needs a resolution. I call on the minister to report back as soon as possible.

Gippsland East electorate

Mr T. BULL (Gippsland East) — (Question 95) I have a constituency question for the Minister for Environment, Climate Change and Water. The information I seek relates to when she will respond to correspondence sent and matters raised by the East Gippsland Wildfire Taskforce on 15 January. I have met with members of the task force, who asked me to raise this with the minister because as of yesterday they had not received any answers to their questions. The task force wrote to both the minister and the Premier seeking that the new government meet a deputation from the group to discuss several resolutions in relation to bushfire mitigation and specifically controlled burning that were passed at a public meeting held in Bairnsdale on 5 November 2014. The Premier has since provided an interim response saying he has referred the matter to the minister, but no response has been received from the minister. Given that it is now nine weeks since this correspondence was sent, members of the task force have requested that I follow up this matter and seek a response from the minister.

Pascoe Vale electorate

Ms BLANDTHORN (Pascoe Vale) —

(Question 96) My constituency question is to the Minister for Roads and Road Safety. In the lead-up to the last state election I welcomed the now Premier to Glenroy, where he committed a Labor government to allocating \$10 million to build noise walls along the Western Ring Road. He indicated that the design work would begin early in the new year and would be followed closely by the construction phase. This announcement came as a great relief to local people, particularly Glenroy residents, who have been bearing the noise of the roaring traffic for far too long.

People have been suffering disturbed sleep and trying to manage babies and small children, who are particularly affected by the noise. Residents have also experienced difficulty in cooling their houses in the summer months because the simple opening of a window is an option forgone — the noise is simply too much. According to the World Health Organisation, night-time noise results in serious health problems, including increased blood pressure, increased heart rate and changes in respiration. The known effects of night-time noise have been causing great distress in the local community for quite some time. To the relief of local residents, Labor committed \$10 million to the construction of these noise walls, and I ask that the minister provide an update on the project.

The SPEAKER — Order! The honourable member's time has expired.

Nepean electorate

Mr DIXON (Nepean) — (Question 97) My question is to the Minister for Ambulance Services. Construction of a new ambulance station in Rosebud was due to commence in 2014. It was to be built on the site of the current station on Point Nepean Road, West Rosebud, adjacent to the Rosebud Hospital. Although the old ambulance station has been vacated in readiness for demolition, construction has not commenced. My question is: what is the revised time frame for the construction and completion of the new ambulance station for Rosebud?

Bendigo West electorate

Ms EDWARDS (Bendigo West) —

(Question 98) My constituency question is to the Minister for Public Transport. Can the minister provide an update to the Bendigo community on the progress being made with the Bendigo metro rail project? This was an election commitment by Labor, a project that

will redefine public transport in the city of Bendigo, connecting the suburbs of Eaglehawk, Kangaroo Flat and Epsom — a visionary project and one well supported by the City of Greater Bendigo. As a consequence, the people of Bendigo are very interested in hearing an update on the project.

Eildon electorate

Ms McLEISH (Eildon) — (Question 99) My question is to the Deputy Premier and Minister for Education. I refer the minister to comments made on Facebook last November by Murrindindi shire councillor Andrew Derwent regarding a new secondary school for Kinglake. Cr Derwent said that he had spoken about this issue with the Labor candidate for Eildon, Sally Brennan, and said that she ‘has a definite plan to remedy the problem’. Could the minister outline what definite plan Labor has for a new secondary school in Kinglake?

Carrum electorate

Ms KILKENNY (Carrum) — (Question 100) My constituency question is for the Minister for Roads and Road Safety. Can the minister provide an update on the progress of works at the intersection of Wedge Road and Frankston-Dandenong Road, Carrum Downs?

The minister will no doubt recall that he and I attended the intersection on a very cold and wet day last year in an effort to draw attention to the pressing need for action at this notorious intersection. Back in 2010 Labor committed to upgrade the intersection and to install traffic lights, and for nearly four years Labor continued to campaign for an upgrade. The local area is undergoing rapid housing growth, and with the Shri Shiva Vishnu Temple and arts and cultural centre nearby the need to upgrade this intersection has increased significantly. I know the local community is very keen to hear about the plans and progress of works at this intersection, and I ask the minister if he could provide an update for them.

Bass electorate

Mr PAYNTER (Bass) — (Question 101) My constituency question is for the Minister for Public Transport. The coalition budget for the financial year 2014–15 included funding for the \$2 billion to \$2.5 billion Cranbourne-Pakenham rail corridor project. The realisation of this project would mean that the number of peak hour trains would increase to a total of 18 services and create 3000 new jobs during its construction phase. It would mean that an extra 4500 commuters from Melbourne’s south-east and

within my electorate would be able to reach the CBD during peak hour, thereby reducing the growing pressure on our roads. I ask: given the government’s commitment to better public transport in Victoria, its undertaking to create more jobs for Victorians and its promise to invest in these projects, which benefit not only the inner city but outer Melbourne, will the government sign up to this project and include the Cranbourne-Pakenham rail corridor project in its next state budget?

Yan Yean electorate

Ms GREEN (Yan Yean) — (Question 102) My constituency question is to the Minister for Ambulance Services. The community of Wallan is deeply concerned about ambulance response times, which in some cases are over 15 minutes or worse for code 1 emergencies, and I ask: can the minister advise why it has taken over four years to build an ambulance station for this growing community, causing paramedics to work 17 kilometres away in Kilmore?

JURY DIRECTIONS BILL 2015

Introduction and first reading

Mr PAKULA (Attorney-General) — I move:

That I have leave to bring in a bill for an act to simplify and clarify the law on jury directions in criminal trials and for other purposes.

Mr PESUTTO (Hawthorn) — I seek a brief explanation of the bill, in particular how it differs from the Jury Directions Amendment Bill 2013, which was defeated in this house last year.

Mr PAKULA (Attorney-General) — The bill, as the member is aware, does a number of things, including clarifying jury directions in regard to credibility and delay and also in regard to consent and the withdrawal of consent in sexual offence matters. It differs from the bill that was introduced in 2013 in the respect that it will not be put to a vote without being debated.

Motion agreed to.

Read first time.

**NATIONAL PARKS AMENDMENT
(PROHIBITING CATTLE GRAZING) BILL
2015**

Introduction and first reading

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I move:

That I have leave to bring in a bill for an act to amend the National Parks Act 1975 in relation to cattle grazing and for other purposes.

Mr WALSH (Murray Plains) — I ask the minister for a brief explanation of the bill.

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I am very happy to provide a brief explanation. This bill is to fix the so-called loophole that the previous government thought existed in legislation and that enabled cattle to graze in the Alpine National Park. We will be removing that so-called loophole through this legislation and implementing our election commitment to ban cattle grazing in the Alpine National Park and the river red gum national park.

Motion agreed to.

Read first time.

**MENTAL HEALTH AMENDMENT BILL
2015**

Introduction and first reading

Mr FOLEY (Minister for Mental Health) — I move:

That I have leave to bring in a bill for an act to make various miscellaneous amendments to the Mental Health Act 2014 and the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 and for other purposes.

Mr PESUTTO (Hawthorn) — I seek a brief explanation of the bill.

Mr FOLEY (Minister for Mental Health) — For the information of the honourable member, this bill will give effect to the Andrews Labor government election commitment around accountability and reporting to Parliament on issues associated with the mental health portfolio. It will also deal with a range of matters arising from the Mental Health Act 2014, including a series of minor typographical and other related errors as well as transitional changes to the machinery of government arrangements as a result of departmental reorganisation.

Motion agreed to.

Read first time.

**DOMESTIC ANIMALS AMENDMENT BILL
2015**

Introduction and first reading

Ms ALLAN (Minister for Public Transport) — I move:

That I have leave to bring in a bill for an act to amend the Domestic Animals Act 1994 to provide for a moratorium on the destruction of restricted breed dogs in certain circumstances and for other purposes.

Mr WALSH (Murray Plains) — I ask the minister for a brief explanation of the bill.

Ms ALLAN (Minister for Public Transport) — This bill provides for a moratorium to be in place for a period of time while the inquiry into the breed-specific legislation is carried out.

Motion agreed to.

Read first time.

**SCRUTINY OF ACTS AND REGULATIONS
COMMITTEE**

Alert Digest No. 2

Ms BLANDTHORN (Pascoe Vale) presented *Alert Digest No. 2 of 2015* on:

Back to Work Bill 2014

**Education and Training Reform Amendment
(Child Safe Schools) Bill 2015**

**Legal Profession Uniform Law Application
Amendment Bill 2015**

**Limitation of Actions Amendment (Child Abuse)
Bill 2015**

**Public Health and Wellbeing Amendment
(Hairdressing Registration) Bill 2015**

Veterans and Other Acts Amendment Bill 2015

together with appendices.

Tabled.

Ordered to be published.

DOCUMENTS**Tabled by Clerk:***Financial Management Act 1994:*

2014–15 Mid-Year Financial Report incorporating the Quarterly Financial Report No 2 for the period ended 31 December 2014

Reports from the Minister for Environment, Climate Change and Water that she had not received the reports 2013–14 of the:

Falls Creek Alpine Resort Management Board, together with an explanation for the delay

Mount Baw Baw Alpine Resort Management Board, together with an explanation for the delay

Interpretation of Legislation Act 1984 — Notice under s 32(4)(a)(iii) in relation to Waste Management Policy (Solid Fuel Heating) 2004 (*Gazette G8, 26 February 2015*)

Lake Mountain Alpine Resort Management Board — Report year ended 31 October 2014

Mount Buller and Mount Stirling Alpine Resort Management Board — Report year ended 31 October 2014

Mount Hotham Alpine Resort Management Board — Report year ended 31 October 2014

Parliamentary Committees Act 2003 — Government response to the Law Reform, Drugs and Crime Prevention Committee's Report on the Inquiry into the supply and use of methamphetamines, particularly 'ice', in Victoria

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

Corangamite — C41, GC20

Frankston — C106, GC20

Glen Eira — C113, C120

Greater Bendigo — C158

Greater Geelong — C298

Greater Shepparton — C134

Hindmarsh — C13

Horsham — GC20

Hume — C195

Indigo — GC20

Kingston — C121

Mansfield — GC20

Maroondah — GC20

Melton — C112

Moira — GC20

Moonee Valley — C134

Moorabool — C53

Mornington Peninsula — C174 Part 3

Murrindindi — C56

Nillumbik — GC20

Northern Grampians — GC20

Stonnington — GC20

Strathbogie — GC20

Towong — GC20

Wangaratta — GC20

Wodonga — C93, GC20

Yarra Ranges — C137, C141

Statutory Rules under the following Acts:

Constitution Act 1975 — SR 10

Corporations (Ancillary Provisions) Act 2001 — SR 10

Supreme Court Act 1986 — SRs 10, 11

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 9, 10, 11

Documents under s 16B in relation to the *Racing Act 1958* — Amendments to the Greyhound Racing Victoria Local Racing Rules.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014 — Part 4, Part 5, Division 3 of Part 7 and s 151 — 4 March 2015 (*Gazette S44, 3 March 2015*).

BACK TO WORK BILL 2014

Council's amendment

Returned from Council with message relating to amendment.

Ordered to be considered later this day.

ROYAL ASSENT

Message read advising royal assent on 10 March to:

**Education and Training Reform Amendment
(Funding of Non-Government Schools) Bill 2014**

**Wrongs Amendment (Asbestos Related Claims)
Bill 2014.**

APPROPRIATION MESSAGES

**Message read recommending appropriations for
Limitation of Actions Amendment (Child Abuse)
Bill 2015.**

**RESIGNATION OF LEGISLATIVE
COUNCIL MEMBER**

Mr O'Brien

The DEPUTY SPEAKER — Order! I have received the following letter from the Governor, dated 25 February, addressed to the Speaker:

I write to advise that today Mr Danny O'Brien, MP, handed me his letter of resignation as member for Eastern Victoria Region. A copy of that letter is enclosed for your records.

I have written to the Premier and President of the Council in substantially like terms.

As you know, upon Mr O'Brien's resignation, his seat in the Legislative Council became vacant. In the circumstances, a joint sitting of the Council and Assembly is required to fill this vacancy in accordance with section 27A of the Constitution Act 1975. I assume that you and the President will arrange for that to take place.

JOINT SITTING OF PARLIAMENT

Victorian Health Promotion Foundation

The DEPUTY SPEAKER — Order! The Speaker has received the following communication from the Minister for Health:

Re: membership — the Victorian Health Promotion Foundation.

The Victorian Health Promotion Foundation was established under section 16 of the Tobacco Act 1987 to promote good health and prevent illness in the community.

Under section 21(1)(f) of the act three persons who are members of the Legislative Council or the Legislative Assembly are elected as member of the foundation by the Legislative Council and Legislative Assembly jointly. A parliamentary member of the foundation holds office for three years but is eligible for re-election.

Currently, there are no parliamentary members on the foundation.

I would be grateful if you could place the election of three members of the foundation on the agenda for a joint sitting of both houses.

The letter is dated 1 February.

Victorian Responsible Gambling Foundation

The DEPUTY SPEAKER — Order! The Speaker has also received the following communication from the Minister for Consumer Affairs, Gaming and Liquor Regulation:

Election of members to the board of the Victorian Responsible Gambling Foundation.

The Victorian Responsible Gambling Foundation Act 2011 (VRGF act) provides for three members of the board of the Victorian Responsible Gambling Foundation (the foundation) to be members of the Legislative Assembly or the Legislative Council elected jointly.

Section 11 of the VRGF act provides that an elected member holds office for either four years after the member's election to the board or until a house of Parliament is prorogued or the Legislative Assembly is dissolved.

I would be grateful if arrangements could be made for a joint sitting to occur, at the earliest time that is convenient for both houses of Parliament, to elect three parliamentary members to the board of the foundation to fill the vacancies created when the Legislative Assembly was dissolved in November 2014.

I am writing similarly to the President of the Legislative Council and will send a copy of this letter to the Clerk of the Legislative Assembly.

BUSINESS OF THE HOUSE

Program

Ms ALLAN (Minister for Public Transport) — I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 5.00 p.m. on Thursday, 19 March 2015:

Back to Work Bill 2014 — Amendment of the Legislative Council

Education and Training Reform Amendment (Child Safe Schools) Bill 2015

Legal Profession Uniform Law Application Amendment Bill 2015

Limitation of Actions Amendment (Child Abuse) Bill 2015

Public Health and Wellbeing Amendment (Hairdressing Registration) Bill 2015

Veterans and Other Acts Amendment Bill 2015.

In speaking very briefly to the program that has just been presented to the house, I make note that the information which had been previously circulated and which had listed the address-in-reply to the Governor's speech as listed for completion by 5.00 p.m. on

Thursday of this week was listed in error. The address-in-reply will remain on the notice paper beyond the end of this week to ensure that as many members as possible who may wish to respond to the Governor's speech and provide an address-in-reply contribution are able to do so in future weeks of the Parliament.

The rest of the program includes five bills — a reasonable number — on which I have no doubt we will engage in good debate during the course of the week. The only other comment I wish to make is that I plan to have the Back to Work Bill 2014 debated immediately following members statements this afternoon. We are very keen to progress this bill through the Parliament as quickly as we can. It is an important piece in our government's legislative agenda to get the state back to work, and it brings into effect one part of the policy that Labor took to last November's election around creating more jobs, and in this case specifically providing support to employers with payroll tax relief to employ more Victorians.

Unfortunately the Back to Work Bill has had a challenging path through the Parliament. It has not been lost on many of us that a bill that supports employers to employ more people has had blockages put up in front of it by other members of Parliament. That is disappointing, but I hope we will see a speedy resolution to this bill today and that it can be passed both by this house and the upper house at some point in the near future so it can be enacted, the effect of which will be that we can get people back to work. With those few comments, I commend the motion to the house.

Mr CLARK (Box Hill) — On the understanding that the address-in-reply is only intended to be brought on for debate by the government if debate on bills is completed this week — which I believe is the government's intention — the opposition does not oppose the government business program.

The Leader of the House referred to the Back to Work Bill 2014 and indicated that she proposes that that be debated immediately after members statements. She made some gratuitous remarks about the course that bill has taken through this Parliament up until now. It is somewhat surprising that the Leader of the House characterises measures to improve government accountability as blockages in the way of the bill. Hopefully these matters can be resolved expeditiously when the bill comes on for debate in consideration of the Legislative Council's amendments later this afternoon.

It appears, however, that the government still has its training wheels on, in terms of organising the

mechanics around the government business program. This is the second sitting week when the government has not met its commitment to providing the government business program to the opposition by 4.00 p.m. on the Thursday preceding the sitting week. That was something the then Labor opposition regarded as very important in the previous Parliament, and I understand that the member for Brighton was scrupulous in ensuring that that was complied with for the obvious reason that oppositions need to be aware of what the government business program is so that preparations for the forthcoming sitting week can be made properly.

I am sure the Leader of the House, who was manager of opposition business in the previous Parliament, appreciates that and will be taking steps to ensure that whatever mechanical or operational glitches have prevented the provision of the government business program to the opposition by Thursdays of the weeks preceding the two sitting weeks so far are remedied in future.

The other aspect of the sittings I will make brief reference to is that some of the confusion in relation to whether the address-in-reply debate is part of the government business program may arise from the layout of the email notifications that are sent around on behalf of the government. It may be that those sorts of issues can be avoided by distinguishing in those notices between matters that are intended to be put to the guillotine at the end of the week and matters that are to be brought on for debate during the week but are not subject to the guillotine under the government business program.

I also understand that it is intended that there will be a break in proceedings this Thursday in order that important events in relation to Closing the Gap can take place in Queen's Hall. The opposition certainly regards the recognition of the Closing the Gap objectives as very important; they have enjoyed bipartisan support under all governments. I think that going forward there will need to be — and I think the Speaker has flagged his intention to have discussions with all parties about this — arrangements for holding events during parliamentary sitting periods, given that the house does not now break during the lunchtime period.

The final matter I mention relates to consideration in detail. I again place on the record that it was the now government's election commitment to make consideration-in-detail debate a standard part of the consideration of bills in the Legislative Assembly. So far we have had, I think, one bill considered in detail. I indicate that this week in particular the opposition

believes it is appropriate that the Limitation of Actions Amendment (Child Abuse) Bill 2015 be considered in detail, given that there have been a number of departures from the exposure draft bill that was released last year. It will be important to examine those and the reasons for them so that the house and the community can be satisfied as to the drafting of that very important bill. Likewise the Veterans and Other Acts Amendment Bill 2015 contains amendments to a wide range of acts, and a number of those deserve canvassing in detail by this house.

Mr BROOKS (Bundoora) — I will make a brief contribution on the government business program motion. As the Leader of the House has mentioned, this is a solid business program. It is strange to rise in the debate on this motion and have the agreement of the other side of the house; it feels a little bit surreal.

I have said in this place before that the test of a business program and the matters we discuss here is their relevance and importance to the Victorian people, whom we are elected to serve. A look through the list of items on the business program, which includes the Council's amendment to the Back to Work Bill 2014, indicates that this is legislation that I think the Victorian people would see as quite important and relevant to their lives.

Two bills deal with preventing and introducing fairness into cases around child abuse. In addition, from memory, the Back to Work Bill is the first employment-generating piece of legislation in this place in four years, so it is a good business program. As has been mentioned, this program provides for a lunchbreak on Thursday so all members can attend an event around Closing the Gap, which is an initiative that has the full support of members on this side of the house and, I am sure, of most, if not all, members of this house. I am sure members will avail themselves of the opportunity to attend that event.

Mr CRISP (Mildura) — I rise to speak on the government business program motion. The Nationals, in coalition, are not opposing this week's business program. The five bills on the list cover a lot of areas extensively. The Education and Training Reform Amendment (Child Safe Schools) Bill 2015 is an important one — establishing frameworks for child abuse is good work in this Parliament. This is certainly a year in which we are very much focusing on domestic violence and child abuse. Its partnering bill is the Limitation of Actions Amendment (Child Abuse) Bill 2015, which is to do with statutes of limitations.

We will divert a little with the Public Health and Wellbeing Amendment (Hairdressing Registration) Bill 2015, which will relieve the burden of some of the inspections of our hairdressers. As we look across country Victoria, just about every little town still has a hairdresser, so this is important legislation. It is something that was on the agenda of the previous government — that is, to lift the red tape imposed on hairdressers.

The Veterans and Other Acts Amendment Bill 2015 contains a number of omnibus-type provisions, but a couple of provisions are important particularly for regional Victoria. They are around the Residential Tenancies Act 1997 and will look at safety checks that are conducted in rooming houses. Rooming houses, backpacker hostels and similar types of accommodation are very much a part of country Victoria and in particular of Mildura. There is considerable angst in Mildura around some of the activities in this area, and this will steadily improve what is required of those whose properties are registered as rooming houses under the Residential Tenancies Act. I encourage the government to continue to look at those minimum standards.

It is also important to look at some of the patriotic funds issues. RSLs are very much a feature of my electorate and of country Victoria. The times are changing and some work needs to be done in this area. Of course the amendment to the Co-operatives National Law Application Act 2013 is something for regional Victoria. Cooperatives are very much back in fashion, and to be doing some work there to make that uniform across borders and to simplify some of those legal tests, particularly by making the first stop the Magistrates Court rather than the Supreme Court, is legislation worth debating and talking about.

I am pleased the government has allowed the address-in-reply to the Governor's speech to remain on the program, because it will allow the new member for Gippsland East to join those who have yet to make contributions to that debate in this house. I also support the comments of the manager of opposition business regarding the program. Receiving it by 4.00 p.m. will allow it to be distributed and early notice to be given to members on Thursday night or Friday morning, particularly in order to allow country members to do their research before they come to Melbourne.

The break in proceedings for the Closing the Gap event in Queen's Hall is also important. A number of rural electorates have a very high Aboriginal population, and closing the gap is certainly something that is close to the hearts of most country people who look at a very

visible gap that exists. With those words, The Nationals are not opposing the business program.

Mr CARBINES (Ivanhoe) — I am pleased to make some comments in supporting the government business program. I, too, am pleased to hear that opportunities will be provided for members to make contributions to the debate on the address-in-reply, and I look forward to making a contribution to that debate if not in this sitting week then in coming sitting weeks. Picking up on the points raised by the member for Bundoora, the government business program does need to be focused on matters that reflect their importance and relevance to our constituencies. In particular, it is important that the address-in-reply continues to be on the notice paper so that further contributions can be made to that debate. It is certainly relevant to our constituents to inform them about our election commitments and perhaps go into some detail and outline to the house the results of the election and what the government is committed to doing in meeting its commitments to the Victorian people.

I note also that in addition to the five bills on the government business program we have the proposed amendments to the Back to Work Bill 2014 to deal with. The Leader of the House outlined clearly that it is a bill about creating more jobs and providing payroll tax relief for businesses. While it has been difficult to get this matter through the Parliament, the bill supports getting more people back to work. Through the business program the government has provided the opportunity to bring on that bill for further debate in this house as soon as members statements conclude today. It is a fair indication of the priority the government places on this legislation that it is dealing with the proposed amendments from what some may call the house of review. We will deal with those amendments as expeditiously as possible. Having outlined to the house that the government is determined to deal with them as soon as possible today, the Leader of the House has given a clear indication of where the government's priorities lie with regard to the Back to Work Bill. It is about ensuring that every opportunity and support is provided to both employers and those who seek to work in Victoria and that the bill is dealt with as expeditiously as possible.

I note the comments from the manager of opposition business, the member for Box Hill, who said that the opposition is not opposing the government business program. He also made some gratuitous comments about the government being upset or annoyed about the delays to the passage of the Back to Work Bill. He indicated that it was perhaps because the government was on training wheels and that that was somehow to

blame for that upset or annoyance. It is a moot point, but while we on this side of the house might be more on training wheels, I understand that the member for Box Hill has had a lot of experience in opposition during the 11 years of the Bracks and Brumby governments and also for several years in the Cain and Kirner administrations, so perhaps those on the other side of the house are not on training wheels in relation to some of the matters that he has raised. This government is very clear on its priorities in relation to getting people back to work. It will deal with the amendments to the Back to Work Bill by bringing them on for debate at the earliest opportunity. I commend the government and the Leader of the House in particular on bringing on that debate.

In touching on some of the matters that the manager of opposition business has raised and suggested might be able to be considered in detail, I note that in the previous sitting week the government, as part of its election commitment to provide opportunities for consideration in detail of bills, made sure that there was a perfect example of that. It remains to be seen how some of the other matters that have been flagged by the opposition in relation to the Limitation of Actions Amendment (Child Abuse) Bill 2015 and the Veterans and Other Acts Amendment Bill 2015 may be dealt with by the house this week. The government's record has been very clear in meeting its election commitment by providing further scrutiny in this place for consideration in detail of bills. That is another matter that could potentially be dealt with through the week.

With those comments, I commend the government business program and look forward to getting down to debate, particularly on the proposed amendments to the Back to Work Bill so that we can continue to bring down the unemployment rate, as the Premier outlined in question time today, and continue to provide initiatives to support employers and Victorians who want to get back to work.

Mr HIBBINS (Pahran) — I rise to speak on the government business program. The Greens will not be opposing the program in this instance. As well as the important amendment to the Back to Work Bill 2014, two of the five bills being introduced are of particular importance — the Education and Training Reform Amendment (Child Safe Schools) Bill 2015 and the Limitation of Actions Amendment (Child Abuse) Bill 2015. These bills are part of the process of implementing the recommendations of the *Betrayal of Trust* report on child abuse.

Proceedings in this chamber, and the conduct of politics in general, can be quite adversarial at times, which does

not necessarily endear us to the wider public, but with these bills the public will be looking to us to demonstrate this week that all sides can come together in Parliament and work with the community, as the Family and Community Development Committee did, to address the critical issue of child abuse. I look forward to hearing the contributions of all members to the debate on those bills.

I also note that the first Greens amendment made in the Council in this Parliament is coming back to the Assembly as part of the Back to Work Bill 2014. I also look forward to that debate and really demonstrating that the Greens and the government can negotiate, compromise and work together to improve legislation for Victoria. There are three other bills on the government business program. The Greens do not have any amendments to those bills, so the Greens will not be opposing the business program.

Motion agreed to.

MEMBERS STATEMENTS

Firefighters enterprise bargaining

Mr WELLS (Rowville) — I condemn the Andrews Labor government for selling out all Country Fire Authority (CFA) volunteers and the Victorian community to appease its union mates by supporting the outrageous enterprise bargaining agreement log of claims the United Firefighters Union (UFU) recently provided to the CFA, including a fanciful pay claim of 30 per cent. Instead of responsibly shutting down outright such a hugely unacceptable and ambit claim, it would appear that the Premier is now sitting back virtually in silence, enthusiastically waiting and willing to repay his UFU mates for their deplorable lies, bullying and political campaigning for state Labor against the coalition during last November's state election campaign.

It is reported that the CFA has costed the UFU log of claims at over \$1.6 billion for the three years of the next EBA period. This would mean a virtual doubling, each and every year, of the CFA's annual total funding, which in 2013–14 was \$473 million. If the Andrews government gives in and bows to its union mates as a blatant political payback, Victorian property owners and ratepayers in CFA areas will bear the brunt of an unacceptably massive increase to their annual fire services property levy to pay for the government's largesse.

Strathmore Primary School

Mr PEARSON (Essendon) — I was delighted to recently attend the Strathmore Primary School fete at Strathmore on Sunday. The Strathmore community are very passionate about education for their children, and this was evidenced by the strong turnout of parents and friends of Strathmore Primary School at the annual school fete. The school has been a feature of the local community since it opened its doors back in 1944, and the attendance on Sunday, despite the somewhat inclement weather, was massive.

I would like to acknowledge the strong role that Heidi Fitzpatrick has played as the school council president. Heidi has four children, all of whom have attended or are attending the school. Heidi has been the driving force for a major capital rebuild of the school, and I hope to have more to say about this in the future. Heidi's passion not only for Strathmore Primary School but for education more broadly has been truly inspiring, and Heidi has been an incredibly strong and forceful advocate for her community. I would also like to acknowledge the role played by Monique Bruer, who was previously school council president for five years before handing over to Heidi two years ago. Monique remains passionate and engaged and connected to the community, and her drive has been instrumental to the school's success.

I also acknowledge the passion and commitment that principal Debbie Starpins has for her school community. Debbie has been the principal of Strathmore Primary School for the past six years, and she has been incredibly focused in delivering the best possible educational outcome for her students. On Sunday Debbie was busy rushing around with a walkie-talkie in one hand and a bottle of Aerogard in the other hand to frighten off the European wasps that were threatening the barbecue workers and customers alike, such is her dedication to her school community.

Elisa McDonald

Mr PEARSON — While on the topic of schools, I commend Elisa McDonald for seeking a second term as head of the Moonee Ponds West Primary School fundraising committee.

Hazelwood Jeeralang Community Association

Mr NORTHE (Morwell) — I was pleased to recently attend the launch of the Hazelwood-Jeeralang Community Association Inc's community safety project. In 2013 the Hazelwood-Jeeralang Community Association was successful in receiving \$10 000

through the coalition government's Community Safety Fund grants program. The association subsequently developed a fantastic and informative booklet that will assist local residents in matters ranging from bushfire safety and prevention, through to managing neighbourhood disputes. Well done to John Arkinstall, Peter Ruzicka and Garry Mauger, along with members of the Hazelwood-Jeeralang Community Association, for such a terrific outcome.

Cameron Brinsmead and Laura Campbell

Mr NORTHE — Congratulations to Cameron Brinsmead from Lavalla Catholic College, Traralgon, and Laura Campbell from St Paul's Anglican Grammar School, Traralgon, on being successful applicants for the 2015 Premier's Spirit of Anzac prize competition. Both secured a place in the final group of 12 students who will participate in an overseas study tour to Lemnos, Gallipoli and the Western Front. I wish both Cameron and Laura all the best for their upcoming overseas study tour!

Churchill 50th anniversary

Mr NORTHE — On Sunday the Churchill community celebrated 50 years since the town was proclaimed on 15 March 1965. It really was a proud occasion and I say well done to all Churchill residents who have contributed to the success of the town over these past decades. Margaret Guthrie from the Churchill and District Community Association and her organising committee deserve enormous praise for coordinating the festivities surrounding this important event.

Glengarry Cricket Club

Mr NORTHE — In closing I send a big congratulations to the Glengarry Cricket Club on taking out the Traralgon & District Cricket Association's A grade premiership on Sunday. Hayden Ross-Schultz starred with the bat, making 138 as the Magpies chased down 285 in their first A grade premiership for 37 years.

The DEPUTY SPEAKER — Order! The member's time has expired.

Medical research

Mr McGUIRE (Broadmeadows) — Life-saving discoveries to fight cancer, the bionic ear, allowing the profoundly deaf to hear loved ones and be moved by music, and the elegant science behind locally produced and internationally exported blood plasma help define the importance of Melbourne as a world leader in

medical research. Recent centenary celebrations honouring the Walter and Eliza Hall Institute of Medical Research, where Sir Frank Macfarlane Burnet won the Nobel Prize for revolutionising the understanding of our immune system, and the oration to honour Professor Graeme Clark, the inventor of the cochlear implant, underscore the value of science — from the serendipity of discovery to the commercialisation of results.

The Premier wants Victoria to be a world leader in medical technology, researching cures for chronic diseases and developing devices that change lives. As a former health minister, he has a sophisticated understanding of the value of medical research, as does the current health minister, the member for Altona. At the centenary celebrations of the Walter and Eliza Hall Institute, former Australian health minister, now Prime Minister, Tony Abbott, also displayed a deeply felt appreciation, declaring he wants to be known as the 'Prime Minister for medical research'.

The occasion provided me with an opportunity to discuss with the Prime Minister bipartisanship and a collaborative approach between Victoria and the commonwealth on medical research because — put simply — it is too important for politics. Victoria is seeking partnerships to build on its infrastructure and expertise as a matter of international, national, state and local significance. The Andrews government wants to build on Victoria's world-class standing, and I want Broadmeadows to be remembered for the rise of CSL Behring — —

The DEPUTY SPEAKER — Order! The honourable member's time has expired.

V/Line Gippsland services

Mr BLACKWOOD (Narracan) — I call on the Andrews government to act immediately to address the growing overcrowding and reliability problems facing Gippsland V/Line passengers. The former coalition government committed to a \$178.1 million upgrade for the Gippsland line, which included duplication of the track between Bunyip and Longwarry, additional works to improve reliability of services for Gippsland commuters, 43 new V/Locity carriages, which were budgeted for and ordered, and also a rail maintenance workshop at Pakenham East that would have created over 100 full-time jobs as part of the \$2.5 billion upgrade of the Dandenong-Cranbourne corridor. The coalition upgrade came with a commitment to run an extra flagship service in the a.m. and p.m. peak periods to and from Melbourne each day from Gippsland.

Once again, Gippsland is being ignored by the Andrews government, in exactly the same way that the Brumby government refused to include Gippsland in the regional rail project — a project completed by the Napthine government ahead of time and under budget, despite a Labor government funding shortfall of \$500 million.

The 7.11 a.m. train from Warragul yesterday was full before arriving at Drouin. Many passengers stood all the way from Drouin to Dandenong, with some standing to Clayton. There were only three carriages on that service. The conductor called ahead to Pakenham to ask Met staff to discourage people from getting on, with limited success. Once again, Pakenham travellers who have access to regular metropolitan services continue to cause overcrowding on V/Line trains. Gippsland commuters are being treated like second-class citizens by this Labor government, as it continues to refuse to match the funding promised by the former coalition government for the Gippsland V/Line service.

C. B. Smith Reserve, Fawkner

Ms BLANDTHORN (Pascoe Vale) — I rise to congratulate the office-bearers and committee, as well as the volunteers, members and supporters of the Pascoe Vale Soccer Club, the Fawkner Soccer Club and the Moreland Zebras Football Club, who have worked tirelessly in recent years to turn their field of dreams into a reality. Recently I had the honour of attending the opening of the C. B. Smith Reserve in Fawkner. It is a new state-of-the-art facility that provides an outstanding asset to be shared by school and sporting communities alike.

This multi-purpose precinct — a partnership between government and community — was jointly funded by the state government and Moreland City Council. It is a fantastic new facility for Fawkner Secondary College as well as the Pascoe Vale Soccer Club, the Fawkner Soccer Club and the Moreland Zebras. During the school day the pavilion will be used by students, and after school it will be used by the soccer clubs. The opening of this superb new facility is an apt reminder of the positive role that sport can play in bringing people together and building community. Football, or soccer, as many still refer to it in Australia, much to the frustration of some of the game's die-hard fans — is a game that reflects and embraces diversity and celebrates the unique influence each culture and community brings to the game, and this is true at C. B. Smith Reserve.

Pascoe Vale Soccer Club

Ms BLANDTHORN — I was also recently honoured to be made the Pascoe Vale Soccer Club's no. 1 ticketholder for the 2015 season, a privilege made even more significant by the fact that the club is now competing in the National Premier League's inaugural season. I look forward to getting down to the C. B. Smith Reserve in the next few weeks to watch Pascoe Vale in full flight in the National Premier League, and I wish all of the clubs associated with the new facility, including Fawkner Soccer Club — —

The DEPUTY SPEAKER — Order! The member's time has expired.

Arthurs Seat chairlift

Mr DIXON (Nepean) — I welcome the bipartisan support for the proposed Arthurs Seat sky lift. A highlight of the sky lift will be the all-abilities nature of the gondolas and the associated infrastructure, including toilet facilities. The planning permit for the works was granted by Mornington Peninsula Shire Council last year and confirmed by the Victorian Civil and Administrative Tribunal, with 71 conditions attached to the permit. The proponents, led by former Australian of the Year Simon McKeon, are keen to start work as soon as the shire approves the amendments, with a view to having the attraction open in April 2016.

Last week the council, without precedent, voted to remove secondary consent delegations from senior officers so that councillors can assess and vote on each condition of the permit. This is an outrageous step by some out-of-town councillors to thwart a job-creating, tourism-industry-enhancing and iconic attraction for the Mornington Peninsula. I fully support the proposal as it stands, and I know the government does too.

Bernice Gilbert

Mr DIXON — On another matter, I wish to congratulate Bernice Gilbert of McCrae on her 60 years of service as a Girl Guides leader. Bernice trained as a leader in 1955 and has worked in many aspects of guiding, both in Gippsland and the Mornington Peninsula. She has rightly received many awards for her service and achievements. About 100 family, friends and past and present guides recently celebrated Bernice's achievements at a function at Rosebud Guide Hall. Well done and congratulations, Bernice!

International Women's Day

Ms WARD (Eltham) — This month I hosted my inaugural International Women's Day breakfast for

years 11 and 12 girls at one of my great local high schools, Eltham High School. I thank all the students from Eltham High School, Montmorency Secondary College, Catholic Ladies' College, St Helena Secondary College and Eltham College for getting up so early and for their enthusiastic participation, as well as the tremendous dedication of their teachers and parents.

I also thank Clare Vickery from the Butterfly Foundation and Jessica Waite from the International Women's Development Agency for being such interesting guest speakers at the breakfast, covering areas they are very passionate about and in which they are making an important difference to the lives of women.

Clare Vickery was inspirational in describing her experiences with eating disorders and the effect the language we use in describing people's bodies can have on people's lives and their mental health. Jessica Waite gave us a great insight into the work done by the International Women's Development Agency in partnering with non-government organisations to improve the living standards and opportunities for women in South-East Asia.

At the breakfast I also announced the winner of the inaugural Pauline Toner Prize. The winner had to demonstrate that she has shown leadership in social justice, equality or the environment, which are areas very close to Pauline's heart. I congratulate Ruby Panozzo of Montmorency Secondary College on winning this prize with her hard work and commitment to the One Girl project, a charity which works hard to create educational opportunities for girls in Sierra Leone.

I created the Pauline Toner Prize to recognise the contribution local young women make in my community and also to honour the first female member of the Victorian cabinet, who showed all of us the important things women can bring to and achieve in this place —

The DEPUTY SPEAKER — Order! The member's time has expired.

High country cattle sales

Mr T. BULL (Gippsland East) — The high country cattle sales are a major economic driver in my region. Last week was a great week in the high country, with beef producers gathering for the 75th annual calf sales, which were held across the towns of Ensay, Omeo, Hinnomunjie and Benambra. I spoke with Elders Omeo

principal David Hill, who underlined the importance of these sales to the district, with over \$7 million injected into the local economy over two days. More than 11 000 calves were offered for sale, with prices up over \$200 per head on the previous year.

This year also saw the biggest attendance ever, with buyers coming from all over Australia, selling out the accommodation in the town and keeping the local eateries very busy. Transportation companies were flat out moving cattle in and out of the sales, with 650 transport movements over the two days. It was a great community event.

Anzac centenary

Mr T. BULL — The Lakes Entrance Surf Life Saving Club will participate in a very special commemoration of the 100th anniversary of the landing at Gallipoli by the Anzacs. Two Lakes Entrance surf boat crews will head to Turkey in April to participate in the Gallipoli 100 Surfboat Race. Held on 22 and 23 April, the race will see boats travel around the tip of Turkey's Gallipoli peninsula from Morto Bay to Fisherman's Hut and back again.

The Lakes Entrance Surf Life Saving Club does an extraordinary job in our community, and I wish its members well and know they will do the region proud.

Goonawarra Primary School

Mr J. BULL (Sunbury) — On Tuesday, 3 March, it was fantastic to join the principal of Goonawarra Primary School, Alan Fairweather, for a tour and meet and greet of the teachers and students. Alan is an excellent principal and has a terrific vision for the school. I am already looking forward to taking up his offer of being principal for a day in August.

Walking around the school, it was clear to me that the teachers at Goonawarra have a great passion for teaching and learning. In a trip down memory lane I was excited to meet Karen Reilly, a former teacher from my old school, Sunbury Heights Primary School, who is now the assistant principal at Goonawarra. Well done, Karen Reilly, on all you have done for the local schools and students in and around Sunbury.

Ivan and Hilary Pervis

Mr J. BULL — I would also like to acknowledge an outstanding milestone celebrated in my electorate on 5 March 2015: the 60th wedding anniversary of Ivan and Hilary Pervis. A diamond anniversary is an outstanding achievement. After speaking to Hilary on the phone to congratulate both of them, I began

thinking about what life must have been like when they married. To think that when Ivan and Hilary were married, the Vietnam War had not yet started, nor had man been to the moon! I would like to recognise this anniversary and congratulate both of them on such a remarkable achievement. Well done.

Native forests national park

Mr HIBBINS (Pahran) — I recently travelled to Victoria's native forests of the Yarra Ranges and Central Highlands, the source of Pahran's drinking water and the Yarra River and home of the Leadbeater's possum, Victoria's faunal emblem.

These forests are an incredible asset to our state — rich in biodiversity, the source of our water, a carbon store and full of economic potential in tourism, conservation, science and research. These precious mountain ash forests are being locked up for a logging industry that is propped up by the taxpayer and cut down with the devastating method of clear-fell logging, only to be pulped and turned into paper and other disposable products. The continued logging is reducing water in our catchments, threatening species and putting the ecological system on the verge of collapse, and it is creating a greater bushfire risk with hotter, faster fires occurring near towns without the natural firebreaks of the rainforest.

If this state is fair dinkum about saving the Leadbeater's possum, protecting our environment, taking action on climate change and ensuring water security and economic growth in rural Victoria, we should create a Great Forest National Park, a national park for everyone on Melbourne's doorstep. I would like to thank our hosts and everyone who joined us on our visit for their hospitality, knowledge and dedication, including Sarah Rees, Adam Menary, Steve Meacher, Dr Chris Taylor, Stephen Powell and Rebecca Temple.

Chinese New Year

Mr GIDLEY (Mount Waverley) — I rise to congratulate the Monash Chinese Events Organising Committee on the highly successful Chinese New Year celebrations held in Glen Waverley on Sunday, 1 March. The celebrations marked Chinese New Year and recognised the Year of the Goat. The event was a great success, which I enjoyed supporting wherever I could. I thank the Monash Chinese Events Organising Committee and all the volunteers who organised such a wonderful event. Best wishes to all born in the Year of the Goat.

World Day of Prayer

Mr GIDLEY — I take this opportunity in the Parliament to congratulate the Waverley-Chadstone branch of Australian Church Women on organising the 2015 World Day of Prayer service. The service focused prayer on domestic violence and child abuse, particularly locally, but in the Bahamas as well. I also acknowledge the Anglican parish of St Stephen and St Mary, which hosted a lovely morning tea following the prayer service. I thank both the Waverley-Chadstone branch of Australian Church Women and the Anglican parish of St Stephen and St Mary for a very successful morning.

Xin Jin Shan Chinese Library

Mr GIDLEY — Today in the Parliament I congratulate the Xin Jin Shan Chinese Library in Mount Waverley on its sixth anniversary. The transforming of the idea of the library into what it has become today is to be commended. The library serves not only the Mount Waverley district but also many other areas of the state. I was honoured to be a part of the library's sixth anniversary celebrations. I acknowledge the library's founder, Mr Zu, its principal, Mr Sun, and all those who have helped to develop the library over the years. My best wishes for the future.

Lyrebird Community Centre

Ms KILKENNY (Carrum) — Last week I had the pleasure of visiting Fiona Dannock from the Lyrebird Community Centre in Carrum Downs. The Lyrebird Community Centre has been serving the community of Carrum Downs and Skye for more than 20 years, with Fiona as manager for 15 of those years. The centre's focus is bringing the community together. With Fiona and an independent board of management, the centre has established itself as the hub of the local community, providing accredited training and educational courses, self-help groups, occasional child care, a toy library and recreational activities for more than 2500 people each week.

One of the centre's most successful events is the community Christmas festival and carols. What started off as a very modest and humble festival in 2006 with approximately 800 people attending has grown into a festival which last year attracted more than 10 000 people. This year the festival received the 2015 Community Event of the Year award at Frankston City Council's Australia Day awards. This is a very important and significant event for the Carrum Downs community. Funding and sponsorship will be crucial in keeping this wonderful event on the Carrum Downs

calendar and keeping it affordable for thousands of local families.

I would like to acknowledge Fiona and her team at the Lyrebird Community Centre for all their hard work, resourcefulness and sheer commitment to the community of Carrum Downs. I look forward to working with them to secure the funding and sponsorship needed to make this year's community Christmas festival the biggest, brightest and best event so far.

headspace Mildura

Mr CRISP (Mildura) — Headspace has now opened its doors in Mildura. Headspace provides a valuable service to younger people with mental health issues. The facility complements the other service providers in Mildura, and I would like to thank all those involved for their patience and persistence in delivering a valuable service to our community. Well done to Lockstar for transforming a cordial and marmalade factory into a modern and welcoming home for headspace.

Ouyen Livestock Exchange

Mr CRISP — The Ouyen Livestock Exchange continues to go from strength to strength. The latest facility at the livestock exchange is a truck wash. Well done to the committee of management for its patience in securing a partnership with the federal government to ensure that livestock are transported in the best of conditions.

Mildura Eco Village

Mr CRISP — The Mildura Eco Village continues to grow and deliver valuable programs for our community. The eco village was developed primarily under the previous government. Last week I attended a lunch that had been prepared from food grown in the garden by refugees. This is a marvellous program coordinated by the Sunraysia Community Health Service to assist refugees settling in Mildura. Growing, preparing and eating food breaks down many barriers.

Table grape and dried fruit harvest

Mr CRISP — The table grape and dried fruit harvest are in full swing. The weather conditions have been suitable for the production of high-quality produce, which is currently being processed and marketed. The flavour in the table grapes this year is superb, and this quality produce is moving into our valuable export markets. The dried fruit industry is reporting that this has been the best drying season for

many years, and discerning Australians who purchase Australian dried fruit are in for a real treat with the new season's crop.

Mount Erin Secondary College

Mr EDBROOKE (Frankston) — I draw the attention of the house to an outstanding event that I had the pleasure of attending on the evening of Thursday, 12 March. The Mount Erin Secondary College presentation ball was held at a beautifully elegant function centre, and hundreds of people attended. The students certainly made the night a success, and they looked a million dollars, if I say so myself. It was a positive reflection on the school's culture to hear so many students telling us how interested they are in doing well at school and continuing their education after year 12.

Credit must be given to the teachers, who are obviously doing a great job in ensuring that the students are receiving the very best educational opportunities that can be provided to them, and in fact I witnessed how proud the staff were of the students on the night. It was obvious that the school's community spirit is alive and well. Of note was the fantastic dancing that was learnt by the students in such a short time. Thank you to the wonderful principal, Karen Lee, who does such a great job, and thank you to the staff and school community for making me and my wife, Kirsten, feel welcome.

Evie Gleeson Fun Day

Ms McLEISH (Eildon) — I cannot help but admire the community spirit in Marysville which surfaces so frequently and in so many different ways. Three-year-old Evie Gleeson is suffering from acute lymphoblastic leukaemia, and it is difficult for her parents, Michael and Kate, and family to travel to town to support Evie in her treatment. The 'Evie Army' in Marysville jumped up and coordinated a family fun day which included a hair-off-for-Evie component. It was a huge day of activities with music, food, cake stalls, hair colouring, egg and spoon races, wheelbarrow races and pie eating. A lovely tree on canvas was further painted on by children in the town. The real highlight was the 20 townsfolk who shaved their heads. I know Jill Christie and Jenny Pullen raised in excess of \$5000 each. That is a remarkable effort from a small town.

Warburton cancer fundraiser

Ms McLEISH — Yesterday I was pleased to attend a cancer awareness event hosted by the Warburton senior citizens, which raised \$2000 to go to the Yarra Valley Ladies in Pink. There was a light lunch, raffles

and an auction. It was so amazing to see the level of support given by organisations and businesses within the community, with many donating items to support this worthy cause.

I commend the work of the organising team: Barbara and Frank Mutsaers; the president and treasurer, Julie Barr; Leonie Ireland; and Helen Cole. They all put in a huge effort.

The DEPUTY SPEAKER — Order! The member's time has expired.

Castlemaine State Festival

Ms EDWARDS (Bendigo West) — This week is a week of festivals in Bendigo and the surrounding region. Last Friday night I was pleased to join the Minister for Creative Industries at the opening of the Castlemaine State Festival, this year celebrating 40 years and 20 festivals. Congratulations to festival director Martin Paten for once again producing an outstanding festival; to the board, headed by Julie Millowick; and the many volunteers and school students who have contributed to the festival's success.

This is Australia's most anticipated regional festival. It is a 10-day explosion of the arts, involving large-scale outdoor events, theatre, dance, literature, visual arts and contemporary and classical commissioned works by national and international artists, set amongst historic and atmospheric venues across Castlemaine and surrounding towns such as Newstead and Maldon. The festival has a program packed with an extraordinary array of events, including outdoor streetscapes; musicals; theatre performances; art and produce markets; a visual arts biennial, including open studios and exhibitions; children and youth events; literature and poetry; comedy; cabaret; and jazz, contemporary and classical music. Audiences in excess of 50 000 add to the vibrant spirit of the festival, as Australian and international performers and companies mix and mingle with regional communities and audiences to create a truly celebratory and festive spirit.

Bendigo Festival of Cultures

Ms EDWARDS — Yesterday I was very proud to launch the Bendigo Festival of Cultures hosted by Loddon Campaspe Multicultural Services. It is a week long celebration of Bendigo's rich and diverse cultures and our embracing of multiculturalism. I am particularly proud and impressed by the commitment to and support for our diversity that is demonstrated by the broader Bendigo community.

The DEPUTY SPEAKER — Order! The member's time has expired.

Ice Action Plan

Mr HOWARD (Buninyong) — Last night I was pleased to attend a Good Sports forum on tackling ice, alcohol and other drugs in our community. This well-attended forum, which was held at the Museum of Australian Democracy at Eureka, targeted Ballarat sporting clubs to discuss the value of such clubs in supporting young people to feel positive about themselves and to become part of a support group. Police superintendent Andrew Allen spoke of work that the police are doing to address ice usage across our region but emphasised that the police can only do so much and that the broader community clearly has a role to play if the challenges of ice are to be addressed. Drug and alcohol workers Peter Wearne and Peter Cranage shared their experience and advice, as did Geoff Munro of the Australian Drug Foundation, who worked through a very practical discussion about the importance of clubs going from developing appropriate policies around alcohol use to developing policies around responding to reports of drug use within their clubs.

This workshop follows on from a broader community meeting on ice usage initiated by Ballarat South Rotary and held in Wendouree on 4 March and the subsequent release of this government's *Ice Action Plan* the following day. The Minister for Police and Corrections, Wade Noonan, also held a meeting in Ballarat last week with service providers to outline the *Ice Action Plan*. This plan, which involves an all of government, cross-sectoral approach, will provide \$45.5 million to reduce the supply, demand and harm of this drug across the state. I am confident that through this committed approach we will make a difference.

The DEPUTY SPEAKER — Order! The member's time has expired.

Box Hill transport interchange

Mr CLARK (Box Hill) — It is now three months since the state election and still there has been no word from the government about the ministerial advisory group on the Box Hill transport interchange that Labor promised before the election. The lack of action is particularly disappointing because in September last year the previous transport minister, the member for Polwarth, met with Federation Centres and with other stakeholders at my request to arrange for further work on and consultations about the redevelopment of the shopping centre and interchange. Indeed, it seems

Labor only promised referral to a ministerial advisory group because it knew that this process had been set up. Now it seems that the work that was underway under the previous government has come to a complete halt under Labor. Fortunately Federation Centres is now in a position — following its recovery from the global financial crisis — to look at upgrading its Box Hill shopping centres. We therefore cannot afford to let the opportunity be lost.

Labor needs to get its ministerial advisory group up and running. Labor said that this group would be chaired by a local MP: if a Labor MP is not available or able to do it, I would be happy to chair it on a bipartisan basis. The good news is that Whitehorse City Council is still proceeding with its own Box Hill First program, looking at the future of Box Hill and the transport interchange. However, if this is to get results, it needs the new Labor government to commit to the project. I therefore call on the Minister for Public Transport and the government as a whole to get behind this project, to honour its commitment to establish a ministerial advisory group and, more importantly, to be prepared to sit down and work through the project with the stakeholders to find a way forward for the future of the Box Hill transport interchange.

McAuley Community Services for Women

Mr CARROLL (Niddrie) — On Sunday, 27 February, I attended the inaugural Fed Up Lunch, held at Flemington Racecourse. The Fed Up Lunch raised over \$30 000 for McAuley Community Services for Women, the only organisation of its kind in Victoria, which provides 24/7 shelter and support for women and children escaping family violence and an organisation that proudly services Melbourne's west. There has been a lot of discussion in recent times on how we can solve the issue of family violence. I am proud to be a member of the Andrews Labor government, which is taking decisive action on the issue through the Royal Commission into Family Violence. There is a lot to be said, however, for individuals and groups who have taken it upon themselves to say enough is enough and make their own contribution to ending this scourge on our society.

Michael Jones, the digital operations manager at Sportsbet was walking to work last year in April when he heard McAuley Community Services for Women CEO Jocelyn Bignold on radio, speaking of the then 61 000 reported cases of family violence that had occurred in 2013 and the deaths of 70 Australian women in that time. He was so shocked by those numbers that he brought together a group of like-minded mates, and together over 10 months they

devised an event called the Fed Up Lunch. The result was five Victorian mates who were fed up with family violence raising money for McAuley so it could continue to assist women and children escaping family violence and educate hundreds of prominent Victorians on the impact of family violence on our community.

I would like to put on the record my thanks to Michael Jones, Toby Potter, Peter Fraser, Scott Walker and Nick Poole for organising this great event, as well as Claire March, and for their advocacy on this important issue. I also want to congratulate Jocelyn Bignold, CEO of McAuley Community Services for Women. I look forward to continuing to work with McAuley in the future in attending next year's event.

Omar Jabir Omar

Ms D'AMBROSIO (Minister for Industry) — Today I pay tribute to Omar Jabir Omar, a friend and leader of the Eritrean people, who passed away aged 69 on 19 December 2014. Omar was born in Au Ghidir in 1945 and undertook medical studies and journalism. Omar was a leading member of the Revolutionary Leadership of the Eritrean Liberation Movement. Together with his wife, Dr Melika Sheik Eldin, he fought on the war front for the liberation of their country. He was a man of great principle and ethics. After independence, Omar was to become the communications minister in the new Eritrean government. Sadly, Omar chose not to take part in the new government because he believed that the new regime threw out principles of democratic rule —

The DEPUTY SPEAKER — Order! The member's time has expired.

BACK TO WORK BILL 2014

Council's amendment

Message from Council relating to following amendment considered:

NEW CLAUSE

Insert the following New Clause to follow clause 53 —

“A Back to Work Scheme reports

- (1) At least once every 3 months the Commissioner must publish on the Commissioner's website a report of the operation of the Back to Work Scheme.
- (2) The report must contain the following information in relation to the period covered by it —
 - (a) the total amount paid under the Scheme;

- (b) the total number of Back to Work payments made;
 - (c) the number of Back to Work payments made in each municipal district;
 - (d) if Back to Work payments were made according to different eligibility criteria, the number of Back to Work payments made according to each of those criteria;
 - (e) the name of any person to whom Back to Work payments in respect of more than 100 eligible employees were made.
- (3) For the purpose of subsection (2)(c), a Back to Work payment is made in the municipal district in which the person entitled to the payment has their usual place of business or, in the case of a body corporate, their registered office.
- (4) In this section —

municipal district has the same meaning as in the **Local Government Act 1989**.”.

Mr PALLAS (Treasurer) — I move:

That the amendment be agreed to with the following amendments:

- (1) In subclause (2)(c) omit “municipal district” and insert “postcode area”.
- (2) In subclause (2)(e) omit “person to whom” and insert “claimant to whom, or for whose benefit”.
- (3) Omit subclauses (3) and (4) and insert —
 - “(3) For the purposes of subsection (2)(c), the *postcode area* is the postcode of the area in which an eligible employee is primarily carrying out their employment.
 - (4) Despite meeting the eligibility criteria for a claim, a claimant is not eligible for a Back to Work payment unless the claimant consents to the claimant’s name being published in accordance with subsection (2)(e) if payments are made in respect of more than 100 eligible employees, whether in relation to that claim or any future claim.”.

On 26 February 2015 the Legislative Council made an amendment to the Back to Work Bill 2014. The amendment inserts the following mandatory reporting requirements into the bill.

Under clause (1), the commissioner of state revenue must publish on the State Revenue Office (SRO) website a report of the operation of the Back to Work scheme at least once every three months. Under clause (2), this report must include the following information in relation to the period covered by: (a) the total amount paid under the scheme, (b) the total number of back to work payments made, (c) the

number of Back to Work payments made in each municipal district, (d) if Back to Work payments were made according to different eligibility criteria, the number of Back to Work payments made according to each of those criteria, and (e) the name of any person to whom Back to Work payments in respect of more than 100 eligible employees were made. Clauses (3) and (4) define municipal districts for the purposes of subsection (2)(c).

In the government’s view the amendment in its current form may result in additional red tape for claimants and create an unnecessary administrative burden for the SRO. I therefore propose the following amendments to the Council’s amendment — they have been circulated — to enhance its effectiveness while ensuring that the government is held accountable for robust reporting requirements under the bill.

My amendment (1) seeks to amend the Council’s amendment as follows:

In subclause (2)(c) omit “municipal district” and insert “postcode area”.

Reporting on payments by municipal district is currently outside the scope of the State Revenue Office’s reporting capability and therefore additional information would be required from employers. This would ultimately result in an increase in red tape for employers, which in our view is not desirable. However, employers are already required to provide the postcode where a job is located in order to establish that the position is a Victorian job, and as such reporting on payments by reference to the postcodes where jobs are located is consistent with existing data collection systems and will be able to be facilitated by the SRO. This makes good on the commitment the government made both in the second-reading speech and during the debate on the Back to Work Bill 2014 that we believe there is value in appropriate data collection and accountability.

Amendment (2) states:

In subclause (2)(e) omit “person to whom” and insert “claimant to whom, or for whose benefit”.

Clause 8 of the Back to Work Bill allows payments to be made under the scheme either to the claimant or to another person nominated in writing by the claimant. Subclause (2)(e) of the new clause agreed to by the Legislative Council requires the commissioner of state revenue to name any person to whom Back to Work payments in respect of more than 100 eligible employees were made. There is some concern that the wording of the current provision may have unintended

consequences in that the commissioner would be required to publish the names of people who ultimately receive the payments, including third parties who have been nominated to receive payments, but not the names of employers for whose benefit the payments have been made. This change will ensure that subclause (2)(e) captures the employer who lodges the claim for a payment and not another person who has been nominated to receive the payment. It will also ensure that claimant employers do not direct payments to nominees to avoid reporting of their name as having received payments for more than 100 eligible employees.

Amendment (3) is in two parts. The first part states:

Omit subclauses (3) and (4) and insert —

“(3) For the purposes of subsection (2)(c), the *postcode area* is the postcode of the area in which an eligible employee is primarily carrying out their employment.

This aims to ensure that the location of the eligible job is captured rather than the head office or the registered office of the employer. It will provide greater certainty and accountability as to where jobs are appearing within the community under these arrangements.

Subclause (4) of the new clause is to be omitted as it is no longer relevant. The following is to be inserted:

(4) Despite meeting the eligibility criteria for a claim, a claimant is not eligible for a Back to Work payment unless the claimant consents to the claimant’s name being published in accordance with subsection (2)(e) if payments are made in respect of more than 100 eligible employees, whether in relation to that claim or any future claim.”.

Subclause (2)(e) of the new clause agreed to by the Legislative Council is inconsistent with current government policy and, potentially, with the commissioner’s legal obligations under other state tax legislation, such as the Taxation Administration Act 1997, to not disclose information that identifies a particular employer or employee without their consent.

To avoid potential inconsistency in the legislative requirements concerning privacy in relation to the commissioner of state revenue, subclause (4) has been inserted to ensure that a claimant will not be eligible for Back to Work payments in respect of more than 100 eligible employees unless the claimant consents to their name being published in accordance with subclause (2)(e).

Having made those amendments, the government believes this bill picks up the spirit and the principles

identified by opposition and Greens members during debate in the upper house. Might I say by way of observation that the government has not sought, and does not intend in any way to seek, to avoid accountability around the efficacy of this scheme. We think it is critically important that the scheme come into effect as quickly as possible. I thank the opposition and the Greens for their willingness to demonstrate some flexibility in the matters that were dealt with in the upper house. We have gotten to a point where we have at least some clear understanding of the need for this legislation and the need for the accountability principles that both the government and the opposition parties have identified as being appropriate.

I believe this is a vitally important piece of legislation that will greatly assist and serve the community in terms of providing opportunities for employment for those people who are most egregiously dealt with by the performance of the Victorian economy. For those in areas in which it is most difficult to create employment, and particularly for long-term unemployed, young workers and recently retrenched workers, these arrangements are vitally important. It is vital that we get the scheme up and running as quickly as we can.

If we can get these arrangements in place by 1 April, it will give the earliest opportunity to employers seeking the benefit of these arrangements. It is clear that the challenges that confront the Victorian economy, particularly in respect of employment, are ones we should not take lightly. Those opposite have sought greater levels of accountability regarding the employment being generated and opportunities being taken up by this bill, and the government supports that as a principle. We believe these arrangements are not only workable but also will facilitate public confidence around the operation of the bill more generally.

Mr M. O’BRIEN (Malvern) — A very happy St Patrick’s Day to you, Acting Speaker, and to all members in the house. I say that as a proud Dublin-born Australian. I rise to speak on the amendments made to the Back to Work Bill 2014 in the other place. I state at the outset that the opposition is appreciative of the measures that all parties have taken to improve this bill relative to what was introduced to this place some weeks ago. I think it is partly because the bill does not set out, in itself, the eligibility criteria that will apply under the Back to Work legislation regarding eligibility for payments that a majority of members in the other place felt the need to insert some greater accountability into the bill.

That is what the amendment in the other place did. However, we are nothing if not practical in opposition,

and we are very willing to work with the government and the Greens to further improve those amendments to deliver an outcome which improves this piece of legislation. When \$100 million of taxpayers money is on offer in terms of Back to Work scheme payments, the public is entitled to know where the money is going and what areas are benefiting or not benefiting from the payments that are being made. We also think it is appropriate that any businesses that might be utilising the proposed scheme to a significant level be identified. That is a basic principle of accountability.

We hope this scheme works. We hope the government can get it right. We hope the eligibility criteria and the administration of the scheme will mean it proves to be the success the government clearly hopes it will be. Whether that comes to pass remains to be seen. We are a constructive opposition, and we worked to support greater accountability in this bill through the amendment passed in the other place. As a result of discussions between myself and the Treasurer and his office, we are now in a position where we will not be opposing the amendments the Treasurer has moved today.

As a consequence of these amendments to the Council's amendment, the Back to Work payments will be identified and reported to this Parliament every three months using the postcode area in which an eligible employee is primarily carrying out their employment. A business or organisation claiming a Back to Work payment will only be eligible for such a payment if it consents to having its name published where claims are made in respect of more than 100 eligible employees. We think this improves the bill, improves its functionality and improves its accountability. I take issue with the idea that the amendment made in the other place added to red tape for businesses. I do not accept that that is the case. I think we have been able to find a very sensible and workable way forward.

We would hope that Parliament and both its chambers in the future will require accountability mechanisms in bills of this type, because the expenditure of significant amounts of public and taxpayer money is an issue. We are sending a clear message that this will be a requirement of this Parliament. I hope the government bears that in mind in terms of future legislation it may bring to this place. Following the opposition's decision to support the bill as it will be amended — and I again thank the Treasurer and his office for the constructive way they have dealt with these amendments — I wish the bill a speedy passage.

Ms SANDELL (Melbourne) — It is with great pleasure that I rise to speak in support of this

amendment from the Legislative Council, which is the first Greens amendment in this term of Parliament. We will also support the government's amendments, which make only minor administrative changes. We thank the Treasurer and the government for dealing with us constructively on those matters.

By way of context, I note that in its original form the Back to Work Bill 2014 was a blank cheque. It gave unlimited money to the Treasurer to spend as he chose, with no real transparency or accountability provisions, which was quite unprecedented. There is nothing quite so discomfiting as a government saying, 'Trust us. Give us a blank cheque, and we will sort out the details later'. The amendment originally presented by the Greens and now taken up by the government will address some of our concerns to ensure that government money is being spent wisely and that the functioning of this scheme is not kept a secret.

There is no denying that we have an unemployment problem in this state. The Greens, like — I imagine — all other parties, want to see unemployment fall. Indeed people in my electorate — particularly those born outside of Australia and their families, including those in the African community — will benefit greatly from a scheme that gives incentives to employ the long-term unemployed or create new employment. But we need to do it in a way that actually works.

The Back to Work Bill is full of detail about what kinds of forms will need to be filled in, but it remains silent on the key issues, which are who will be eligible for this scheme and who will miss out. I also note by way of context that the Greens moved an additional amendment in the other place in an attempt to codify some elements of the guidelines that will address these issues. We sought to include a group of Victorians who face particularly significant hurdles in entering the workforce — that is, asylum seekers, refugees and their families. We believe that action taken to address the serious challenge of unemployment must address the systemic issues at play, especially the issue of discrimination faced by people from culturally and linguistically diverse backgrounds.

The uncomfortable truth is that the unemployment rate among people with university degrees who were born in non-English-speaking countries is three times higher than that of their Australian counterparts. The Greens would like to tackle this challenge in the open by codifying the specific inclusion of refugees and people from refugee families in the scheme. The amendment was particularly crucial because initial indications from the minister suggested that only job seekers who were recipients of Centrelink payments would be eligible for

this scheme — payments for which many asylum seekers are not eligible.

Unfortunately the Greens amendments to guarantee the inclusion of asylum seekers and refugees in the scheme were voted down in the other place by both the Labor and the Liberal parties. But the government has given us an assurance that asylum seekers and refugees will be eligible if they are long-term unemployed. I commend the Treasurer for responding to the concerns of the Greens on these matters and for changing the initial scope of the scheme in response to those concerns. However, we are yet to see the guidelines and we are left to trust that they will be worked out later in private. I am disappointed that the government has refused to commit openly to guidelines, but I place on the record that the assurance given to us on this count will not be allowed to remain an empty statement. The Greens will continue to advocate for the swift publication of the guidelines and will ensure the government lives up to its promises, especially regarding asylum seekers.

Nevertheless, the amendments being debated today offer an opportunity to significantly improve this bill by introducing much-needed transparency, because spending \$100 million of government money without any public accountability is not good government. Imagine if an education bill had come before the Parliament giving the Minister for Education an unlimited bucket of money to spend as he chose, on whichever schools he chose, without the requirement to report publicly on how the money was spent. That bill, or a health bill that did the same thing, would not be acceptable.

Without the amendments, the most generous way of describing the bill is that it was created by a government so eager to begin that it wanted to bypass any scrutiny lest it get in its way. Make no mistake; the Greens want this scheme to start quickly. The amendments will not change the start date by even one day, despite what the Treasurer's misleading press release said when the bill was passed in the upper house. However, we want the scheme to work, and we hope the government does as well.

Our concerns are well founded, given the Abbott federal government's restart scheme, which provides \$10 000 as an incentive to employ older unemployed workers, reached a feeble 5 per cent of its target uptake in the first year. Other schemes have gone a similar way. The former Gillard federal government's jobs bonus scheme offered \$1000 and made only 230 payments over two years. The commonwealth government's Tasmanian jobs program also has not

been very successful. It is similar to this scheme, since it targets unemployed people of any age who have been on job seeker income support for six months. There were only 114 payments in the first year. One thing those three schemes have in common is that they were not available to employers wishing to hire asylum seekers. We must not make that mistake in Victoria.

We have been told by the Treasurer that this scheme has ironed out some of the issues that made these other schemes unsuccessful, but we have not yet been given the detail. I hope these issues have been ironed out, because we do not want the Victorian scheme to face a similar fate to those schemes, and nor should the government if it is serious about tackling the unemployment rate in Victoria. That is precisely why we need to monitor the Back to Work scheme to make sure it is actually getting people back to work. The Greens amendments are simple and sensible. They require regular reporting, every three months, on the uptake of the scheme.

We have no problem with the government changing it from reporting by municipal area to reporting by postcode. It is not an onerous task; in fact it is the bare minimum we should require when \$100 million of public money is being spent. The State Revenue Office already conducts similar reporting on schemes such as the first home owner grant scheme, information on which is publicly available. The amendments also require disclosure of the name of any employer who accesses the scheme more than 100 times, ensuring that reporting does not go undetected, which is very important to the Greens.

We very much appreciate the government's cooperation on this amendment and its willingness to make these reporting elements workable through its additional amendments, and I thank the Treasurer for that. This also goes to show that collaboration between parties and working together for the common good can create better outcomes for Victoria both economically, in terms of good use of public money, and socially, in terms of making sure that schemes like these actually do what they are supposed to do, which is reduce the unemployment rate. I note that the Premier, on a trip to Wangaratta last year, said he would never ever do a deal with the Greens, but I am very glad he is looking past that divisive, obstructive approach and has seen the sense in working with the Greens on genuine, sensible amendments that actually improve legislation.

Rather than focusing on getting a few lines in a media release that mislead the public about the Greens' voting record on this issue, perhaps the Premier and the Treasurer would be better served by telling the public

the truth, which is that the Greens support this bill, the start date will not be delayed and we have presented a modest, sensible amendment that will allow us to make sure that this employment deal does what it is supposed to do, which is reduce unemployment and avoid roting. I would say those are pretty modest, sensible requests, and I hope the government agrees.

By electing the Greens to this Parliament, and to this house for the first time, and giving us the shared balance of power in the upper house, the voters have told us that they want more transparency and more integrity in government. They want the Greens here to make the Labor government's legislation better, and that is exactly what we are doing. They do not want secret contracts signed or blank cheques handed out with no way of knowing how taxpayer money is being spent. The Greens took two key promises to the election: integrity and transparency. With these amendments we are delivering on those promises.

Mr MORRIS (Mornington) — I am pleased to make some comments on the amendments to the Back to Work Bill 2014 that are before the house. It has been interesting to hear the comments from the Treasurer and other speakers, and indeed I think this whole process has been instructive. We all recall what occurred on the first sitting day of the house in December: the government sought to rush in a bill and have it second read forthwith so that it could get on with this apparently urgent business. The opposition quite rightly indicated that a more deliberative approach was desirable and said it would be happy to come back the next day to undertake that process. That offer was of course rejected, so the exposure draft was produced, and the bill was given some air in that way.

The bill's release really did not assist with the process, because at that point it did not contain much in the way of detail — in fact it contained no detail at all. Had the bill been passed in that form, such a lack of detail would have resulted in a complete lack of accountability. Frankly I thought that was a pretty bizarre approach for a government that had sold itself to the community as an exemplar of accountability. The amendments before the Chair, proposed in the Council where they were supported by the opposition and the Greens, are about nothing except accountability — they are solely about accountability.

That fact made it rather surprising that there were unfortunate and somewhat hysterical comments in the media because the opposition and the Greens had the temerity to seek to improve the bill — that is, to require accountability when clearly there had been none. Yes, if the scheme works — and I think the jury is probably

still out about that, but we are not talking about the merits of the scheme today — then it will assist some of the most needy in our community, and it is certainly worth a try. However, we do not need to throw accountability out the window simply to get legislation through.

I must say that today I am pleased to note today a far more conciliatory tone from the government, particularly from the Treasurer. I also note that there is recognition of the fact that while there has been a delay in the passage of the bill and some variation in the wording, that will not lead to a delay in implementation, and that 1 April is a feasible start date so that the money can start flowing on 1 July.

This bill is an initiative to get people back into the workforce. The jury is out on its effectiveness, but it is certainly welcome. When public money is spent — and \$100 million is a great deal of public money — the Parliament needs to be assured that the money is being spent wisely.

I will not go into the detail of the amendments — that has been well canvassed — except to note that there is a variation from the amendments proposed in the Council to change the term 'municipal district' to 'postcode area'. That is a reasonable change, particularly given the manner in which it is proposed to assemble the data. The retention of the words 'municipal district' would add cost were this change were not made, and changing the words to 'postcode area' will also mean that we will have greater accountability from a parliamentary viewpoint than we would have had were the words 'municipal district' to remain in the amendment.

I welcome the decision of the government to accept the amendment and to accept the necessity for accountability. I also hope that as we see future bills brought into the Parliament over the next three and a half years or so that the experience we have had with this bill will remain in the government's memory and that the opportunity will not be taken to stint on accountability measures. I hope the approach will be to consider them fully and to make sure that when public money is spent the government is fully accountable to the Parliament. I am very happy to support the amendments.

Mr T. BULL (Gippsland East) — I rise to make some comments on the amendments to the Back to Work Amendment Bill 2014, which the opposition is not opposing. In relation to the amendments concerning the total amount paid under the scheme and also the information on recording the total number of payments made, clearly these are benefits that will see increases

in the level of accountability and go a long way to enabling the Parliament to make a determination or judgement on this scheme's success or otherwise. As we heard in the earlier contribution of the member for Mornington, the success of this scheme is still to be determined but the recording of this information will go a long way to enabling this Parliament to make that determination.

In relation to the number of people in each postcode, I can certainly understand the Treasurer's comments as to why the use of a postcode rather than a municipality is a preferable method of recording given there are existing data collection systems in place that record information in line with that proposition. Importantly this information will allow us to see which communities and which demographics have been the beneficiaries or the non-beneficiaries of this scheme. I will be interested, as I am sure will other members of this house, in seeing what the data throws up in relation to the amount of take-up and support that has been offered to those looking for work in our communities who are at the lower socio-economic end of society. That will certainly be a key factor in all of this.

The recorded data will be important in the making of a determination on which aspects of this program have been successful and indeed which have been unsuccessful. It will show areas where people and businesses make applications for this level of financial support under a whole range of criteria, and we will be able to make a clear determination on what works and what does not work. I understand the need to report the names of those who have engaged 100 or more employees under this scheme. I understand and support the Treasurer's comments on the need to cover off on making sure permission has been gained so these claimants can be named and that it is the employer and not the individual who is nominated in that case.

I note that there has been no opposition within the chamber to the amendments moved by the Treasurer to the Council's amendment. Given that is the commentary from all parties represented in this house, I now wish the bill a speedy passage through the chamber and wish it well for the rest of its lifetime after what has been a relatively bumpy passage.

Mr PALLAS (Treasurer) — I thank all contributors to this debate — the members for Malvern, Melbourne, Mornington and Gippsland East. I will pick up on some of the comments made and the content of the discussion around the amendments to the bill, and I want to reinforce my appreciation of this chamber for passing this legislation.

We feel strongly about the need for appropriate checks, balances and safeguards. These are important both in a legislative sense and to make sure there is sufficient flexibility in the way the scheme operates to be able to react to changing circumstances and demographics of identified at-risk employee groups. We will be able to facilitate a capacity to get funds to those employers who are doing the right thing by the community and are making a contribution by employing identified eligible employees.

It is important that we recognise that the bill incorporates a guideline process, and the maintenance of that guideline process is very important as it will enable us to monitor and manage the take-up associated with this legislation. Importantly, we also recognise — as have some of the speakers who contributed to today's debate — that schemes that have been proposed and applied previously have not necessarily achieved the sort of take-up that a scheme as laudable as the intentions that underpin this one have or should have received. It will require a fair degree of diligence, effort and concentration.

One point that the member for Malvern quite rightly noted in terms of eligibility for the scheme is, in broad terms, not in the bill. That in many ways is about ensuring that we have the flexibility to react to changing circumstances and to hear the input of members in this Parliament and of employers who anticipate or identify problems with the way the scheme operates. We want to be responsive and make sure that this bill is facilitative and recognises the changing nature of employment in this state.

Over the last three months in government we have seen about 12 000 jobs created in the Victorian economy, but quite frankly I am a pessimist by nature and this may well belie the fact that there are still some quite considerable challenges in the Victorian economy. Everything we do and everything we muster in terms of effort should be directed towards assisting those employers who are doing the right thing and those workers who need some assistance. I know a number of speakers, including the member for Malvern, have wished the scheme well and also indicated some concerns about whether there will be adequate take-up. I acknowledge that that is a challenge for the government, and it is one to which we will be diligently applying ourselves. That is why we need the flexibility of the guidelines.

I might say — and members can take this as either a naive or a gratuitous offer to this Parliament — that if members in this place identify concerns about the operation of the guidelines, I would be more than happy

to talk to them about it, because I genuinely believe that if we are serious about creating employment this is not necessarily an issue that sits entirely within the responsibility of government. I accept that the government ultimately is held accountable for these matters, but it is a shared responsibility. It is a responsibility that our respective constituencies believe it is important that we attend to with some degree of consensus.

I note that the member for Melbourne made the point that there was a momentary ringing out of consensus around these issues. The bill is probably better as a consequence of the efforts we have made and the discussion we have had. Accountability is an important thing. We will on occasion differ in our views about what constitutes an appropriate level of administrative or parliamentary oversight and safeguard in these arrangements. I do not take that as necessarily an indication of ill will by either side of the Parliament but simply of a different set of motivating factors. I recognise the importance of Parliament operating to ensure that governments are properly held to account for the people who depend on this place to deliver good government and good legislation.

I will briefly make an observation about the processes that would be required going forward around how groups are identified for the purposes of ensuring that they constitute employees who would be eligible for payments to employers. The member for Melbourne raised the issue of a series of groups such as asylum seekers and others. I make the point that this legislation is focused on the mischief or the ill of unemployment. The circumstances she described around asylum seekers and the high levels of unemployment attached to them are very real, but they are also addressed by dealing with the problem of unemployment — that is, by paying employers the appropriate incentives for taking them on. Those groups or sectors within the community which are most adversely affected, such as asylum seekers, will be some of the principal beneficiaries of these arrangements simply because of their circumstances. This measure is about the scourge of unemployment. The categories of unemployment we have identified will ensure that these groups get ample access should they, by virtue of the application of these payments, be able to find work. That is a critically important thing.

I do not wish to be churlish about any commentary we have exchanged back and forth in getting to this point. Robust debate is important in this place. We have the capacity to recognise that we are obligated to advocate for good public policy, and whilst I believe that the bill in its original form would have greatly assisted getting

to a good policy outcome, the amendments and the discussion we have had nonetheless will serve the state of Victoria as well. I thank all those who have been involved in what may have been seen as a somewhat willing and sometimes strained engagement. Ultimately we, collectively, never lost sight of the people who depend upon us — that is, the unemployed, who require this Parliament to ensure that the efforts and the focus of the government, and ultimately the accountabilities that this Parliament attaches to government, are directed towards good policy outcomes. On that basis I commend the bill to the house and wish it a speedy passage.

Motion agreed to.

Ordered to be returned to Council with message informing them of decision of house.

EDUCATION AND TRAINING REFORM AMENDMENT (CHILD SAFE SCHOOLS) BILL 2015

Second reading

Debate resumed from 25 February; motion of Mr MERLINO (Minister for Education).

Mr WAKELING (Ferntree Gully) — It gives me pleasure to contribute to the debate on the Education and Training Reform Amendment (Child Safe Schools) Bill 2015 in my capacity as the shadow Minister for Education and as lead speaker on behalf of the coalition. I would like to say from the outset that the coalition will be supporting the bill before the house.

The bill builds on the important work undertaken in the previous Parliament by the Family and Community Development Committee in its work on the parliamentary inquiry into the handling of child abuse by religious and other non-government institutions, which led to the tabling of a very important report entitled *Betrayal of Trust*. I am sure that the member for Broadmeadows, who is in the house, and the member for Thomastown, who is not, would agree with me that this was probably some of the most important work we have undertaken as members of the Victorian Parliament. In fact this showed Parliament operating at its best, in a bipartisan way and really delving into a significant issue, one which besmirched the Victorian community.

During that inquiry the Family and Community Development Committee received a total of 450 submissions, of which 305 were made public, 38 had names withheld and 107 were confidential.

Importantly, upwards of 92 supplementary submissions were also received by the committee. These were largely from people who learnt about the inquiry through the media and saw it as an opportunity to submit their stories about what had happened to them or members of their family. In my own community a former constituent contacted me about submitting a supplementary submission on behalf of her brother, who was a victim of abuse. This issue affected many people. It did not discriminate on the basis of race, religion, ethnicity or socio-economic level. It affected many, far and wide across the community.

The committee held hearings between October 2012 and June 2013. One hundred and sixty-two hearings were held, not only here in the Parliament but also in Bendigo, Ballarat and Geelong. There were 106 public hearings and — this is most telling — 56 hearings held in camera or in private. In these hearings people told the worst of their stories to us away from the public gaze. The committee encouraged victims to participate in the hearings process and gave them the opportunity to express their views and thoughts without anyone passing judgement on their stories. For many it was the first time they had told their story; for many others it was the first time they had told their stories to an authority that did not then question or challenge them. We listened, we accepted and in some cases we cried because the stories were so harrowing.

The committee was charged with the responsibility of taking that evidence and coming up with a report and a set of recommendations that dealt specifically with the issues raised and that any government of any political persuasion would be in a position to implement. The last thing we wanted to do was make recommendations to the Parliament which ultimately could not be implemented or would not effectively change the law. I am proud to say that the bipartisan work of the committee avoided that. Today we are seeing further evidence of that work, and I will come to the bill before the house dealing with child-safe schools in a moment.

The evidence was plain. It was clear that schools across the state, be they government, non-government or independent, did not in totality operate in a way that could be viewed as being child safe. That some of the worst activities were perpetrated on young Victorian children in primary schools across the state is an horrendous thought, but it happened — it happened widely, it happened historically and it happened recently. It happened under all governments, and all of us have a responsibility to look at ourselves and ask how something so horrendous could have happened under the watch of the Victorian Parliament and the Victorian governments of the day.

We took that information and we identified solutions. The bill before the house seeks to provide solutions. The committee dealt with a range of issues through the inquiry and made a range of recommendations. I will briefly touch on those recommendations to give a sense of the breadth of the issues that were covered. The committee looked at issues such as reforming criminal law, which involved issues to do with concealing criminal child abuse and compulsory reporting to the police. The committee recommended that a new offence of child endangerment be developed, and it looked at the creation of a new offence for grooming.

The committee looked at opening up access to civil avenues for justice; addressing the legal identity of non-government organisations, particularly in the issues surrounding the Catholic Church; and removing limitations on the capacity of victims of child abuse to make a claim because, as we know, many victims do not come forward until at least 23 years after the act has been perpetrated. The committee dealt with issues such as vicarious liability and duty of care. The committee looked at creating a new independent alternative avenue for justice — and that was certainly something that was looked at through a Victims of Crime Assistance Tribunal system — to have a separate body that could administer this in a manner that would be acceptable to the Victorian community.

It also looked at improving organisations' responses to allegations of criminal child abuse, in which it looked at authorising an independent statutory body with relevant powers and legal and operational resources to undertake that important monitoring. It also looked at — which is another reason we are debating this bill — improving the prevention of criminal child abuse, both in an organisation and the organisation's duty of care to children. It looked at issues such as the effective selection of personnel, particularly the issues regarding working with children checks. It looked at managing situational risks in terms of the way organisations structure themselves and also providing for prevention systems to provide support through the Victorian government to assist peak bodies to provide support to other organisations.

As members can see, the report was wide reaching, but in many respects what it did was provide a road map for governments to implement change. The then government of the day, upon receiving the report, tabled a response in which it welcomed the committee's report and supported in principle the recommendations. Action was taken by the former government with respect to implementing, among other things, changes to the Crimes Act 1958 to create a new offence which provides that an adult must not fail to disclose to police

a sexual offence reasonably believed to have been committed. Work was also done with respect to legislating on issues to deal with child endangerment. Work has already been undertaken specifically in this regard, and there was also the implementation of the new anti-grooming offence. Legislation introduced in the last Parliament started this process.

With respect to the issues before us today, work was done in relation to the commissioner for children and young people. In addition to legislative change, \$10 million was committed to provide a range of new measures, including the capacity to introduce minimum child-safe standards for organisations that have direct and regular contact with children, and a number of other changes. Work was done to start to implement those changes, and it should be noted that support for those changes was bipartisan.

In the last Parliament, the then Minister for Education, the member for Nepean, introduced the Education and Training Reform Amendment (Miscellaneous) Bill 2014. That bill, while not passed by Parliament, dealt with the same issues as those in the bill before us today. This bill is in effect a mirror image of the provisions that were in that 2014 bill. It should be noted that as the 2014 bill was a miscellaneous bill, other components of that bill are not incorporated into this bill. I wish to place that on the record. Three of those components included issues regarding the Victorian Registration and Qualifications Authority (VRQA) and empowering it to have a greater opportunity to look at the protection of students as consumers with respect to the operation of non-government schools. Over recent years some non-government schools have closed due to actions of members of the boards of these schools who had invested money in the schools, which subsequently became insolvent. VRQA sought to be given powers to have greater oversight of that situation.

There were also changes to school councils with respect to providing them with more efficiency and effectiveness in terms of governance arrangements, and there were also changes with respect to Australian Centre of Further Education regional councils to enable them to have greater autonomy and flexibility. As I said, those components of the previous bill are not incorporated into this bill. I wish to place on the record that I call upon the government to clarify what is happening to those components of the previous bill — that is, whether they will be introduced into a later form or whether the government has decided to not continue with those important provisions.

The bill before the house introduces changes that replicate the changes that were made by the former

government in its 2014 bill. This bill seeks to incorporate part of the recommendations of 16.1 and 12.1 of the *Betrayal of Trust* report. Chapter 16.1 deals with the government's reviewing procedures for responding to allegations of criminal child abuse in Victorian schools and identifying a benchmark to apply to non-government schools. Chapter 12.1 of the report proposes that the government implement minimum standards for maintaining child-safe environments for all organisations with direct and regular contact with children, including schools.

As I said, the report clearly found that organisations did not meet this benchmark, and it was clearly identified that work needed to be undertaken. The proposal under the bill is that all schools, be they government, non-government or independent, will be required to comply with prescribed minimum standards for registration. This new standard will require skills to develop in accordance with a ministerial order, policies, procedures, measures and practices for managing risks associated with child abuse. It is imperative that of the minimum 1500 schools that operate across the state there is a clear necessity for those schools to have clear practices, policies and guidelines in place within each of the schools that deal with this specific issue.

Most parents — and I am the parent of three young children at primary school — would naturally assume that these policies already exist. However, at best they are ad hoc. Some schools deal with this issue more proactively than others, but now we are putting this issue at the forefront. We are putting this issue clearly up there as an issue that we expect Victorian schools, whether government, non-government or independent, will ensure that they have those clear policies in place.

The bill also empowers the VRQA, as the statutory body responsible for registering schools, to have a capacity to compel or require schools to have these minimum standards in place in order to meet their registration requirements. As the regulator, the VRQA will be empowered to impose the requirement for these policies and procedures to be in place within schools, but more importantly if actions are taken by the schools to not implement the necessary policies and procedures, then the VRQA will be empowered to undertake the necessary action that it deems appropriate to deal with those schools. It can undertake reviews and evaluate a schools' effectiveness in complying with the minimum standards, and if the VRQA draws the conclusion that individual schools are in fact not complying, then it has the capacity to take action itself.

The VRQA will be provided with powers that will enhance its capacity to undertake targeted reviews

where concerns arise about a school's compliance with one or more specific prescribed minimum standards for registration, and as the bill indicates it will be up to it to take rapid action to respond to these breaches. We would all agree that that is an important step that needs to be taken. The VRQA will also be able to seek enforceable undertakings from poorly performing schools and impose conditions on their registration. It will also be able to share information with other Victorian, interstate and commonwealth government agencies or regulatory and law enforcement bodies.

With respect to the last point, we have a situation where the VRQA, as an independent statutory authority, is not duty-bound to provide information to other organisations. That in and of itself is a challenge because often there is not a lot of information sharing. I saw that issue arise when I was a minister in the former government in terms of organisations that were required to provide information and advice to VRQA. Often they had to provide the same level of advice to the department. The information was not transferable, although many organisations thought that was naturally the case. The bill helps deal with some of those issues.

The bill broadens the definition of 'child abuse'. The *Betrayal of Trust* report adopted the term 'criminal child abuse', which refers to offences such as sexual abuse, indecent assault or other indecent acts. However, for the purposes of the bill before the house a view has been drawn to not limit child abuse to only criminal sexual offences against a child because, as we would appreciate, the abuse of a child can be far broader than that. It can cover a whole range of behaviours and conduct within the community which an average family would consider to be child abuse. The bill looks at issues such as psychological and emotional abuse, bullying, stalking, harassment, intimidation and excessive and unreasonable punishment or confinement. It straddles the reasonableness test for the purposes of expanding it to the point of covering the breadth of child abuse activities without being so broad that it makes it unworkable. Certainly from that perspective the bill meets the reasonableness test for the purposes of the Victorian community.

Clause 5 provides for schools to develop policies, procedures and measures by way of a ministerial order, and that is a step we support. Concerns can be raised about a ministerial order versus having it legislated, but a reasonable approach is for a ministerial order given the minister has the capacity to engage with the sector, particularly with the creation of the new tripartite council in the Education and Training Reform (Miscellaneous) Bill 2014. The council will provide an opportunity for these issues to be discussed, and if there

are concerns about the way in which the order is being implemented, there is the capacity for Catholic, independent schools and the government sector to have those issues raised. From that perspective there are checks and balances in place.

The powers granted to VRQA are important. We have struck the right balance by empowering VRQA to undertake the necessary reviews and evaluations. The government has sought to provide it with the opportunity to make interim orders, and that is a positive approach. We support the provisions in the bill. Let us be under no illusion. The provisions in this bill, similar to those in the earlier legislation, are there for one very important reason. They are there because as a Parliament we have sorely let down Victorians. Members of the Care Leavers Australia Network, known as CLAN, were in the gallery earlier. They were active participants in the inquiry. The lives of many Victorians are scarred today because of the actions of others. Whilst those actions may have happened 40, 50, 60 or 70 years ago, people live with those memories for the rest of their lives. The bill will be a legacy in relation to the practices of the past. As a Parliament it is our way of dealing with the issues responsibly and appropriately, and the opposition will be supporting the bill.

For the benefit of the minister, during the debate I flagged that there were components in the Education and Training Reform Amendment (Miscellaneous) Bill 2014, particularly issues regarding VRQA's financial monitoring, the school council powers and the regional councils, that are not in this bill. I am sure the minister is aware of those. We will be supporting the bill, but we have flagged that there are several components that are not in it. Whether or not the government has made a decision to not proceed with those components or whether it is going to come in here with something else — with another bill — I do not know, but for the purposes of the exercise it would be useful if the minister or another member provided commentary on that at some point. The coalition will be supporting the bill, and I wish it a speedy passage.

Ms KNIGHT (Wendouree) — I rise to speak on the Education and Training Reform Amendment (Child Safe Schools) Bill 2015. I acknowledge and thank the opposition for its support of the bill. It is one of our key election commitments to implement all of the recommendations around the *Betrayal of Trust* report which arose from the inquiry into the handling of child abuse by religious and other non-government organisations. I thank the minister for his commitment to doing that and for doing it so quickly and acknowledging how important it is that we provide safe

environments for our students as well as processes and protocols for our teachers.

I will go through what the bill is about before I speak a bit more about the *Betrayal of Trust* report. The bill is a first step towards implementing recommendations 12.1 and 16.1 of the report. Recommendation 12.1 is around implementing minimum standards for maintaining child-safe environments for organisations with direct and regular contact with children.

Recommendation 16.1 is around the government reviewing the procedures used by Victorian government schools for reporting and responding to allegations of criminal child abuse, and very importantly identifying a benchmark to apply to non-government schools.

The bill amends the Education and Training Reform Act 2006. It adds a minimum standard for registration of government and non-government schools in relation to ensuring child safety and responding to suspected child abuse in Victorian schools. It empowers the minister to make a ministerial order to prescribe the policies, procedures, codes and other measures that schools are required to develop and implement to manage the risks of child abuse. It enhances the powers of the Victorian Registration and Qualifications Authority to monitor and ensure school compliance with the prescribed minimum standards for registration and also makes a number of statute law revision amendments to fix typographical errors and incorrect numerical and technical references.

This is an important bill for a wide range of reasons. Regardless of where we sit in this chamber we would all agree that children should be safe at school and, in fact, everywhere. But they are not, so we as a government need to do everything we can to make sure that we send a clear message that abuse of children will not be tolerated or accepted, and we must implement legislation to support that. This bill is a part of that.

It is also important that teachers and support staff have clear policies around what they need to do if they suspect a child is being abused. This bill goes some way towards that. I think a lot of teachers and support staff may feel a little disempowered if they suspect that one of their students is being abused or assaulted.

This bill has come about in response to two recommendations from the *Betrayal of Trust* report. I would like to acknowledge and congratulate the member for Ferntree Gully, who spoke earlier in support of the bill, the member for Broadmeadows, who is in the chamber, and the member for Thomastown, for their work on the *Betrayal of Trust*

report. I also acknowledge those in the other place who were members of the Family and Community Development Committee during the inquiry.

We should also acknowledge the parliamentary staff who supported that committee and also sat through those hearings. That would not have been an easy thing to do. We must also acknowledge the victims who gave evidence and the agencies that supported them. I sat through the hearing in Ballarat and was a support person for someone who gave evidence in camera.

I acknowledge that the committee went to places like Ballarat in regional Victoria. Most people would agree that there has been a disproportionate impact on Ballarat due to the paedophile priests who were placed there and were supported to stay there. They were placed across a number of schools in our parishes and neighbourhoods. We will never know the exact number of children — now adults — who were abused in Ballarat, but we know it is very high.

We also know that within the community I represent there has been a very high rate of suicide as a direct result of the abuse that was perpetrated on people when they were children. Tragically there have been a couple of recent suicides. The importance of the *Betrayal of Trust* report and of implementing the recommendations it contains should not and cannot be lost on any of us. I am sure that we all agree that knowing what we now know — and it is there in the report — it is incumbent upon us to follow up on all the recommendations.

I do not think anybody who was here on the day the report was tabled could have failed to feel the emotion in the chamber from those who were here to witness such an incredible and important event. I know a strong contingent of people from Ballarat was here. I am pleased those people were here to see the end of part of what they have gone through. To me, the tabling of that report was about absolute justice — not healing, but justice. It was about justice for a large number of crimes that were committed by criminals against children, under the noses of a whole lot of people. It should never have happened, and we need to do whatever we can to prevent it from ever happening again.

The other important part of that day for some of the victims or survivors who were here was that it was very symbolic; as a Parliament, as lawmakers and as community leaders we were standing together, looking squarely into the eyes of those victims and saying, 'I believe you'. That came too late for a whole lot of those we have lost in Ballarat and, I am sure, across the state and the country. We know the Royal Commission into Institutional Responses to Child Sexual Abuse is

happening now. During our inquiry, victims were able to hear us say 'I believe you', in some cases after decades of not having been believed or after having been punished for telling the truth — telling their stories. We should not gloss over or underestimate the importance of that.

We need to acknowledge that trauma is being experienced by those victims. We need to be cognisant of that fact and acknowledge the agencies, including non-government agencies, that continue to support the victims of clergy abuse. We have to continue to support people dealing with that trauma, because you never get over this; you learn to fold it into your life and live with it. We need to make sure that we provide support. I am proud and thankful that Labor made an election commitment to provide funding for a case management service at the Ballarat Centre Against Sexual Assault, which has been supporting these victims for years. I remember victims coming in when I worked there 20-odd years ago. An ongoing level of support is needed by the affected children and their families, probably for the rest of their lives. I commend this bill to the house.

Mr CRISP (Mildura) — I rise to make a contribution to the debate on the Education and Training Reform Amendment (Child Safe Schools) Bill 2015. The purpose of the bill is to amend the principal act, the Education and Training Reform Act 2006, to establish a framework to require registered schools to take appropriate actions to manage the risk of child abuse, to further strengthen the regulation of schools by enhancing the function of the Victorian Registration and Qualifications Authority (VRQA) and to make minor amendments to other acts.

This bill comes to the house after the work of the inquiry that led to the *Betrayal of Trust* report, and it very much builds on that work. I pay tribute to those who undertook that inquiry. As we have heard from previous speakers, it was a difficult task but it was a task that had to be done, and the time had come for it to be done. Recommendation 12.1 of the *Betrayal of Trust* report proposes that the government implement minimum standards for maintaining child-safe environments for all organisations with direct and regular contact with children. The government has a policy agenda regarding the development of minimum standards for child-safe environments for organisations that work closely with children, and this bill is giving effect to that policy.

Recommendation 16.1 of the *Betrayal of Trust* report proposes that the government review the procedures used by Victorian government schools for reporting and

responding to allegations of criminal child abuse and identify a benchmark to apply to non-government schools. The bill seeks to amend the principal act. It is worth saying that most schools, probably all schools, have a focus on and a concern about violence, including child abuse. I am sure that the staff, school council members and others involved in schools want to be a part of what has to be done. This is a year in which we are focusing on family violence, and that includes child abuse. While Rosie Batty is the Australian of the Year, the focus will remain on this.

We are now looking at how we are going to deal with this in schools. As we look through the bill and its parts, in part 2 it defines what child abuse is. This will give a framework for reporting. It is worth noting that child abuse is defined as any act committed against a person under the age of 18 that involves a sexual offence, an offence under section 49B2 of the Crimes Act 1958, physical violence, serious emotional or psychological harm, or exploitation, but it does not include the reasonable discipline, management or care of a child, or the participation in labour by that child in reasonable family or community labour. Of course it includes serious neglect of a person under the age of 18.

These are things that schools have been on the lookout for for some time. How to go about that is now set out within a formal structure. One of the mechanisms we can use is the VRQA. This will be a new area of responsibility for the authority, but it is involved in the registration of schools. If we can understand the workings of the VRQA, we can understand how this system will work. The VRQA is the statutory body responsible for the registration of schools, and the principal act requires that the VRQA must not register a school unless the school complies with prescribed minimum standards for registration. Further, the principal act requires the VRQA to ensure that registered schools maintain and meet those minimum standards, and the standards are reviewed regularly. The bill will strengthen that school regulation by enhancing the VRQA's power to undertake efficient reviews and evaluations of schools to ensure that they continue to comply with prescribed minimum standards for registration, and it will allow the VRQA to take effective action towards rectifying non-compliance.

I think schools very much want to be a part of this and would welcome the fact that there is now going to be a structure that will offer clear direction about what schools need to do. In a society where we need to hold to account and compare schools — and need to look to assist those that are struggling to comply — we will have a consistent framework that will allow the VRQA to audit and deal with those that are initially struggling

and also to ensure that we have uniform compliance across the state.

The bill covers the way this can be done by the VRQA by making considerable amendments to the authority's powers. We are inserting the requirement that a school has to develop policies, procedures, measures and practices in accordance with the ministerial order for managing the risk of child abuse, including the implementation of minimum standards for a child-safe environment, and must respond to allegations of child abuse committed against a child enrolled at the school by an employee, student, contractor or volunteer of the school or any other person connected with the school. This will be a big task, but at least we now have those guidelines. The VRQA naturally has to have its governing act amended to give it the power to do this. Clause 7 of the bill inserts appropriate powers into section 4 of the principal act so the authority may arrange for a review or evaluation of the operation of a school registered under the division in accordance with the section.

This bill puts in place a very formal structure with some very clear definitions about what will be expected and gives everyone in our community some security that schools will be clear about their responsibilities. It is a difficult call for school professionals like teachers and other support staff to make as they endeavour to come to grips with whether a child is being abused either at school or at home, but we now have a structure with the sorts of definitions that will help guide our professionals within schools and a structure for decision-making. In many cases it will be the classroom teacher who will have to make that call. There are consequences to making that call, but this framework makes that quite clear.

I think our school communities will be relieved to see a formal structure, and I think our community will feel better now that there will be a structure in place to support what is expected. I wish the bill a speedy passage. The implementation of it in our schools is something I am sure we all support.

Mr PEARSON (Essendon) — I am delighted to join the debate on the Education and Training Reform Amendment (Child Safe Schools) Bill 2015. As we have heard, the bill will address two recommendations of the Family and Community Development Committee report entitled *Betrayal of Trust — Inquiry into the Handling of Child Abuse by Religious and Non-Government Organisations*. This bill focuses on the two key findings. Finding 12.1 states:

Many non-government organisations have given consideration to the need to develop policies to protect

children from criminal child abuse, but these are often basic and fragmented across other policies.

Finding 16.1 states:

Responding to a notification of concerning behaviour and forming reasonable grounds to believe that a crime may have occurred is complex and requires a skilled and sophisticated level of judgement.

When there is a lack or demonstrated failure of government regulation, there is a role for government to address that situation. I have traditionally favoured a light-handed approach to regulation, but this cannot be sustained in view of the evidence of widespread and systemic abuse in more recent times. The role of the state is to provide minimum standards, to advise and counsel the sector on what those standards should be and to raise the bar.

It is also important to recognise that society changes. I am showing my age when I say that I started school in 1978. In that year the strap was still in use in my school, and it was not phased out until the following year, 1979. When I started school I had an incident with one of my teachers. I had just turned five. I disobeyed an instruction — I cannot remember what it was — and I answered back. It could not have been too bad, because we never swore. The next thing I remember is that the teacher grabbed me and dragged me out. She did not speak but dragged me out of the classroom down to the toilet and shoved a cake of soap in my mouth. She did not say anything, and I just remember seeing the water and crying. I was absolutely distraught because I was five years of age. The thing to note is that in my case it was an isolated incident. It was a one-off thing, and although there was nothing sexual about it, it traumatised me for years. It greatly affected me in my schooling and in my relationships with others. I became incredibly anxious and nervous for many years afterwards. I did not tell anyone about it for five or six years.

In 1978, that was the done thing, and it was seen as appropriate behaviour for teachers. It is important for us to recognise that we have to change and evolve. We have to recognise that that is not appropriate behaviour and should not be tolerated. That is why I think it is really important that government has stepped in. It is also important to provide schools with some understanding as to what is fair and reasonable behaviour and conduct and to provide the policies and training on how people should conduct themselves and behave.

The wonderful thing about Parliament is that we all have rules. We are surrounded by our peers and colleagues, and if we step out of line we are directed

back into our place by the Speaker, the Clerk provides us with advice or we are thrown out. The problem at times with the teaching profession is that teachers are isolated. They are in a classroom by themselves with 25 or 30 kids and in their professional development they do not get exposed to the high standards that many of us experience in more systemic and professional environments. Providing a level of clarity, certainty and rigour is really important to make sure that teachers can have training so they can understand where there might be problems or issues. They therefore will have the capacity to identify issues early, act on them and understand what is appropriate and inappropriate behaviour. That is a really important step in lifting the bar and raising the standards to make sure they are appropriate.

The bill will strengthen the regulation of schools by enhancing the powers of the Victorian Registration and Qualifications Authority (VRQA). That is important because the VRQA should be the vehicle that is empowered to interface with the sector. When you have a regulated environment, it is important to have someone at the coalface dealing with service providers on a regular basis to provide practical advice about implementing appropriate policies so that you do not have departmental decrees from on high which are open to interpretation. It is really good to have a partnership between the regulator and practitioners. As has been outlined, the VRQA looks at ensuring that employers of apprentices and trainees and providers of education and training meet quality standards. That is what this is all about — making sure that there are appropriate quality standards in place to ensure that we raise the bar and the standard on what is appropriate.

It is also important that a regulator like the VRQA have appropriate powers to ensure that organisations comply with the act. There is also some rigour and robustness between the VRQA and providers. Clause 9 provides that the VRQA must give notice of a proposed action and that in the case of a general review and evaluation after receipt of the written notice the school has 28 business days to make show-cause submissions to the VRQA and the minister about why the proposed action should not be taken. That is important. Regulators have a lot of power, as they should, but with power comes responsibility and those being regulated need to have the opportunity to respond to the regulator's concerns and criticisms. We want to ensure that there is a degree of responsiveness and respect between the regulator and the sector. That is really important because it allows a level of competitive tension.

Also useful is proposed section 4.3.3D, to be inserted by clause 9, which allows the Victorian Registration

and Qualifications Authority to apply to the Magistrates Court for an order if an undertaking has been breached. Again, what we are seeing in the way the legislation has been crafted is a robustness in the ability of people to adhere to the minimum standards. If they are in breach, they are provided the opportunity to explain why they believe they are not in breach or what mitigating factors there may be. There is then that natural justice process that allows them to go to the Magistrates Court if they feel that is required. It is important that there is an appropriate level of regulation, but you do not want a regulator with unfettered power being a force unto itself.

It is also important that as society has moved on we have changed and evolved. It is important to define the term 'child abuse' because I think it has traditionally been seen through a particular lens. The way we are in 2015 is not the way we were in 1945 or 1975 — we have moved on, evolved and changed, and it is important that our legislation reflects those changes and is responsive to the needs of our community. Codifying child abuse is an important step in understanding that it is multidimensional and covers a broad range of conduct and behaviour. Providing schools with powerful tools to develop policies and procedures to more effectively manage the risk of child abuse is important. It raises the standard, which is what our children deserve. The establishing of minimum standards is essential because it provides clarity to the sector about its responsibilities and obligations. I think it is really important for those reasons.

Clause 12 is important because it allows the VRQA to share information with other regulatory and law enforcement bodies. For example, the current legislation does not allow the VRQA to disclose information to another Victorian government department, such as the Department of Health and Human Services, where the VRQA has obtained information that there are health and safety concerns at a school. Collaboration, sharing knowledge and having that level of engagement between the VRQA and other jurisdictional bodies is really important because it provides a greater level of transparency and visibility so we can understand what is occurring.

This is not the end of the matter; it is the start of a process. Establishing minimum standards is a start, but it is important that legislation reflects the times in which we live. It is important that change is enacted in the future to reflect the mood of society. I think providing minimum standards and advice on benchmarks is a really important step. Raising the bar on the care of our children is vitally important. Sharing

knowledge and information is critical. For those reasons I commend the bill to the house.

Mr HIBBINS (Prahran) — It is with a sense of great responsibility that I speak for the Greens on the Education and Training Reform Amendment (Child Safe Schools) Bill 2015. This bill represents one of the final steps in enacting the recommendations of the Family and Community Development Committee report entitled *Betrayal of Trust — Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations*. This step enacts in law the ability of the Minister for Education to make a ministerial order setting child-safe standards as a requirement of a school's registration. It also empowers the Victorian Registration and Qualifications Authority (VRQA) to not register a school or to suspend or cancel a school's registration should it not meet the requirements, enhances the VRQA's ability to conduct a review into a school's compliance with registration standards and allows the VRQA to impose conditions on a school's registration so as to enable it to meet registration standards.

This bill stems from recommendation 12.1 of the *Betrayal of Trust* report:

That the Victorian government review its contractual and funding arrangements with education and community service organisations that work with children and young people to ensure they have a minimum standard for ensuring a child safe environment ...

It is also derived from recommendation 16.1:

That the Victorian government review the current Department of Education and Early Childhood Development (DEECD) procedures for responding to allegations of all forms of criminal child abuse within all Victorian schools and identifies a benchmark that could be applied more broadly to non-government schools.

I note that in the second-reading speech for the bill the Minister for Education acknowledged the further work that is to be done to fully implement these recommendations, including further consultation on the ministerial order.

This bill and the *Betrayal of Trust* report and recommendations are part of Victoria's response to one of the great outrages and scandals of our time — that is, the sexual abuse of children, the neglect, the cover-up and the inadequate response by individuals and organisations which were trusted to care for children. As stated in the report, the sexual abuse of children has always been considered a crime and abhorrent in our society. The abuse committed by individuals in positions of trust and power in these organisations, the actions taken by organisations that allowed this abuse to

occur, the cover-ups and protection of the offending organisations' narrow interests and the failure to uphold justice, society's values and the rights of victims have damaged lives, damaged families and damaged our society as a whole. By hearing the stories of victims, by giving them the opportunity to share their stories, by holding these organisations to account for their actions and by shining a light on this outrage, we will go some way to healing the damage caused.

Victoria's implementation of the recommendations of the *Betrayal of Trust* report and the enacting of laws to protect children from sexual and physical abuse will go a long way to ensuring that such systemic abuse does not occur again and that the protection of children is made paramount. Our schools should be places where children are safest, but this has not always been the case. Society places trust in the organisations and people that run schools, including the teachers, principals and staff, but it has been within schools run by religious organisations where child abuse and cover-ups have occurred. Through submissions made to it the committee found that 39 per cent of reported abuse occurred in schools. As the report states, the committee heard accounts of cruel physical and psychological treatment perpetrated by members of a number of religious orders in Catholic schools. Victims reported abuse to members of the religious organisations, but either no action was taken or the victims were physically punished. The abusers had the confidence to continue abusing without being held to account.

This bill recognises that all schools must have policies in place to protect children from abuse and that all schools have a duty to protect children. The inquiry's report states that currently in Victoria there is no legislative requirement for non-government organisations to comply with their duty of care to protect children by establishing preventive policies. This bill will assist in remedying this situation in respect of non-government schools.

This bill also addresses the importance of recognising child abuse and reporting allegations to authorities. Currently we have an unacceptable situation whereby Catholic or independent schools could investigate an allegation of child abuse but be under no compulsion to inform the police or handle the allegation in a way that is consistent with best practice or community standards.

A key authority the government has over independent and Catholic schools is in regard to registration. This is a vital safeguard and check of school standards. This law will assist in ensuring that all schools are required

to act in the best interests of children and the community.

As with previous bills that have come before this Parliament in response to the recommendations contained in *Betrayal of Trust*, these laws will go a long way to ensuring that children within schools and institutions are safe, that such widespread sexual and physical abuse does not occur and that organisations do not cover up, dismiss or enable such abuse.

I place on the record the Greens' acknowledgement of the victims and families who came forward to tell their stories, often for the first time. In having the courage to come forward, they spoke for many who could not and in doing so have helped to change the law to protect children from the abuse they suffered — a protection they did not have.

I also acknowledge the members of the 57th Parliament's Family and Community Development Committee whose work has made this report's recommendations and now laws possible. The Greens support this bill and wish it a speedy passage through the other place.

Mr McGUIRE (Broadmeadows) — As community leaders, it is rare that we have the opportunity to implement laws that can effect cultural, generational and systemic change. It is important that this Parliament stand up as an institution against other institutions to protect individuals, particularly when those individuals cannot protect themselves.

In speaking on this bill I would like to acknowledge the silver-haired men and women who came before the inquiry conducted by the 57th Parliament to testify about what had happened to them — the sexual, physical and emotional abuse that they had suffered as children. I am delighted that many of them are in the gallery today to witness the fact that the Victorian government under the Premier has taken the leadership to implement all of the recommendations contained in the *Betrayal of Trust* report.

There has been a systemic failure. Victorian governments failed in their duty in orphanages and homes, as children who had suffered the betrayal of neglect or abandonment as infants, when taken into the community's care were grievously abused physically, emotionally and sexually. The fortitude of the innocents who testified was inspiring, and their courage remains humbling.

It is important to understand what happens with child sexual abuse. Children bear a sense of guilt and shame like shadows that blight their lives. A horrendous

consequence is that the perpetrators often remain unrepentant while some victims do not survive. Despite high-profile criminal prosecutions and incontrovertible evidence, victims still report that there are some people who do not accept the reality and consequences of abuse or the extent to which respected individuals hid their knowledge. Admissions secured during the inquiry truly end the era of blind faith and cover-ups.

I acknowledge the Minister for Education, the Deputy Premier, because he and the government have taken the definition of abuse and extended it further. The government has extended the definition so that it will provide greater coverage and protection, because we have to be realists about what happens — that is, paedophiles are incredibly manipulative, as we found during the inquiry. Ultimately there is no fail-safe system, but we need to be vigilant at every point. That is the reality that we all have to face.

For the purpose of shaping the new registration standard and the minister's power to make a ministerial order the bill contains a definition of child abuse. The concept of child abuse used in the bill is not limited to criminal offences against children, such as sexual or indecent assault, or grooming. The definition also includes serious neglect, exploitation or serious emotional or physical harm. This includes such conduct as bullying, harassment and excessive punishment.

This definition goes beyond the *Betrayal of Trust* definition, because the inquiry focused on criminal child abuse. By proposing a broader definition of child abuse, the government intends to cover conduct and behaviour that the community would regard as abusive. This is an important evolution in the way that as a Parliament, a community and an institution we look at how we address all of these issues at all of the levels that are required.

It is also important to note that both this Parliament's inquiry into the handling of child abuse by religious and other non-government organisations and the current Royal Commission into Institutional Responses to Child Sexual Abuse found that child abuse is often a combination of sexual, physical, psychological and emotional abuse. In some cases not all incidents of emotional and psychological abuse will constitute a crime, but this does not mean that the potential harm to the child is insignificant. This is an issue that we found during the inquiry. Quite often perpetrators groom victims and connect with their families as well. The way in which perpetrators attempt to infiltrate the lives and families of children is insidious. Accordingly the definition of child abuse used in this bill is intended to promote a comprehensive approach by schools to

identifying and managing the risk of child abuse in whatever form.

The definition used also identifies some kinds of conduct that are not to be considered child abuse. This includes conduct for the reasonable discipline, management or care of a child in the school classroom, the home or elsewhere. This is an important balance that we were trying to establish within the inquiry to work out how we should actually manage these issues in a contemporary fashion. Ultimately, obviously the duty of care falls to the protection of children.

This bill will enable the Victorian Registration and Qualifications Authority (VRQA) to conduct compliance reviews in a more efficient and targeted manner and to be more responsive to immediate threats to student safety. This will help ensure school compliance with the minimum standards of registration. If the VRQA identifies instances of non-compliance after conducting a review of a school's operation, the bill will allow the non-compliant school to make a voluntary undertaking to take particular remedial actions with the agreement of the VRQA. The undertaking is made by the school's proprietor or principal and, after acceptance by the VRQA, can be enforced by the Magistrates Court. An enforceable undertaking is a less destructive compliance action than a suspension or cancellation of a school's registration.

These are important amendments. It is also important for us to realise that we have to remain vigilant on this. The dark heart of sexual crimes against children has always been individuals and organisations getting away with the abuse of power. What we have seen is men claiming to represent God committing crimes against children that were once hanging offences in Victoria. That is what the parliamentary inquiry revealed. Whether criminal child abuse was concealed because of noble cause, corruption or a misplaced sense of loyalty to a higher duty, religious organisations rationalised the most egregious conduct. The Anglican and Catholic churches and Salvation Army regularly took steps to conceal wrongdoing through wilful blindness and codes of silence, according to their concessions and a substantial body of credible evidence. We hope that with the implementation of all of the recommendations, we can get beyond this past and have a more enlightened future on how we deal with this.

We need to end with a balanced view of what has happened. From my own experience I can say that I probably represent the overwhelming majority of people who went through Catholic schools and who were greatly enhanced by their education. If I were not here today, I would be at a funeral for one of my

teachers, Bill Humphreys, who taught me at Christian Brothers College St Kilda. I also want to acknowledge those who had a genuine vocation, like Sister Fabian, my grade 6 teacher, whom I went and saw about a decade ago, before she died. We have to look at child sexual abuse as being like a cancer; it needs to be addressed, looked at from every level and cut out. I argue that we must also look at what other benefits we get from different institutions, but I would like to leave the house and this debate on the point that this is an important next step.

There are more to come, and we really need to look at how we harness all of the different levels that can be harnessed by the state and different institutions. We need to remember that the consequences are that some people who were children can compartmentalise these issues. Some bear the weight like a shadow that blights their lives and some do not survive. If we had had these laws in place earlier, a lot more people would be alive today, fewer lives would be blighted and the ripple effect that has — not just for individuals but for families and communities — would have been avoided.

I commend this bill to the house. What we did in the 57th Parliament and what we are going to finish in the 58th Parliament is an important change, and hopefully this will help to protect and save more children. I finish by acknowledging all of those who have come before us. It is our duty to honour and respect the courage and fortitude they have displayed.

Mr R. SMITH (Warrandyte) — I rise to speak on this very important bill, the Education and Training Reform Amendment (Child Safe Schools) Bill 2015. At the outset I advise that I am very pleased to see that the government has introduced this bill and the Limitation of Actions Amendment (Child Abuse) Bill 2015, which is also on the government business program. Labor in opposition made it very clear that it would not make any moves in this regard until the commonwealth royal commission had reported, which was a position we opposed while we were in government. I am pleased that the current government has introduced these bills, because they are very important bills to address the recommendations made by the Family and Community Development Committee. That committee did outstanding work, and as a member of Parliament I thank all members of that committee. I particularly commend the chair, Georgie Crozier, a member for Southern Metropolitan Region in the other place, who did a fantastic job.

After listening to the lead speaker for the opposition on this bill, the member for Ferntree Gully, speak earlier and talk about some of the issues that were raised, I

have admiration for the members of that committee, because I can imagine there would have been stories related that I personally would have found very difficult to listen to. The state of Victoria is well served by having had members on that committee who were able to listen to the stories and put workable recommendations together that the governments of the day — the previous coalition government and the current Labor government — have been able to put into place.

Parliamentary committees that work well produce some fantastic work. Without meaning to be churlish, there were members on the other side who did not think the parliamentary committee was the right body to do the work that was put before it. However, the chair, Georgie Crozier, summed it up well in her foreword to the *Betrayal of Trust* report. I will read her words into *Hansard* because they are very poignant words that we should remember when issues of such importance are brought before parliamentary committees. Ms Crozier said:

It is significant that this inquiry has been conducted by a parliamentary committee. It is an important reminder of the special powers that our Parliament is privileged to hold. It has highlighted Parliament's capacity to consider and expose issues that may otherwise not be revealed.

The members of our committee put aside party affiliations and worked cooperatively to hear the evidence, to deliberate on our findings and to determine the necessary recommendations. I thank them for their compassion, their dedication and for the collective sense of responsibility we all felt towards those affected by the crime of child abuse.

Again I pay tribute to both Ms Crozier and the other members of the committee for the fantastic work they did.

In saying that, I would like to go through some of the specifics of the bill and raise some issues. In adding to the definition of child abuse, clause 4(2)(a) refers to 'any act committed against a person under the age of 18'. There are a number of circumstances in which young people at or perhaps over the age of 18 are also exposed to these sexual predators. We need to be aware of this grey area in which people of that age can be exposed to abuse in schools or youth groups.

I am pleased that the government has included the provision in clause 4(2)(b) that the offences will not include 'reasonable discipline, management or care of the person'. That is a sensible exclusion. It acknowledges that there are some circumstances where reasonable — and I stress the word 'reasonable' — discipline or management of young people is appropriate. I am also pleased that clause 4(2)(c) includes under the definition of child abuse 'the serious

neglect of a person under the age of 18'. When we think about child abuse we generally think of sexual, physical or even mental abuse, but we do not immediately think of the neglect of young people. We do not often think about circumstances in which parents or carers neglect to feed a child, provide them with proper and clean shelter or even provide for their emotional needs. This is an important inclusion in the bill. I commend the government for including that, because it is certainly an issue in our society and goes beyond many of the issues that have been raised in regard to sexual and mental abuse.

I turn to clause 5, which widens the requirements for schools to develop and be held accountable for policies relating to child abuse, including the reporting of cases. I refer to the first speech on this bill today, in which the member for Ferntree Gully said on investigating the ability of schools to provide a safe place that there were not always programs or policies in place to do that. The bill addresses that and makes sure that schools and places of learning report child abuse. It is important to note that the issue is not just the abuse but also the grooming behaviours of sexual predators.

We often think of sexual predators as people in long coats, perhaps offering sweets to young children. The fact of the matter is that many of these predators are well presented, and in some cases they come across as pillars of the community or are even friends of the parents of young children. They work on long-term plans to gain the trust of young children. Many times they can touch a child in a manner that is perhaps appropriate — I guess you could put it this way — and technically innocent but that over time may lead to the normalisation of that sort of interference with a child. We have to be aware that many sexual predators present well. In putting policies together, schools have to put in place systems to identify grooming, should it arise.

It is important to note that a 2013 US study showed that 23 per cent of all sexual offenders were under the age of 18, with abuse happening during school hours or between 3.00 p.m. and 4.00 p.m., immediately after school. It is also a concern that not only are some sexual predators under the age of 18 but they are in or near school areas. Certainly in an age when many parents are concerned about the sexualisation of young children this is a real issue to worry about, and it is certainly an issue that the legislation seeks to deal with.

Most of the bill's amendments to the principal act ensure that prescribed minimum standards are clearly stated in the legislation, thereby allowing the Victorian Registration and Qualifications Authority (VRQA) to

act against schools that fail to meet the spirit of the law. The amendments make sure that schools have to meet the letter of the law in totality. Clause 6 of the bill allows the VRQA to satisfy itself about a school's compliance, which I certainly agree with. Clause 7 amends the principal act to enable the VRQA to act on specific issues arising in relation to a school's actions that may have failed a child. There are perhaps some concerns that the widening of the powers of the VRQA could lead to witch-hunts in some circumstances because of the emotional context around the issue. I urge the government to ensure that that does not happen. While I do not wish to side with any potential predator, it is important that we balance the need to pursue these issues against the rights of the accused until their guilt is ascertained.

I acknowledge that the rest of the bill is mainly administrative. All members of the house are supportive of the bill. It takes the first steps to deal with a very important issue. When we leave this place, one of the most important things we will have done is ensure that we have made our state, and if possible areas further afield, a little safer for children, who deserve all the safety and protection we can afford them. I look forward to further legislation to implement the recommendations.

In closing, I again acknowledge the fantastic work done by the committee. It is certainly a credit to all of us here that we are able to facilitate the recommendations of its very important report.

Mr J. BULL (Sunbury) — It gives me great pleasure to speak on the Education and Training Reform Amendment (Child Safe Schools) Bill 2015. As members have noted, the bill amends the Education and Training Reform Act 2006 to enable the implementation in Victorian schools of the Victorian government's response to certain recommendations made by the Family and Community Development Committee to the previous Parliament. I acknowledge the contributions made by members on both sides of the house and in particular the contribution made by the member for Broadmeadows, who I know has done a lot of work in this space.

The Andrews government is committed to implementing all the recommendations of the *Betrayal of Trust* report, and the previous government agreed in principle to implement all of these recommendations.

Before I talk about the mechanisms within the bill, I would like to talk about the Royal Commission into Institutional Responses to Child Sexual Abuse, and in particular the example of Frank, who did not use his

real name. Frank attended the royal commission hearings in Perth, and the commission's website states:

He told two commissioners of the sexual abuse he suffered at the hands of the Catholic brothers who ran the institution. He says that sexual abuse was accompanied by constant and quite extraordinary levels of physical abuse. The children were belted with straps with metal objects in them. They were punished for minor transgressions by isolation and deprivation of basic sustenance. Their lives were completely miserable.

...

Although his experience occurred 50 years ago, until he decided to talk to the royal commission, Frank had not been able to tell any of his family what had happened to him. He disclosed to his children only two weeks before coming to the commission. He was only able to tell his wife of his childhood experiences the night before he came to talk with us.

This bill will take the first step towards implementing recommendations 12.1 and 16.1 of the *Betrayal of Trust* report.

The bill will amend the Education and Training Reform Act 2006 to add a minimum standard for registration of government and non-government schools which is about ensuring child safety and responding to suspected child abuse within Victorian schools. It will empower the minister to make a ministerial order to prescribe the policies, procedures, codes and other measures that schools are required to develop and implement to manage the risks of child abuse. It will also enhance the power of the Victorian Registration and Qualifications Authority to monitor and ensure compliance with the prescribed minimum standards for registration and make a number of statute law revision amendments to fix typographical errors and incorrect numerical and technological references.

In meeting with local schools in the electorate of Sunbury it is clear that they welcome any guidance and assistance on matters that pertain to child protection and child abuse. The *Betrayal of Trust* report arising from the inquiry conducted by the Family and Community Development Committee made 15 recommendations after analysing practices, protocols and policies for organisations that had concerns about recurring abuse. The committee went further and investigated whether these policies actually precluded or discouraged reporting of abuse, and this is a very important point.

I want to now speak about recommendations 12.1 and 16.1. Recommendation 12.1 revolves around the implementation of a minimum standard for a child-safe environment. Once again this is an extremely important point as it considers the funding and organisational structure in its approach. Meanwhile,

recommendation 16.1 calls for the review of government school procedures for responding to child abuse allegations so as to identify benchmarks that are suitable for non-government schools. Under the changes proposed in the bill schools will need to take action in relation to child abuse situations that are connected with a school because a child is enrolled in the school, the alleged perpetrator is an employee, contractor or volunteer at the school, or the alleged perpetrator is another student at the school.

Many principals and educational professionals will be asking what they will need to do to meet the new standards. The ministerial order will outline much of this. It may require schools to publicly commit to zero tolerance of child abuse, work to develop principles, policies and procedures for managing risks, and amp up referee checks and pre-employment screening.

It is also worth noting that the current teaching regulatory body, the Victorian Institute of Teaching (VIT), will continue to act upon registrations for all Victorian government, Catholic and independent schools. To qualify currently teachers undergo a national criminal history check covering all Australian jurisdictions. The government does not expect the VIT teaching code of conduct to be directly changed as a result of this legislation.

The Andrews Labor government considers family violence to be the state's greatest challenge. It is devastating and a disgrace to know that day after day Victorians from all walks of life present at emergency departments and local clinics with injuries as a result of violence. Of course there are those who do not present at emergency departments or local clinics, and tragically sometimes the worst case scenario can occur.

All members in this house agree that we must do more to protect vulnerable Victorians, especially women and children. It is extremely pleasing to see that just today the Minister for Police and the Minister for the Prevention of Family Violence have appointed an assistant commissioner of Victoria Police to head up Australia's first family violence police command. This new command will dedicate itself to investigating family violence, sexual assault and child abuse where the perpetrator and victim know one another.

As a society and community we need to protect our children from all forms of sexual violence, physical and emotional abuse, and neglect. As a former teacher I am particularly passionate about this bill, and I commend it to the house.

Ms McLEISH (Eildon) — This is an important bill before the house today. The purpose of the bill is to commence the rollout of the recommendations made in the *Betrayal of Trust* report, which arose from the inquiry into the handling of child abuse by religious and other non-government organisations. In particular the bill deals with two recommendations made in that report.

Recommendation 12 proposes that the Victorian government review its contractual and funding arrangements with education and community service organisations that work with children and young people to ensure that they have a minimum standard for ensuring a child-safe environment, and it lists a number of principles. We know that schools deal with children more than most other areas.

Recommendation 16.1 states:

That the Victorian government review the current Department of Education and Early Childhood Development ... procedures for responding to allegations of all forms of criminal child abuse within all Victorian schools and identifies a benchmark that could be applied more broadly to non-government schools.

This is an important bill given that we have 1500-plus schools in the state. I will touch on a little of the history and present a bit of background as context because the former government had a clear platform of strengthening child protection. When in government, we did a lot of work in a number of areas in relation to which bills are being introduced into Parliament, but in particular we set the standard with the announcement of the inquiry in April 2012 that produced the *Betrayal of Trust* report.

That report was an amazing and outstanding piece of work which took place over some 18 months by the time it was tabled in November 2013. It was a tough gig for the members of that committee. The committee received 578 submissions and conducted 162 sessions across the state. It was an extensive inquiry, and the members of the Family and Community Development Committee who undertook the work are to be commended. Following that inquiry, the then coalition government got on with it and introduced the Crimes Amendment (Protection of Children) Bill 2014, which created two new offences. One was the failure by a person in authority to protect a child under 16 from sexual offences, and the other was the failure to disclose a sexual offence against a child under 16. Those offences can also link back to teachers who could be caught up in those issues.

The previous government also introduced the Crimes Amendment (Grooming) Bill 2013, which created the

offence of grooming. The new offence made it clear that it is a crime to groom a child under 16 for sexual conduct. We did a lot of work in this area. I am pleased to see that is continuing, and this bill rolls out those recommendations to schools. I note that the amendments before the house are only a step and not a full response to those recommendations, and I look forward to a full response being put to the house in time.

One of the things the Family and Community Development Committee found was that schools were not in fact safe for children. Some of the worst examples of child abuse happened in primary schools and secondary schools, and in all types of schools across the state in the past, and it continues. I have heard many stories from people in my electorate, and some were from teachers and some from parents. It is extremely traumatic for them when they can see practices they are concerned about taking place in schools. I know of one teacher who still suffers quite a bit, who told me about the trauma she suffered in wanting to report something and have action taken on it when the school would not let her speak up and tried to keep it under the carpet. That is extremely traumatic. Parents spoke to me about things that happened to their children at school, and indeed there were some people who had had horrible things happen to them, and they have spoken to me as well.

In looking at the overall scheme of things, all members have a number of schools in their electorates. In my electorate there are 50 schools: 37 government primary schools, 6 government secondary schools, 5 Catholic primary schools and 2 independent schools. That is an enormous number of students. The response in this bill to the recommendations is very positive. In one of my former careers I was a teacher, but I also worked as the CEO of a sporting organisation, and during that time I undertook a number of training sessions because we were very cautious about and cognisant of our role in protecting the younger people who were working with us. I went to a number of sessions conducted by Bernadette McMenamin, who was highly regarded in this area. I used to be asked if the sessions were about how to spot a paedophile at 100 paces, and my answer would be that you cannot do that because they are sneaky. They plan and calculate what they are going to do. Often they are not the typical stereotype, as the member for Warrandyte mentioned. They are often well dressed and well known to families, and because of their calculating natures they infiltrate, so it is positive that these steps are being taken now.

I turn to talk about maintaining child-safe environments for all organisations with direct and regular contact with

children. As I said, schools fit into that category, and it is important to look at minimum standards so that schools know what it is they need to do and realise they have to give time to thinking about it, addressing it and putting procedures and processes in place. It makes the organisation do the work around these issues rather than just ticking the boxes, and that is an important element.

Recommendation 16.1 was the review of procedures in schools for the reporting of and response to allegations of child abuse. Having minimum standards for registration of all schools is one of the points that is taken up in the bill, with the Minister for Education being able to make ministerial orders — there is still work to be done in this area — and the expansion of the current role of the Victorian Registration and Qualifications Authority (VRQA) in terms of compliance and enforcement. I touch on the minimum standards for schools, which are for all schools: government, Catholic and independent. It is not selective, and it is particularly important that all schools be required to take action to better manage and reduce the risk of child abuse, including in their responses to allegations of child abuse. That touches on some important issues, such as the example I raised earlier where a teacher was at odds with the school about how to manage such allegations.

With regard to the ministerial orders being made under the act, a bit of work still needs to be done, but the fact that the ministers will be able to undertake such action is a positive aspect because we need to make sure that if there are minimum standards for school registration, the minister can intervene in cases where it is necessary to make sure that is the case, especially with schools that may be having issues, and that there are policies and procedures in place. It may be around recruitment and staff management policies — the people these schools employ and how they go about it. It could even include complaint management and resolution.

I also want to discuss the role of the VRQA and the expansion of its powers. In particular, the VRQA will have the power to suspend or cancel a school's registration if it does not think the school is taking appropriate action. These are very serious matters which need to be addressed. Schools play a hugely important role because they deal with students as their core business — and in very large numbers. It is good that an organisation will be making sure that this is done appropriately, which the VRQA, with its enhanced powers, will do.

I am particularly pleased about the ability of organisations to share information with government

agencies and regulators in other jurisdictions, because there may be occasions when a person who is behaving improperly in a school is being investigated by other government bodies, including possibly those interstate. I commend this bill to the house.

Mr HOWARD (Buninyong) — I am also pleased to add my comments with regard to this significant bill that is before the house. As a member representing areas of Ballarat East, it is particularly important that I add my comments in support of this bill. Well before the parliamentary inquiry of the Family and Community Development Committee took place last year, a number of residents from my electorate came to see me to discuss related matters. These residents were now men in their 40s and 50s, but they shared with me traumas and experiences that occurred when they were students at St Aloysius Parish School in Ballarat East.

It was challenging for me as a local member of Parliament to try to support these men who had come to see me. They also told of the experiences of former fellow students of theirs, some of whom had taken their lives as a result of the trauma and ongoing frustration that they had met at many stages in their lives as a result of their experiences at school. These people should have been able to trust those around them, and they should have been able to learn and maximise their potential as young people. It was also challenging for me to discover that it was only many years after this abuse occurred that some of these men were finding their voice and becoming prepared to speak up, to share their past and say a lot more needs to be done by the Catholic Church, but also across the community, to address this issue.

I commend all of the members of that parliamentary inquiry. The experience of the inquiry would have been very confronting and challenging for them personally. I commend them for working through the processes and listening to the experiences being shared with them.

I also commend the former member for Oakleigh, Ann Barker. She identified the fact that the Victorian Parliament needed to take action to provide these people with the opportunity to share their experiences. She also wanted this state to take action to ensure that such situations could not happen again and that those people could have appropriate support to assist them into the future with the issues they were still trying to work through.

The *Betrayal of Trust* report, which was produced by the Family and Community Development Committee, makes many significant recommendations. As a result of that inquiry, many people across the state became

aware of the issues of abuse that had taken place in the past and the extent and effects of that abuse. The federal Royal Commission into Institutional Child Sexual Abuse is making us aware of the extent of that abuse in other states, as well as exposing more information about what happened in this state.

The Andrews government is committed to continuing to address the recommendations of this report. It is important when a report such as the *Betrayal of Trust* report is released that it is not discussed for a short period of time and some limited action taken and then it is forgotten about. It is vitally important that we continue to reflect upon the issues raised by that report. As reflected in the changes introduced by this bill, we want to ensure that the report's recommendations continue to be acted upon — that children at school, wherever they are, can trust those who have authority over them and that schools have an appropriate set of policies in place to help them both to become aware of any potential threat to students and to act upon issues that come to their attention. We must be vigilant in ensuring that no child can be abused in any schools.

The last two speakers in this debate have shared with the house that they are former teachers. I am also a former teacher, who worked in both the state and Catholic education systems. I would hope that the places where I taught were very different from those that have been referred to by the former students of St Aloysius so many years before. However, we cannot afford not to be vigilant. We must ensure that our schools continue to be fully vigilant and that if there are opportunities for a child to be threatened in this manner, this can be picked up on immediately.

As earlier speakers have said, the bill follows up on two of the recommendations in the *Betrayal of Trust* report. Recommendation 12.1 is that the government implement minimum standards for maintaining child-safe environments for organisations with direct and regular contact with children. The government has a policy agenda regarding the development of minimum standards for a child-safe environment for organisations that work closely with children. Recommendation 16.1 is that the government review the procedures used by Victorian government schools for reporting and responding to allegations of criminal child abuse and identify a benchmark to apply to non-government schools as well as to government schools.

The bill provides further responsibilities for the Victorian Registration and Qualifications Authority (VRQA) so that non-government schools must all report back to it to show they have sound policy

development to ensure that all children are safe in their schools. The VRQA will have responsibility for overseeing those and for following up any circumstances where it thinks a school's policy or any activity might be falling short of the highest standards that we must require in our schools.

It is a great pleasure to be a teacher. There are a number of members in this chamber who have been teachers in the past. It is a great joy to be a part of the development of our young children and to see at the end of a period of teaching them or of sharing our time with them that they have gained so much from their experience in school. To see them blossoming and going into adulthood is always a source of great pleasure. Many years past my teaching experience I continue to be delighted when young people, and sometimes some not quite so young people, approach me and say, 'Mr Howard, I remember you taught me back at Sacred Heart' or 'You taught me at Kaniva High School' or wherever I might have taught. They tell me what they are now doing in life, and it gives me joy that the people who are now making great contributions to our community came through schools I taught at and who remember me from those schools and are pleased to say hello to me again.

I want every child who goes through school to feel totally safe, and the bill goes some way towards achieving that. In wearing the badges that many of us are wearing today about bullying in schools, we know we have a responsibility as a government and as a broader community to ensure that there is no bullying and that children are not going to be abused in any way in our schools, so they can go to school and feel safe and supported and feel that learning is a joy and that their time at school is a great pleasure so they can blossom and go on to become great adults and make a contribution to our community.

To hear the accounts of some of those we have spoken to and whose cases are highlighted in the *Betrayal of Trust* report is heartbreaking, and we want to see that never happens again. I am pleased there is bipartisan support for this ongoing action. We want to make sure our schools are great places of learning and great places for children to always feel safe.

Mr DIXON (Nepean) — It is a pleasure to speak on and support the Education and Training Reform Amendment (Child Safe Schools) Bill 2015. It has already been mentioned that legislation covering recommendations 12.1 and 16.1 of the *Betrayal of Trust* report was part of a broader bill brought before the Parliament by the coalition government towards the end of last year. As a former Minister for Education I am

pleased to see this most important aspect of that bill being brought before the Parliament.

It is important that the recommendations in the Family and Community Development Committee *Betrayal of Trust* report are followed through. It is important that the work done by our parliamentary committees, especially the great work done by that committee, is seen through not only for the members of the committee but particularly for those who went to great pains to give evidence — and they related some horrifying personal experiences. It is important that the broader community has faith that the work done by the parliamentary committees and the recommendations made in their reports are taken seriously and seen through.

The *Betrayal of Trust* report is important to Victoria, and recommendations 12.1 and 16.1 are followed through in the bill. Recommendation 12.1 is that child-safe environments be standard across all organisations that work with or encounter children. Obviously there are many organisations, sporting clubs and institutions that come into daily contact with children, not just in a one-off capacity but in an ongoing way. The bill enables the school aspect of child-safe environments.

Recommendation 16.1 is important. It talks about a minimum standard of policy and process required for all schools. In my numerous interactions with schools by and large I found that government schools do it very well. There is a certain consistency right across the schools. As a result of the legislation I am sure government schools will take the chance to have another look to ensure they are doing the right thing by our children and that they meet the minimum standards. It is a reminder to the whole school community of the importance of our children being safe in our schools and that parents and the wider community can be confident that schools have policies and procedures in place to protect their children.

When I was minister most schools were very aware of the fact and had policies and procedures in place, especially the systemic schools. But it was not consistent, and the bill will bring consistency in minimum standards across schools in Victoria, whether they are government or non-government schools. Some of our smaller non-government schools do not have the resources or the expertise to do some of the things that give them a hook on which to hang their policies and procedures and to give some credibility to the work they want to do. The bill will give great confidence to all schools, but most importantly to the community and

the parents involved in all schools that children will be safe.

It will also give the minister the power to make a ministerial order based on a lot of consultation with schools. Schools are very complex places and there is a range of interactions with individuals and organisations, whether it be in school time or out of school hours, and a range of circumstances in different schools. It is important that the ministerial order reflect the diversity of our schools, whether they are systemic non-government schools, government schools or independent schools.

I know consultation will begin and it will be important that it is thorough and not just for the sake of a box being ticked. It is important for the minister to listen to what schools say and for the resulting ministerial order to reflect what schools have said and their everyday circumstances and for it to be meaningful, useful and practical. I am sure that will happen. It is important that it give everybody confidence that the ministerial order and the policies and procedures that are in place are going to be workable and are going to protect our children.

Through this bill the Victorian Registration and Qualifications Authority (VRQA) will have the power to ensure that all government and non-government schools have the right policies and procedures in place. It is going to be a condition of their registration. I think that sends a powerful and comforting signal and message to school communities, administrators, teachers and parents about how important it is that these policies and procedures be in place. The very registration of a school is dependent on it having those policies and procedures in place. The VRQA certainly welcomes this important power, but it is most important that the broader community welcome this power and that there be oversight to ensure that all our schools have those policies and procedures in place.

The VRQA will also have the power to share information with and take information from other jurisdictions and organisations that interact with young people. It is important that there be a consistent message across all organisations and that nobody — not one person who is going to harm a child — be able to slip through the cracks. These policies and procedures are a great way to forestall anyone who might have the wrong intentions in regard to abusing children. They will know there will be no crack to fall through and no back door via which to approach children, because all organisations in the state and right across the country will be talking to each other. They will have similar standards, policies and procedures.

As I said at the start, it is a great pleasure to see this piece of legislation go through. It was before the Parliament when its term expired last year. I thank the government for bringing this legislation forward as quickly as it has. I wish the bill a very speedy passage.

Mr BROOKS (Bundoora) — It is a pleasure to join the debate on this important piece of legislation. I have listened to the considered contributions made on both sides of the house, and they reflect the mature nature of the debate on these important issues that has resulted from the good work that was done in a bipartisan way by the Family and Community Development Committee on the *Betrayal of Trust* report. It is great to see that that approach has flowed through the different pieces of legislation that were recommended by the committee and that came into this place in the last Parliament and are now being introduced in this Parliament.

When people drop their children at school, the first-order priority, ahead of their learning, is that those children are safe at school. Every parent who drops a child at school in the morning expects that the environment into which they are placing their child is a safe and caring one. They expect that a school, while it has custody of a child, will do everything in its power to nurture and protect that child. It has been horrific to listen to and to witness the reporting in the media and through various inquiries, including the one I mentioned by the Family and Community Development Committee, of sinister incidents. One cannot think of anything worse than some of the examples that have been highlighted being inflicted upon a child. They have all happened in environments designed to nurture children and help them develop and grow.

It is important, however, to remember that these negative examples are in the minority and that overall we have a great education system across different sectors, including government, independent and Catholic. We have wonderful educators in our state. It is important to highlight that. While we need to take these measures and debate these important provisions — and it sounds as if everyone in this chamber supports them — we must also recognise and send a clear message to educators that we understand that the overwhelming majority of them do a fantastic job. They are committed people who nurture and protect our children and do their best to provide a safe environment for them.

In the previous Parliament I had the great honour of doing some policy work in the area of special needs education. It took me around the state visiting different

schools. I visited mainstream schools and schools set up specifically for children with moderate to severe disabilities or learning disorders. They were some of the most inspiring places you could visit. I remember one visit to a special developmental school in Broadmeadows. This was a school where many children would attend not just in wheelchairs but also in hospital beds connected to medical equipment and intravenous lines. The school made a concerted effort not to place graduate teachers with students who, tragically, would not see out the year. This was so as not to dishearten graduate teachers and discourage them from continuing at the school.

One might expect a place like that to be negative and hard to be in, but I found it to be a positive, vibrant and uplifting environment. When I asked the principal of that school in Broadmeadows why that was the case, she said it was because every single staff member and volunteer at that school really wanted to be there. They were passionate and committed to the education of those kids with special needs. That is what made them put in the extra effort. You see that at all schools. You see teachers putting in extra effort to do their very best. While this bill is important — and I will come to the technical aspects of it in a moment — it is also important that we stress that we have a great education system, great schools and many dedicated people in our school system, from those in leadership roles right through to teachers and volunteers who do a great job protecting our children, keeping them safe and helping them learn and grow.

As members would be aware, the *Betrayal of Trust* report recommendations cover five key areas or themes. They are: criminal law reform, improving access to civil justice, improving capacity at an organisational level to respond in the right way to allegations of abuse, improving organisational capacity to prevent child abuse, and providing alternate avenues to justice and redress. The bill we are debating centres on the third of those issues, which is improving organisational capacity to respond appropriately to allegations of abuse.

This is not the first piece of legislation to come into this place that has flowed from the recommendation of the *Betrayal of Trust* report. We have seen legislation in here which has dealt with offences relating to the grooming of a child and the failure to report suspected child abuse. We have seen legislation in here which will make it a criminal offence for people to knowingly put a child at risk or fail to remove them from a known risk of criminal child abuse; that legislation will take effect as of July this year. We have had legislation amended in relation to working with children checks,

extending them to ministers of religion; and in February this year the government introduced a bill which will remove time limits on civil litigation in relation to incidents of child abuse.

The *Betrayal of Trust* report has led to a significant amount of legislative work. This is a next step in relation to education, and in particular flows on from recommendations 12.1 and 16.1 of that report. The central thrust of this piece of legislation is to implement minimum standards for maintaining child-safe environments for all organisations that have regular contact with children, which in this case are schools. The minimum standards for registration apply to all Victorian schools across the different sectors. Importantly this will cause schools to focus on things like the appropriate recruitment and staff management policies they have in place; will provide guidance for people who are in positions of trust and responsibility, such as school leadership positions; and will provide transparent complaint management and resolution procedures. The previous speaker indicated that many schools already do this really well, but there are other schools which for a range of reasons, including the availability of resources, have not been able to implement these sorts of procedures, so it is hoped that this bill and the ministerial order that will flow from it will help to assist those schools that have not yet got those things in place.

Importantly the definition of child abuse in this bill is not limited to that of criminal child abuse. It includes things such as serious neglect, exploitation and serious emotional or psychological harm. This of course would include conduct such as harassment, excessive punishment and bullying. That is an important step that this bill takes. It is important that this bill not be limited to criminal child abuse in its approach and that it also extends to all those other areas, because those inquiries I have mentioned have suggested that much of the harm that can be done in schools flows from the sorts of behaviours which do not necessarily fall into the definition of criminal child abuse. This is a great bill that gives schools minimum standards, puts in place a system and a framework for them to be enforced and gives the regulating authority, the Victorian Registration and Qualifications Authority, the ability to enforce them and to make sure they are carried through. The minimum standards for registration of schools, which are set out in schedule 2 of the regulations of the principal act, already deal with a range of those issues, including such things as learning outcomes, curriculum reporting and teacher registration through to things like regulations about buildings and facilities. It deals with the care, safety and welfare of students, but it does not go far enough. This bill will ensure that the complete

focus of the *Betrayal of Trust* report is carried through into legislation, and that we have a safer environment for our schoolchildren.

Mr WATT (Burwood) — I rise to speak on the Education and Training Reform Amendment (Child Safe Schools) Bill 2015. Before I go into the substance of the bill, I think it would be remiss if I did not mention some of those people who have done an enormous amount of work to bring about some of these recommendations, which means that this bill is in the house. Most previous speakers have mentioned the members of the Family and Community Development Committee, and I put on the record my thanks to the members of that committee: Georgie Crozier, a member in the other place; the member for Broadmeadows; a former member in the other place, Andrea Coote; the member for Thomastown; a former member in the other place, David O'Brien; and the member for Ferntree Gully, who was our lead speaker on this bill.

The one person who I have not heard many people give much credit to for the *Betrayal of Trust* report is the former Premier, Ted Baillieu. I am not going to get into chest beating, because I think this is a topic that every member in this house and every member of the former Parliament would have supported and does support — a tightening up in doing better on this issue. However, it would be remiss of me if I did not start my contribution by acknowledging the great work and intestinal fortitude of the former member for Hawthorn, Ted Baillieu, for his courage in setting up this inquiry, which has led to this bill.

I note there were a number of people — some in Parliament and particularly some outside of Parliament — who were somewhat critical of the inquiry being handled by members of Parliament. The *Betrayal of Trust* report does great justice to members of Parliament as a professional group of people who have been able to put a report together like this that led to recommendations like recommendations 12.1 and 16.1, which is what we are dealing with in this bill. I will finish by saying I am happy to put on the record my thanks to former Premier Ted Baillieu for his efforts in regard to that inquiry and the committee's report.

In his contribution the member for Buninyong talked about this process continuing, and the member for Bundoora mentioned that other relevant bills were introduced last year. I believe we will be talking about other bills that deal with recommendations from the *Betrayal of Trust* report. I want to acknowledge the contributions of members from both sides of this house in previous parliaments, who have been bipartisan on

this issue. I would be disappointed if this debate turned into an exercise of chest beating about who was better on this topic. I want to acknowledge that the previous education minister introduced a bill which we did not get to debate. It was essentially this bill, although I understand that this bill has some slight tweaks. Members might argue that it is a better bill, but I am not going to get into that. I will only say I know this is something that everybody wants to deal with.

It is interesting that the bill refers to 'child-safe schools'. I think most parents who send their kids off to prep, or what is now called foundation, would think schools would be safe places. Indeed schools should be safe places. When I sent my now 13-year-old to school on the first day, the only thing I felt was not safe was my ability to get out without crying over the fact that my son was now going to school.

I cannot say I am pleased we are introducing a bill that says schools should be safe, because they should already be safe and should always have been safe. Some of the things we discovered through the *Betrayal of Trust* report were disappointing. It disappoints me that the report says parents should not have trusted some schools. I would be happy to send my kids to any of the fantastic schools in my electorate. Having been to those schools and spoken to their teachers and principals, I have trust in those schools.

The bill implements recommendation 12.1 of the report, which according to the explanatory memorandum proposed:

... that government implement minimum standards for maintaining 'child-safe environments' for all organisations with direct and regular contact with children ...

I understand that the bill is moving to do that. Similarly the explanatory memorandum states that recommendation 16.1 of *Betrayal of Trust* advised:

... the government to review procedures for responding to allegations of criminal child abuse within Victorian schools and identify a benchmark to apply to non-government schools.

On the topic of non-government schools I want to put on the record that more than half the schools in my electorate are non-government schools. I do not think this debate should be turned into an exercise of denigrating a school sector in Victoria. There are 37 per cent of children in non-government schools, and those schools do a fantastic job. The fact that we have to introduce bills like this to set ground rules and recommendations should not be seen as meaning that non-government schools in my electorate are not as good as any other school. Every school needs to make

sure that it is looking after our kids. Every parent wants that, every teacher I know wants that and every principal I know wants that. I am glad we have a bill to put in place procedures to make sure that happens. I commend the bill to the house.

Ms GREEN (Yan Yean) — I too take great pride in joining the debate on the Education and Training Reform Amendment (Child Safe Schools) Bill 2015. The substance of the bill before the house is a very grave matter. It is really important not only that justice be done but also that it be seen to be done and that it be enacted in legislation in parliaments across this country and particularly in this Victorian Parliament.

I have spoken on a number of occasions about the scourge of child abuse and institutional child abuse. Those who are fortunate enough not to have been touched by this and who look at media commentary in relation to the Betrayal of Trust inquiry and the royal commission might assume that this terrible history of institutional abuse of children was purely the purview of churches. That was not the case; it went way beyond that and was really significant in our educational institutions.

Of the written submissions received by the Betrayal of Trust inquiry conducted by the Family and Community Development Committee under the previous government, 39 per cent reported that the abuse had occurred in schools. Most of that abuse occurred between the 1950s and the 1980s. According to the inquiry, less than 1 per cent of reported abuse occurred since the 1990s. However, the inquiry also found that abuse, wherever it occurs, is chronically under-reported, with many victims not disclosing their personal experiences of abuse until many years after the event. The abuse reported to the inquiry through written submissions was sexual abuse, physical abuse or a combination of physical, sexual and emotional abuse. The breakdown is as follows: physical, 23.6 per cent; sexual, 48.1 per cent; combination, 27.4 per cent; and unspecified, 0.9 per cent. The analysis informed the inquiry's findings about the ways in which schools deal with allegations of sexual abuse and criminal forms of non-sexual abuse more broadly. It found that:

Catholic and independent schools are not expected to meet the same requirements as government schools in responding to suspected sexual assault of children and there is no clear guidance for any schools regarding other forms of criminal abuse.

The report also stated that 'the committee was not able to identify any overarching procedure or guidance for independent schools', excluding Catholic schools, 'on responding to allegations of criminal child abuse'. This

means that the risk of abuse still exists, which I think is quite frightening for any legislator, any educator and most of all any parent.

The findings and the recent hearings of the Royal Commission into Institutional Responses to Child Sex Abuse have indicated that this abuse has occurred much more recently in elite schools in Sydney and Jewish schools in Melbourne. According to the royal commission, historical abuse allegations were most prevalent at faith-based educational institutions. It found that of the 513 institutions that were reported, 29.8 per cent were school based. These are sobering figures.

As I said earlier and have stated in previous contributions to debates in this house, I was educated at a faith-based school. Fortunately my younger sisters and I were not victims of abuse — though I will say that the discipline procedures of those days are very different to those used now, and I do not think they would pass muster today. Sadly three contemporaries of mine — three young men I grew up with in the country town of Warrnambool — were victims of sexual abuse and lost their lives. Unfortunately two of the most notorious paedophiles in Victoria were active in that town — Father Gerald Ridsdale and that dreadful human being Brother Edward Dowlan.

It is really sobering to keep before us some of the material that has recently been before the royal commission along with the recommendations by *Betrayal of Trust* because they make very clear that we as legislators must act. We must enact the well-made recommendations of the Victorian parliamentary committee in the last Parliament, so it is very pleasing to see that this is one of those matters that unites us across the political divide. I take the opportunity to commend all members of that committee — I know they were very moved by the experience. I particularly refer to the member for Thomastown, Bronwyn Halfpenny, and the member for Broadmeadows, Frank McGuire, from the Labor side, as well as a dear friend of mine from the other side, Andrea Coote, whom I miss a great deal. Likewise the chair, Georgie Crozier, and the other members I know less well. I am sure they are as pleased as I am to see that one of their very well-made recommendations is being enacted in this bill.

I know it is not always parliamentary to refer to people in the gallery, but I am pleased to note that we had visitors in the gallery earlier from the Care Leavers Australia Network — the Clannies. I am really pleased to see them here today. This is something that is really important. It is an important step in their journey, and I

hope it provides them with some closure. I thank Leonie Sheedy and the Clannies for their advocacy over many years and their unrelenting calls for justice. I do not think we would be at this juncture without the work they did and the stories they told, which have been incredibly harrowing and difficult for those of us who have had to hear them, let alone for those who have lived through them. I am really proud to call all of them my friends. There is something quite moving about knowing people like them.

Where my electorate office is located there was formerly a children's institution called Sutherland Homes. I have not heard of any terrible stories of abuse from there — though one can never rule it out — but the Sutherland Homes girls dormitory where my office is does have a really happy feel to it, so I hope that was the case. I hope all institutions with a responsibility for the care, education and support of our children, educational or otherwise, can do a much better job in the future than has been done in the past. We need to be able to face up to what has occurred to these people to ensure that we enact excellent legislation with support across the house, throughout the community and from those who have sought justice. I commend the bill to the house.

Ms SHEED (Shepparton) — I am pleased to join in the debate on the Education and Training Reform Amendment (Child Safe Schools) Bill 2015 and to support the bill. It seems to me that sometimes terrible things have to happen before significant change can occur, and law reform ultimately follows. Sometimes it takes a very long time to get the change to happen. In my lifetime I have lived through major rape law reform. It used to be the law that a man could rape his wife. It used to be the case that there were no equal opportunity laws, no freedom of information laws and that consenting males could not legally participate in sexual intercourse with each other in this state. Many things have changed, and over the years I have been around to see a lot of that change.

I have been a family lawyer for most of my professional life and an independent children's lawyer on the panel that Victoria Legal Aid has had for many years. During the course of my professional career it has always been one of my practices to ask my clients — not children — about their experiences in relation to domestic violence and abuse. It has continually shocked me to learn how many people have been affected by the abuse that goes on in our society. It is particularly awful to think that so much of that abuse has happened in the home. For many children, schools have been places of respite and places where they can get away from the awful circumstances of their homes.

It makes me glad that today we are taking further steps to make schools safer places for children, and I endorse this legislation.

I recall the early 1990s when Daniel Valerio was murdered at the hands of his stepfather. That crime caused an outrage in the Victorian community beyond many others that I ever recall. At that time I think the *Herald Sun*, Justice Fogarty and many others demanded that steps be taken to address the lack of attention in relation to child abuse. Many people knew that Daniel had been consistently abused over a long period of time, but no-one reported it, at least not to the extent that any steps were taken. His killer got 22 years in jail, but what can I say? The outcome of Daniel's death was very significant law reform, and that was the introduction of mandatory reporting in this state.

We introduced mandatory reporting in about 1993. There was some opposition to that legislation — it was thought that the problem would go underground and that people would not report it and it might create worse circumstances — but by 2008 the instances of reporting of abuse had increased dramatically and it was shown that the fear of driving the problem underground was wrong. These days we continue to have many reports made on a regular basis by a whole range of people who are mandated to report child abuse. I have reported child abuse in my capacity as an independent children's lawyer. I have often consulted with people who are worried about whether they should or should not report it, and I have encouraged them to do so.

I have had serious concerns about what happens in circumstances where people who are mandated to report do not do so. I believe that in this state we do not have a system that penalises people who fail to report, and I think that within the system, while we are not out to find people who are failing to do their job and make examples of them necessarily — we really want to protect children — there do need to be consequences for failing to comply with the law. I believe there have been instances where people have not performed their duty as they should have, and I believe it is important that the government of the day ensure that the laws that are in place in this state are enforced.

Mandatory reporting made a very significant change to the way we think about abuse in this state. Obviously the *Betrayal of Trust* inquiry was another leap forward, and it has brought out so much more information about abuse. People have had the chance to tell their stories, which has been a remarkable opportunity for victims of abuse to have. Currently there is a federal royal commission into institutional responses to child sexual abuse and, at a state level, a family violence royal

commission is about to commence. When issues arise, they sometimes take a long time to be addressed, but I think we are now at another pivotal point where the outcomes and recommendations of the *Betrayal of Trust* inquiry are being addressed. We are looking at ways of making schools safer. Hopefully we will make families safer by virtue of the recommendations that may come out of the Royal Commission into Family Violence.

I can do nothing but support this bill, because it is another step in the journey we are taking to try to bring about change. We are trying to change society's attitudes and ensure that as a community we are all aware of what goes on and that we are willing to take steps to address the problem. I commend the bill to the house.

Mr DIMOPOULOS (Oakleigh) — I rise to contribute to the debate on the Education and Training Amendment (Child Safe Schools) Bill 2015. It is hard to follow the excellent contributions made by the last couple of speakers. I agree with many of the comments made by the member for Shepparton in terms of it sometimes taking significant things to happen for governments to act.

As a member of the community, I have always had an interest in issues of child abuse, as one would, but my eyes were opened more to child abuse matters by my predecessor as member for Oakleigh, Ann Barker, who while she was not a member of the Family and Community Development Committee in the last Parliament was one of the instigators of its inquiry into child sexual abuse. She lobbied the then government hard to commence that inquiry. However, I do not think she had to lobby too hard because that government was already very keen to commence that inquiry.

Ann opened my eyes to a book called *Hell on the Way to Heaven*, which is the biography of an Oakleigh family, Chrissie and Anthony Foster and their children, Aimee, Katie and Emma. I read that book in one sitting. Although it is devastating, I think it is necessary reading. The Fosters are an Oakleigh family, a member of which is of a similar age to me, and lived just a few streets away from me. Two of the girls were abused by the local Catholic parish priest while they attended the primary school next to the church.

Some of the stories in the book were unbelievable. I remember one which is not the most unbelievable but is relevant to this bill. Chrissie Foster, who co-wrote the book with ABC journalist Paul Kennedy, said the priest would often walk into the school on a Monday morning. He would walk into any classroom and ask

the teacher to give him a couple of young primary school students to help him to clean the church after the Sunday mass. That is where he would then abuse those children.

Obviously many things have changed in Catholic education over the last 15 years or so, but that priest had an enormous amount of power. He could effectively appoint or dismiss the principal, so while not being traditionally a part of the school's organisational chart, he had power and influence over the teachers. That he could remove two children from a school classroom and return them at a time of his choosing is a situation that should not be allowed to exist. Priest or not, no-one should be able to do that without any accountability. This is something to which the bill goes directly by mandating some legislative minimums for the mechanisms schools must have in place to discern such unorthodox arrangements and more readily pick up issues, trends, inappropriate behaviour and child abuse.

I will read a quote from a speech by the Honourable Justice Peter McClellan, AM, who now heads the commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse, as the member for Shepparton discussed. This relates to one of many stories that have made an impression on him. During a speech in Melbourne in November 2013 as part of the 13th Australasian Conference on Child Abuse and Neglect, he said:

Robert, not his real name, is a man who left school less than 20 years ago. I have not met him but I have met his parents who are both professional people. They provided a loving and caring environment for their children.

Determined that all of their children should have the greatest opportunity in life they enrolled Robert in one of Australia's prestigious Christian private schools. They sought out such a school where scholastic achievement would be expected, Christian principles would be embraced, and a strong moral foundation would be provided for the children.

Robert was an engaging and talented child who was good at almost every activity. Learning tasks came easily. He excelled in sport, and stood out in music and drama. He was quickly recognised as an exceptional child. His talents developed as he made his way into high school where he won academic prizes and was destined for recognition as a leader for the school in his final year.

His results in year 11 did not quite match the apparent promise. Despite continuing to engage in many school activities, his behaviour at home was changing. At first his parents thought that he was merely experiencing the retreat into himself which often occurs in teenage boys.

The deterioration in his academic work continued in year 12 and his behaviour at home caused increasing concern. He was often late home and stayed at school until well into the evening. He told his parents that he and other boys would

commonly visit the homes of staff members after school for afternoon tea and, on more than one occasion, Robert asked whether he could stay the night at a particular teacher's house.

That request was declined but his parents became increasingly concerned. Shortly after he left school Robert, under intense questioning from his parents, disclosed the sexual contact which he had with that male teacher.

The consequences for Robert have been profound. Notwithstanding all of his natural abilities Robert's life spiralled out of control. He became an alcoholic and an abuser of analgesics. With a confused sexual identity he was unable to establish any stable or long-term relationships. He has been unable to work, now has no friends and wants little contact with family. His mother describes the experience as a living bereavement. The suffering for all involved is beyond adequate description.

Many stories in Justice McClellan's speech are just as poignant, but that is a reminder of how important what we are doing here is. This bill seeks to address only 2 of the 15 recommendations of the parliamentary inquiry, but they are very important recommendations that will affect hundreds of thousands of children every year.

I agree with the member for Bundoora that most schools do the right thing. This is not about a problem that is extremely widespread — I hope it is not — but the lives of those children who are impacted are utterly destroyed, so it is a serious enough issue for us to take notice of, and I am really pleased to support this bill. As has been said, this bill establishes a minimum standard of registration for schools to manage the risk of child abuse. It will apply to all schools. The bill enables the minister to make ministerial orders; for example, about appropriate recruitment practices, staff management, or the practice I talked about before of a priest or whoever coming into a classroom and removing children at his or her discretion.

The bill defines child abuse in a way that goes further to include neglect, exploitation or serious emotional or psychological harm. I heard the member for Essendon's contribution about his experience as a child. I do not want to devalue child abuse, but this definition is far broader than the child sexual abuse that drove the parliamentary inquiry. This is a more comprehensive approach.

The bill also strengthens the Victorian Registration and Qualifications Authority (VRQA) in a number of ways to enable it to undertake specific compliance reviews and then enable a school to offer enforceable undertakings at its own will, which is a compliance measure. The VRQA currently may suspend or cancel the registration of a school, which is pretty extreme, but this bill provides it with more tools for monitoring. The bill will also offer binding guidelines to support schools

in establishing and maintaining an appropriate regime. It will enable the VRQA to share information with other relevant government bodies. This is a serious enough issue for government bodies to be authorised to share information, whether it be the Department of Health and Human Services, Victoria Police, WorkSafe or the VRQA.

I had a bit to do with the VRQA when I worked in multicultural affairs and we had a big issue with the international colleges that were set up overnight to cater for international students. Essentially, and I am abridging here, they would take students' money and run. When the VRQA is well resourced and legislatively supported it can do really good work, and to a large extent it has cleaned up the industry.

The government's commitment to this reform is real. Schools will be supported with information and parents will be supported. This is really important work as the impacts on children and families last a lifetime. It is for those reasons that I am pleased to support this bill.

Mr THOMPSON (Sandringham) — It is my view that in the circumstances in this state every child deserves the opportunity to realise their full life potential or prospects and to be educated in a safe environment. I note that the bill before the house is a product of circumstances in which people have not had that opportunity.

But for the consistent endeavours of one family in particular, referred to by the member for Oakleigh, we might not be debating this bill today. I refer to the Foster family, who drove reform and advocacy through multiple tiers of government, through multiple deputations and representations, with a resilience and focus that was a product of the circumstances in which they found themselves — not through choice but through tragic, irretrievable, grievous and irreversible circumstance.

They found a way forward through the process, and it was the *Betrayal of Trust* report, which put forward a range of constructive recommendations. The Education and Training Reform Amendment (Child Safe Schools) Bill 2015 is one legislative outcome of that report that endeavours to address the tragic circumstances which have confronted many people.

Clause 4(2) inserts the following definition into the principal act:

“child abuse includes —

- (a) any act committed against a person under the age of 18 years involving —

- (i) a sexual offence; or
- (ii) an offence under section 49B(2) of the Crimes Act 1958; —

That section deals with the offence of grooming for sexual conduct with a child under the age of 16 years —

and

- (b) any of the following —
 - (i) physical violence;
 - (ii) serious emotional or psychological harm;
 - (iii) exploitation ...

The clause continues further:

- (c) the serious neglect of a person under the age of 18 years;”.

I visited a local primary school yesterday. I confronted the sad circumstances where a child was in the care of the state and the principal was of the view that the child needed to be suspended, but the suspension of a child who is in the care of the Department of Health and Human Services is not a realistic option as there is no place the child could otherwise go. That is one example of a child being seriously impacted by tragic home circumstances.

The debate and the *Betrayal of Trust* report have drawn to the fore many reports of children who have been tragically impacted by events outside their own immediate control where there had been a grievous betrayal of trust. Sadly the child I spoke about with the school principal yesterday is one child too many who has been affected. To the extent that the bill before the house endeavours to prevent tragic, irreparable consequences ensuing from a betrayal of trust, it will go some way towards achieving a constructive outcome.

There are also reforms that relate to the requirement for registration under the principal act, the Education and Training Reform Act 2006. The bill inserts after section 4.3.1(6)(c) of the principal act:

- “(d) the school has developed policies, procedures, measures and practices in accordance with a Ministerial Order for managing the risk of child abuse including —
 - (i) the implementation of minimum standards for a child safe environment; and
 - (ii) responding to allegations of child abuse committed against a child enrolled at the school or committed by an employee or a student, contractor or volunteer of the school or other person connected with the school.”.

The bill will improve the law as a result of the legislative reforms proposed. It also highlights the constructive work done within this place through parliamentary committees. In the last Parliament this matter was referred to a parliamentary committee, in which a number of members worked very hard and listened to the courageous stories of many people who came forward and were able to tell their own story. Tragically, in the case of a number of families, not everyone survived to tell their story. I commend the bill to the house.

Ms GRALEY (Narre Warren South) — It is a bittersweet pleasure to rise to speak on the Education and Training Reform Amendment (Child Safe Schools) Bill 2015. But it is a pleasure to follow in the footsteps of so many members of Parliament who have spoken on this bill so eloquently and with a passion to improve the lives of so many people who have been or will be — and I hope it will not be so many people in the future — affected by the heinous crime of child abuse.

It was especially important to hear the words of the new member for Oakleigh in relaying his passion for this cause, because he has followed in the very big footsteps of his predecessor as member for Oakleigh, Ann Barker, who worked arduously and doggedly to make sure these issues of child abuse were heard by many members of this Parliament. The then Premier — and I acknowledge the words of the member for Burwood, who said it was former Premier Baillieu who established the inquiry — took her advice in establishing the inquiry, although maybe it was not what she thought it would be in the first place.

However, the committee brought to the Parliament an amazing report in the *Betrayal of Trust* report. In case members have not read it, it makes for disturbing reading and it just shows all of us that when you come to this place as a member of Parliament what important work you can do as a member of the government or otherwise in making legitimate, important and hopefully effective changes to legislation that result in child abuse being diminished. Sadly I do not think it is ever going to go away, but we can provide a legislative framework that can be effective in reducing the amount of child abuse occurring in our community.

The hallmarks of this bill are that it is both comprehensive and inclusive. It deals with only two recommendations from the *Betrayal of Trust* report. As my friend the member for Broadmeadows mentioned, many recommendations were made in the *Betrayal of Trust* report that was tabled during the 57th Parliament, and action on them all needs to come to this Parliament as soon as possible. We should not be dillydallying

with this stuff; action on all of the recommendations needs to come before us. I note that this bill is in many respects a version of a bill that lapsed at the end of the last Parliament. It is good to see that on the 103rd day of this government we are debating this bill in the house.

As I said, this is a comprehensive and inclusive bill. The Minister for Education said that the aim of these reforms is to get every school to ask what it can do to reduce the risk of child abuse occurring in its organisation. I say again that this bill is comprehensive. For me, abuse is abuse. It can take all sorts of shapes and forms, but abuse is abuse. The *Betrayal of Trust* report notes the multidimensional character of child abuse. On page 128 it says:

... the national data produced by the AIHW for 2011–12 ... indicates that approximately 12 per cent of all substantiated forms of harm that occur are child sexual abuse. Emotional child abuse and neglect occur at higher rates, with criminal child physical abuse occurring in approximately 21 per cent of all cases. In Victoria specifically, the incidence of child abuse with substantiated notifications in 2011–12 was:

sexual abuse — 10 per cent

physical abuse — 29 per cent

emotional abuse — 54 per cent

neglect — 7 per cent.

The statistics are appallingly high. It just shows you the multidimensional character of this abuse.

Accordingly this bill covers a broad range of conduct and behaviours which by any standards are unacceptable and very much unappreciated by community members. Even if some of this stuff is on the borderline of lawful or unlawful behaviour, if there is any doubt at all, we should just say no; we should send a very clear message by saying no.

I would also like to comment on the fact that this bill applies to all schools, both non-government and government. I note that recent hearings of the Royal Commission into Institutional Responses to Child Sexual Abuse have made a very similar finding to that of the *Betrayal of Trust* report about the historical prevalence of abuse in educational institutions.

As a number of speakers have said, when you drop your child at the school gate you expect them to be able to go in there and get a great education in a very safe, supportive and loving environment. We must make sure that when any one of us drops our kids off at school we are not putting them into the hands of somebody with some awful and disgusting plans for them that day.

The royal commission has noted that the highest prevalence of historical abuse allegations have occurred at faith-based educational institutions. I know there are members of this Parliament who send their children to faith-based institutions thinking that they are safer there than elsewhere because the staff have strong religious beliefs of some description. However, the fact of the matter is that overwhelmingly these are places where children have been unsafe. That is a terrible thing to have to put on the record, but it is the fact of the matter.

The Royal Commission into Institutional Responses to Child Sexual Abuse has also cited research that states that up to half of the non-government schools surveyed had no guidelines in place for dealing with allegations of abuse involving school employees. This is why this bill is so important: it makes sure that all non-government schools, as well as government schools, are compliant. The minister will have some oversight to make sure that all schools have guidelines and practices in place so they are the safest places possible.

We all know that if a child is abused, the effect of that abuse does not just disappear. They wear and bear it for a very long time. Sadly, for some that time is short because the pain and angst of that experience is so terrible. We also know that children who are abused are often overrepresented in mental health facilities and prisons. This bill is about making sure that we stop children being abused in the first place so we do not have to look further down the track and ask how we can deal with their problems, because often it is too late.

I want to finish by saying that overwhelmingly schools are safe places and they are great places. I was a student welfare coordinator and the hardest thing I ever had to do was to report students to the then Department of Human Services. I remember sitting there thinking, ‘Should I do this? What will be the repercussions of my decision to report this poor child and their family to Human Services for investigation?’. But in the end, as I think all members in this house would agree, it is the child who must come first. I think this legislation takes a very good step in the right direction. But I agree with the member for Broadmeadows that there is more to come, and I hope it comes quickly.

With this legislation we are taking a very good, productive and historic step — and I gather that all members agree on this — towards making sure that every child who goes to school in Victoria is in the safest, most loving hands and can learn and grow up to fulfil their potential in life and become a great citizen of Victoria.

Debate adjourned on motion of Ms GARRETT (Minister for Emergency Services).

Debate adjourned until later this day.

**LIMITATION OF ACTIONS AMENDMENT
(CHILD ABUSE) BILL 2015**

Second reading

Debate resumed from 25 February; motion of Mr PAKULA (Attorney-General).

Mr PESUTTO (Hawthorn) — It gives me great pleasure to say that the coalition supports the Limitation of Actions Amendment (Child Abuse) Bill 2015. The bill fulfils recommendation 26.3 of the landmark *Betrayal of Trust* report arising from the Family and Community Development Committee inquiry that followed the Cummins inquiry, which the then coalition government commissioned in early 2011.

The *Betrayal of Trust* report was a landmark report for a number of reasons. It was bipartisan, and it took on a subject that governments around the nation were up until that time reluctant to take on. I pay tribute to the members of that committee: Ms Crozier, a member for Southern Metropolitan in the other place; and Mrs Coote and Mr David O'Brien, formally of the other place; and the members for Broadmeadows, Thomastown and Ferntree Gully. No other state had taken on this difficult subject before Victoria did, and that is something that should remind us of the profound nature of what this report revealed.

I should just say something very quickly about the Cummins inquiry because that was a basis of, or one of the key reasons that led to the *Betrayal of Trust* inquiry. As I said, in early 2011 the then coalition government commissioned a three-person inquiry headed up by the Honourable Justice Philip Cummins, retired, of the Supreme Court, and it was asked to look into ways to improve the protection and support available for vulnerable young Victorians. It conducted many hearings, took hundreds of submissions and made 20 findings, with 14 matters for attention.

As the Family and Community Development Committee noted in its final *Betrayal of Trust* report tabled on 13 November 2013:

The 2012 Cummins inquiry identified concerns regarding the handling of criminal child abuse in religious organisations in Victoria, and recommended that:

A formal investigation should be conducted into the processes by which religious organisations respond to

the criminal abuse of children by religious personnel within their organisations.

That led to the then Premier Ted Baillieu's decision to instigate the inquiry, which the Family and Community Development Committee commenced in early 2012. What did the *Betrayal of Trust* inquiry do? It trained a light on abuses in religious and other non-government organisations that had been hidden for decades. It exposed the great trauma, distress, high suicide incidence among the victims and great shame that people experienced when they were never deserving of those sorts of experiences.

As someone who practised law in a previous life, I had occasion a couple of times to represent clients who had been sexually abused or molested. I spent some time in my career working on my own as a consultant, and I was engaged by the department of education to conduct various inquiries into personnel around the system. I remember one matter I undertook which involved a teacher aide who had very cleverly groomed his way into the life of a smart but vulnerable young student at a secondary school in Victoria. What struck me about that was the cunning and calculating nature of the way that predators in this area would take the time patiently to cultivate the trust and reliance of the people who would ultimately be the subject of their activities. While the level of calculating conduct by that teacher was alarming, what also alarmed me was the feeling of shame that the young student experienced; he was so undeserving of that.

I remember having to interview him, and it was one of the most difficult things I have ever had to do in my professional life. I had to find somebody in the system who could sit in with me during the interview, an independent person, because I needed to ascertain the facts as the student could best tell them to me. The student was a bright kid, a really good kid, who had grown up in a broken home and been bounced around from one facility to another, one home to another, one guardian to another, and throughout the interview he kept saying that he wanted to end it all and commit suicide. The last I heard he was doing okay, but it is a reminder of the depth of the pain and despair felt, and the loss that many victims experience. That is just my little vignette in this area. What the *Betrayal of Trust* inquiry did was shine a very important light in a space we might never have known about.

I should say a couple of things about the way in which the committee operated when it conducted its investigation. One of the important things that the Family and Community Development Committee did was that it heard from many victims directly, and that

was very important. It did not only rely on submissions at a global level or a generic level from organisations and stakeholders. It heard from real people, real victims and their families. As the final report says:

To inform our recommendations, we ensured we heard from individual victims and their families regarding their personal experiences, insights and suggestions for reform. We ... wanted to provide a genuine opportunity for their experiences to be publicly acknowledged on behalf of the people of Victoria. While often confronting, it was a privilege to hear and read the hundreds of accounts of adult victims who courageously provided their evidence in hearings and submissions. These accounts contributed significantly to our understanding of the harm caused by the physical, emotional and sexual abuse of children.

There can be no substitute for the direct accounts of the victims and their families, and I say that because in future inquiries and indeed in the case of the royal commission into domestic violence, which we all want to see succeed, it is important that the royal commission hear from many people directly, their families and relatives, and those affected, because it will better inform the findings of that body in future committees of inquiry.

The other thing I should say about the role of Parliament in these sorts of matters is that, for my part, I think there is no better mechanism than a bipartisan parliamentary inquiry to look into these sorts of difficult matters. As the committee noted in its final report:

It is significant that this inquiry has been conducted by a parliamentary committee. It is an important reminder of the special powers that our Parliament is privileged to hold. It has highlighted Parliament's capacity to consider and expose issues that may otherwise not be revealed.

It is a salutary reminder of the great benefits that this body had when confronting these difficult and entrenched challenges.

Turning to the subject of this bill, we have to go to the findings of the *Betrayal of Trust* report relating to limitations. For those who read this debate, limitations are in a sense an arbitrary mechanism; they do not really address the merits of a claim. They are there to satisfy a longstanding principle in our justice system, which is finality, so that by a certain time parties who may have faced the possibility of legal action can know that beyond that date it would be very difficult for somebody to bring a claim.

In my experience, limitations were often invoked by parties who just wanted to make the most of a technical tactic. It is quite frustrating when you are a practitioner and can see the compelling merits of a case and the other party is hiding behind the Limitations of Actions

Act 1958, for no other reason than there is a technical opportunity to do that. As the committee said, it was important to pierce that limitation to ensure that victims of child and sexual abuse could seek relief.

For those who might have some doubts about whether this should have been embraced or not, removing limitations does not affect the merits of a claim. Limitations really only deal with whether somebody should be time barred or not. Let us look at what the committee found in respect of a limitations period. It said:

... many victims of criminal child abuse do not disclose their experiences or act on them until decades after the abuse. This has significant implications for seeking compensation or pursuing common-law actions ...

The very nature of the abuse that people have suffered leads them, unfairly and in an undeserving way, to experience shame, trauma and all sorts of pain, which discourages or deters them from pursuing their lawful rights, and the system should recognise that. It is a credit to the inquiry that it recognised that in this area we need to make allowances for the types of injuries that people sustain when they are abused. The last thing they want to do is revisit that pain. As I said, in the cases I dealt with as a lawyer when in practice, plaintiffs would come to you in two minds. They would want justice, but they would want nothing to do with a process that would necessarily entail the disclosure of what they experienced. It was a horrible position for them to be in.

The committee also went on to find that the application of Victoria's statute of limitations is currently at the discretion of the defence and judges. There is also evidence that non-government organisations have aggressively pursued the limitation defence in civil trials. In this area of child and sexual abuse, I do not think there is any other word than reprehensible to describe organisations that have invoked limitations whenever it was available. As I said, to invoke technical limitations to preclude the course of justice when the merits stood out in a compelling and unmistakable way was truly an unfortunate and disreputable practice. This bill will help address that.

The committee also went on to find that:

Statutes of limitations disadvantage victims of child sexual abuse because these victims typically take decades to understand the harm arising from their abuse and ... to issue proceedings.

As I said before, the nature of the damage and injury that victims have suffered means that they are not likely to bring claims within the normal limitations period.

For the record, the committee's recommendation 26.3 was:

That the Victorian government consider amending the Limitation of Actions Act 1958 (Vic) to exclude criminal child abuse from the operation of the limitations period under that act.

The committee used the term 'criminal child abuse' in its recommendation. We hope in the consideration-in-detail stage to get some elucidation of why that term has not been included in the bill, but that is not a condition of our support. We support the bill. We only seek that elucidation by way of information. However, we will deal with that in consideration in detail.

When the report was released in May last year the coalition government accepted that recommendation and said in its response, which was tabled in this house, that it would remove inappropriate time limitations and impediments with respect to access to justice for victims of criminal child abuse and that it was currently developing legislation to implement this. The government is also introducing common guiding principles for the departments for responding to civil claims against the state relating to child sexual abuse. It is worth pointing out that across the public sector, and across public agencies more broadly, the practice has been to dispense with limitations periods and not invoke those when confronted with claims.

The committee's report was tabled in this place in November 2013. I want to put on the record the speed with which the government at that time moved to implement the recommendations of the *Betrayal of Trust* report. It introduced three new criminal offences: one on grooming, one on failure to report and one on failure to disclose. I have talked about grooming and what an insidious practice that has been over the decades. The new criminal offence of grooming will go a long way to deterring and preventing that sort of conduct and punishing it where it does occur.

The previous government legislated for a course of conduct charge to make it easier for repeated and systemic sexual offending to be prosecuted. It is often very difficult for victims who have been the subject of multiple abuses to give evidence in detail, with proper particulars of every time there was an abuse. This will ease the manner in which they can secure justice.

In government we removed inappropriate time limits on the prosecution of a range of sexual offences against children committed prior to 1991. We began work on minimum child-safe standards. We allowed the Commission for Children and Young People to

scrutinise organisation systems for keeping children safe. We required ministers of religion to obtain current working with children checks if working with children was part of their duties. We began work on a new reportable conduct scheme for organisations with a high level of responsibility for children, requiring them to centrally report all allegations of child abuse to the Commission for Children and Young People.

We also prepared a bill and introduced it into the Parliament, although time got away from the government. That bill has taken a new form in the bill that was debated this afternoon, previous to this bill. I welcome the government introducing this bill, which essentially achieves the same outcome as the exposure draft bill, which the previous government released shortly prior to the caretaker period last year. It departs slightly from the language of the *Betrayal of Trust* report in that it refers to child abuse and not criminal child abuse, but we do not cavil with that. Again, we support the bill and are not seeking any changes to it. We have also noted that child abuse includes psychological abuse, if any. I will come to that in a short while.

The bill does a couple of important things which I will address in the next few moments. It does not reach for a definition of 'child sexual abuse'. That is understandable, and we support that. Clause 4 inserts a new division 5 into part IIA of the Limitation of Actions Act 1958. New section 27O refers to actions founded on the death or personal injury of a person resulting from an act or omission in relation to the person when the person is a minor that is physical abuse or sexual abuse, and psychological abuse if any, that arises out of that act or omission. It is important that in preparing the bill the government has linked psychological abuse to physical abuse or sexual abuse to ensure that there is a nexus. We certainly support that.

New section 27P relieves claimants of the need to overcome a limitations period, and that will be so irrespective of when the wrongdoing was committed upon them. New section 27Q assists dependents of victims who have taken their own lives, and sadly there are many. It ensures that the 12-year long-stop limitation period will not apply and that actions to which the new provisions apply can be brought until the expiration of three years from the date on which the cause of action is discoverable. For those who read the debate, that means that you have three years to commence legal action from the time you were in a position reasonably to know that a cause of action existed. Importantly, the bill recognises and preserves

the inherent powers of the courts to manage their proceedings.

To anyone who might worry or suspect that these measures will open the floodgates, it should be noted that the courts retain an inherent power to dismiss claims if on all of the evidence they are frivolous, vexatious or an abuse of process. We do not believe the bill will open the way for floods of claims. The other thing I will say about that in anticipation of any stakeholders or others worrying about the impact of the bill on the volume of litigation is that limitation periods are not a final bar to seeking relief. If you have a strong case, the court retains the discretion to allow your claim to proceed.

Today is a special day given we have two debates in very similar terms addressing a very similar and profound subject. I am pleased to be able to convey the opposition's support for the bill. While we will seek further information in the consideration-in-detail stage, that in no way diminishes our support for the bill and for victims, their families and observers who have had to wait far too long for relief and for action. They can look at today's proceedings in this house and take some comfort, albeit it might be small and belated, that the Parliament has come together to add another important measure to the suite of reforms so long overdue and so much needed by victims of child sexual abuse and their families. I commend the bill to the house, and I wish it a speedy passage.

Mr PEARSON (Essendon) — I am delighted to join the debate on the Limitation of Actions Amendment (Child Abuse) Bill 2015. I acknowledge the important role played by the Family and Community Development Committee in the development of the *Betrayal of Trust* report. I am pleased the member for Broadmeadows is in the chamber. As a Parliament we have a responsibility to the members of that committee who undertook that inquiry. I understand that counselling services are being offered to the staff and the members of the Royal Commission into Institutional Responses to Child Sexual Abuse because they are being exposed to very upsetting and distressing memories. As a Parliament we have a responsibility to the members and staff of the parliamentary committee who sat through countless hours of harrowing testimony. We need to make sure that going forward they have support and are not left behind by their work.

The purpose of the bill is to overcome the major obstacle of statutory time limits. That is incredibly important because there is a recognition in our society and in our communities now that it often takes some

time before people feel they can talk about their experiences and can process them and get up the courage or have the ability to raise their experiences and speak about them without fear of retribution or consequences, which may not be the case when you are a child. This is a really important step.

It is also important to acknowledge that legislation must move with the times and must reflect the will of the community, and that it needs to be constantly renovated or updated as time goes on. This bill is part of an iterative process. It is a first step towards making sure that victims of child abuse have an opportunity to seek redress and that as more work comes out of the royal commission and as we develop a broader and deeper understanding of this insidious crime future legislation will reflect that. It is vitally important.

As a personal aside, I started at Melbourne University in 1991. One of the first clubs and societies I joined was a Melbourne University Student Union group united against the Gulf War, which had a bit of a mouthful of an acronym. I studied the French Revolution with a guy whose parents are still alive so I will not use his real name. I will just say that his name was John. John joined the Young Liberals. Notwithstanding our personal differences on politics, John and I got on quite well. I always took the view that the state was a fundamental ingredient to the freedom of the people, and I think John's view of the world was that the state was an impediment to that freedom. We were very close; we went through uni together. By the fourth year I was a member of the ALP club and was serving on the Melbourne University Student Union Students' Council. John had gravitated away from the Young Liberals to become a devotee of anarcho-syndicalism, and in particular he was quite interested in the anarcho-syndicalist government of Andalucía of Republican Spain, because it was the only time when an anarcho-syndicalist government was in power.

This guy had everything. He was amazing. He was incredibly handsome. Women would swoon in his presence. He was bright. He had everything in front of him. He was a really good footballer and was playing AFL football in an under-19s side. His work had been published and everything was going his way. He had a beautiful future in front of him. I remember that a group of us went out for dinner and then John and I went on to see a film. It was Monday, 21 November 1994. He was living in a little house in Wellington Street, Clifton Hill, and at the end of the night I dropped him home in my 1978 Ford Escort, which was a lovely car — —

An honourable member interjected.

Mr PEARSON — I should have; I should have kept it. The street was very narrow. I stopped outside the front of his house. He opened the car door and went to get out, and just as he went to get out he turned around and looked at me and he was about to say something. Right at that moment a car came whizzing up behind me — Wellington Street, Clifton Hill, is very narrow. I said, 'Look, John, sorry mate; there is a car behind me. I have to go'. He said, 'Righto, I'll leave you be'. He jumped out. Four days later John hanged himself. It was just awful. It is like everything in life. We all present a veneer of who we are, and often it is only after an event that you really start to understand the scars we all carry and the damage we all sustain through living a life.

I remember going to the funeral and seeing the look of disbelief and the tears on the face of his younger brother, who was about 10 at that stage. In talking to his old family friends it subsequently became apparent that John had been a victim of child abuse. Apparently he had told his parents and they had not believed him. As a consequence he had sustained a very serious case of depression. His high school teacher, to whom he was very close, always knew there was a risk he would suicide, and he did. He was 21, and he had everything in front of him. He could have done anything.

I stand here now in this place, I am in my 40s, I am happily married, I have four beautiful children and another one on the way, and I have a loving relationship and a great career. I have had a great life. He missed out on so much. I remember as they carried the casket out they were playing U2's *Where the Streets Have No Name*, and the CD jumped repeatedly. Sitting there in the pew you want to physically remove yourself, get out and stop the CD, clean it and start again. You start thinking about things, and you think, 'Well, that's pretty stupid. If you want to do that, work back'. He should never have suicided, and it was just so awful that he did. You work back, and you think, 'Well, he shouldn't have suicided, but he shouldn't have had depression'. That would have been great, but he got depressed because he was abused. He should never have been abused.

This legislation is important because maybe it will be a step along the way to stopping the abuse. Maybe it will protect children from an awful life and from such awful experiences. John died 22 years ago, and it still hurts. This is a really important piece of legislation and an important step in the right direction. I am honoured and delighted to be a member of this house, this government and this Parliament where we can right a wrong and make things better for the future. I commend the bill to the house.

Ms KEALY (Lowan) — It is a great honour to stand in this house today and speak in support of the Limitation of Actions Amendment (Child Abuse) Bill 2015. We have already heard some harrowing stories today. They are a continuation of many stories that were collected through the Family and Community Development Committee's inquiry into the handling of child abuse by religious and other non-government organisations that resulted in the report, *Betrayal of Trust*. This report was tabled on 13 November 2013. Recommendation 26.3 of the report suggested that the Victorian government consider amending the Limitation of Actions Act 1958 to exclude child abuse from the operation of the limitation period under that act. This bill implements that recommendation.

I would like to note firstly that the coalition supports this bill, and I am very pleased that we are in that position. I express my gratitude to the Family and Community Development Committee that undertook that inquiry, led by Georgie Crozier, a member for Southern Metropolitan Region in the other place. I also express my gratitude for the contribution of the other members of that committee, which required a great deal of application and required them to listen to the harrowing stories of people who have suffered child abuse in the past.

I would like to express my sincere appreciation to the victims of child abuse and their family members who made submissions to that inquiry. Their bravery in coming forward and sharing their stories and their commitment to ensuring that we shine a light on this dark period in the management of child abuse issues has resulted in a number of recommendations. We have heard of two recommendations addressed in the bill debated previously. This bill is a reflection of one of those recommendations.

I would like to think that the actions of the victims of child abuse who made submissions to the inquiry will help to reduce the opportunity for these despicable acts to be perpetrated against our most vulnerable people in the first instance. This particular bill will assist in ensuring that people who have been victims of child abuse have an opportunity to gain the closure and finalisation that they may not have otherwise been able to access.

The Limitation of Actions Amendment (Child Abuse) Bill 2015 will completely remove the limitation period of 12 years for all relevant child abuse claims regardless of the time or context of that alleged abuse. These time limitations are seen as a barrier for some people who are considering pursuing legal action in relation to child abuse that happened in the past. On a personal note, my

husband is a mental health social worker, and when I found out I would be speaking on this bill I asked him how many people he would have seen in his local area who have been victims of child abuse. He said there were quite a number of them. There are some very high-profile cases which have resulted in convictions of paedophiles. I am not going to give them the honour being named in this place today, but certainly we know of priests who have been positioned in Edenhope, Horsham and Hamilton and who have been convicted. This bill will help to support the victims of those priests in the future.

A number of people who have been victims of child abuse may never have spoken of it again, but they may have expressed their guilt, embarrassment or shame. There may have been a lack of acknowledgement that the child abuse took place, or a lack of acknowledgement that the responsibility for that child abuse did not lie with the victim but with the perpetrator and other organisations that knew of the abuse. The disempowerment that child abuse brings is at the core of much of what we have been discussing today, in that for those victims to be totally disempowered and then to lose an avenue of redress later in life, and not be able to bring legal action against the perpetrators, is a flaw in our framework. This bill will assist to redress that.

We need to put into context how important the lifting of the 12-year limitation is. For many victims of child abuse it is not necessarily a matter of how they have managed the abuse in the first instance, or even years down the track, but of how it impacts their lives and how they manage to deal with the day-to-day stresses that we all manage in different ways. It was noted in the *Betrayal of Trust* report that children subjected to criminal abuse in organisations often experience lifelong impacts that include mental health problems, addiction issues, relationship difficulties, issues with anger and difficulties with life skills, education and employment. These people in some instances can manage those issues with a degree of success, but when they are presented with a trigger that might be a reminder of the abuse that took place — it could be when they have children of their own and see their children grow to an age where they themselves were abused or were in a similar scenario, or even just seeing a name or a face that reminds them of that period — it can lead to a situation where somebody who would consider themselves to be managing that abuse in a functional way can then be on their knees and in depression, and considering options including taking their own life, which is obviously not a situation that we ever want to have. For somebody who is in a position where they are confident enough to seek

counselling and get additional support and where they might consider that they may need to finalise this period in their lives by pursuing legal action, to then be told that they may not be successful or that the matter might not be able to be brought before a court because it is outside the 12-year limitation period could be the straw that breaks the camel's back.

There was a lot of work done by the previous Parliament and by this Parliament to make sure that child abuse does not take place. If this bill results in just one person who has been a victim of child abuse being able to take steps towards finalisation of that period of their life, if it will help them to manage that abuse in a functional way and to gain some closure on those events, then I think the bill and this Parliament have been successful. I convey the strong support of the coalition for this bill. I commend the bill to the house.

Mr McGUIRE (Broadmeadows) — Shakespeare's words, 'The evil that men do lives after them; the good is oft interred with their bones' were used in a different context, but they are just as apt and go to the core of the issue we address in this legislation. It was the committee's understanding that the time between the acts of child sexual abuse taking place and people being able to report or address them was on average 23 years. That was the evidence before the parliamentary inquiry that led to the *Betrayal of Trust* report. The committee was then in a position of having to weigh up issues of retrospectivity and how to balance them against the reality as we had found it.

I will now go to that debate, because it was a long, nuanced debate within the inquiry to find out what justice means, particularly in these circumstances. That became the most often asked question to all of the people who came before the inquiry. On retrospectivity, we looked at the proposition that there are difficulties in creating rights and obligations under the civil law retrospectively. There are only very rare circumstances that Parliament would retrospectively create enforceable rights and obligations. This approach is based on the fundamental proposition that in a democratic society behaviour that was lawful under criminal law at the time at which it occurred should not be retrospectively declared criminal. Similarly, if there were no rights or obligations under the civil law at a point of time and if these rights or obligations were introduced today, they should not retrospectively become the subject of civil liability.

The committee accepts the legal foundation that apart from in the most exceptional circumstances citizens should not be held liable under the criminal or civil law for conduct which was not prohibited at an earlier time.

In the case of criminal child abuse, undertakings were provided by organisations' representatives in the inquiry hearing that they would reconsider past compensation payments to victims of child abuse. The committee made recommendations for alternative forms of justice to be made available to victims who are not able to benefit from new legislative provisions recommended in this report. It trusted that the legislative changes proposed will assist future victims of criminal child abuse in achieving justice.

With the understanding that the lag time can be 23 years and that children were so young and in a lot of ways their sexual identity still had not been formed, that they were not aware of the way in which they were being manipulated or the imbalance in the power equation and what was happening to them, when we came to finalise what was the view on this we wanted it to be in a bipartisan fashion and we wanted it to be in a way that it could pass both houses of the Parliament and become law. We did not want this to be another failure by another institution to people who have suffered this throughout their lives.

In weighing it up, we came to the proposition that many victims of child abuse do not disclose their experiences or act on them until decades after the abuse occurred. This fact has implications for victims who wish to seek compensation or pursue common-law actions. These implications relate specifically to the statute of limitations. The committee identified that the application of Victoria's statute of limitations is currently at the discretion of the defence and judges. There was also evidence that non-government organisations have aggressively pursued the limitation defence in civil trials. The shadow Attorney-General picked up this point in his contribution as well. The more we got into the detail, the more there was the realisation of the tactical and strategic mechanisms that had been applied to delay, defer and deny justice.

We came to the position where we heard that the limitation defence obviously and adversely affected the bargaining position of victims in settlement negotiations. This was another incredible insight when you realised what was going on here, because the proposition at heart was largely about money — and this was after all that had happened to so many people after such a long period of time. This inquiry revealed a cover-up that killed and then a cover-up to get to justice.

I put the question to clerical leaders whether it was fundamentally about protecting their treasure, which I defined as their good name and reputation. They admitted to that. I suggested it was also about the

money. One leader of a major religious institution confirmed that, and another ducked and dived and was equivocal on that. But when you analyse the proposition, of course one leads to the other. People who knew and understood still used these mechanisms to deny justice and to deny the fundamental proposition of a fair go, particularly after what had been revealed about their knowledge.

Statute of limitations disadvantage victims of child sexual abuse, because victims typically take decades to act on the understanding of the harm arising from their abuse and to issue proceedings. The committee therefore determined that it is necessary to amend the Limitation of Actions Act 1958 to allow victims sufficient time to initiate civil legal action. It recommended that the Victorian government consider amending the act to exclude criminal child abuse from the operation of the limitations period contained within it. That is in the executive summary of the *Betrayal of Trust* report.

I am delighted that the Premier has shown leadership and the Attorney-General has introduced this legislation. I commend the Attorney-General on the approach he has taken to this, right through the discussions from the 57th Parliament to the 58th Parliament now. We now have a bill that completely removes the limitation periods that apply to civil actions that are causes of action for damages founded on child abuse. The bill does not affect the standard of proof that plaintiffs are required to satisfy in order to obtain damages, neither will it create a shortcut or an automatic right to recover compensation.

This bill allows victims of alleged abuse greater access to court hearings and associated settlement negotiations. Having been through the inquiry, I see this as a necessary mechanism for at least redress or the opportunity to get that measure of justice. As with all civil trials, child abuse plaintiffs will still need to present sufficient evidence to a court in order to prove their case in accordance with established legal principles. The definition of child abuse used by the bill encompasses the physical or sexual abuse of people who were minors at the time of the abuse, as well as any psychological abuse that arises in connection with that physical or sexual abuse. The bill allows courts to determine the meaning of physical abuse and sexual abuse on a case-by-case basis, and that is an important proposition. This is not expected to cause difficulties because courts will be able to define abuse by reference to its ordinary meaning, taking guidance from materials such as the second-reading speech presented by the Attorney-General, which references the work of the parliamentary inquiry and the royal commission.

We believe this bill safeguards the right to a fair and balanced trial. It provides that the removal of limitation periods does not affect the inherent power of courts to control the exercise of their jurisdiction. This includes the power to stay or dismiss proceedings where the lapse of time has had such a burdensome effect that a fair trial is not possible.

We now have the next step in trying to provide justice. This is a mechanism for a remedy, and I hope that this passes unanimously, not just in a bipartisan way. I acknowledge all of the people who were on the committee, everyone who was involved in it: Georgie Crozier, the chair and a member of the Legislative Council; former member of the Council, Andrea Coote; David O'Brien, who represented The Nationals in the upper house; the member for Ferntree Gully; and my colleague the member for Thomastown, who did a fantastic job. We argued long and hard on when we had enough for bipartisanship, remembering that ultimately that is the gift of the opposition. We brought it all together, and we are all very happy about that. Most of all I think this bill delivers and restores a measure of trust in an institution and, particularly and importantly, in the Parliament.

Mr HIBBINS (Pahran) — I rise to speak on the Limitation of Actions Amendment (Child Abuse) Bill 2015, the second bill to come before Parliament today in relation to responding to the recommendations in the *Betrayal of Trust* report. I acknowledge the substantial contributions of all members in this house to the debates on both bills.

This bill amends the Limitations of Actions Act 1958 to implement recommendation 26.3 of the *Betrayal of Trust* report, which suggested that the Victorian government consider amending the Limitations of Actions Act to exclude child abuse from the operations of the limitations period under the act. This is critical to achieving justice and holding offenders to account.

This bill removes all limitation periods for damages founded on the death or personal injury of a person resulting from child abuse. By removing the 12-year long-stop limitation period for actions under part 3 of the Wrongs Act 1958, this bill applies to instances of child abuse that occurred at any time, regardless of whether those claims were previously affected by a limitation period.

The removal of limitations will not undermine the right to a fair hearing. It will not affect the court's inherent jurisdictional power to control or dismiss proceedings that could undermine the administration of justice, such as where the fair hearing of a matter is impossible due

to the loss of evidence through the passage of time. The bill also recognises that the effects of child abuse are not always confined to the primary victim of that abuse but can also extend to dependents of the victim who may be unaware for many years that childhood abuse was the cause of the victim's suffering and possible death.

This bill is important to give victims and families access to justice, to hold abusers and organisations that looked the other way or enabled abuse to account and to help prevent child abuse occurring in the future. As stated by the Law Institute of Victoria:

... civil litigation is an important avenue for legal redress, providing not only access to compensation, but acknowledgement and accountability for the harm victims of abuse have suffered. Court judgements also provide a valuable form of public condemnation of child abuse, and create a powerful incentive for organisations to change their practices to prevent child abuse.

I understand the Law Institute of Victoria has forwarded recommendations for psychological and emotional abuse to be included in this bill, and the Greens will look at that issue further in the Legislative Council. Disclosure of child abuse often occurs decades after the fact, well after the long-stop limitation period of 12 years. While time limitations on civil claims can be appropriate, it is overwhelmingly in the interests of victims and the public to remove this limitation in instances of child abuse. The Greens support this bill and wish it a speedy passage.

Ms WARD (Eltham) — I rise to speak in strong support for this bill. I recognise that much of what I will say in my speech and what will be discussed in this debate may be a trigger for some people. What we speak of today is awful. Sadly, the crime of child abuse is experienced across our community and stories of abuse can be hidden for decades. I grew up in a beautiful suburb on the outskirts of Melbourne. It was almost like a country town in that everybody knew each other and everybody knew each other's stories. However, it took many years for one story to come out. Many people in my community have been affected by child abuse, many at the hands of an Eltham Catholic priest. He was an egotistical, shallow man who thought nothing of abusing children in his parish and who abused children in other parishes before being sentenced for his crimes.

I know people I spent my childhood with, went to school with and caught buses with who were abused by this priest but have never spoken publicly about this horrible man and his horrid crimes. There may come a time in the future, however, when they want to do so,

when they may want this man to be held accountable for what he did to them and when they may seek compensation for the decades of pain he caused. They should have this right. This bill thankfully removes all limitation periods for actions and damages founded on death or personal injury resulting from child abuse. It does this by removing the 12-year long-stop limitation period for actions under part 3 of the Wrongs Act 1958 in cases where the wrongful death was caused by child abuse.

I support this bill because I recognise that those who engage in sexual abuse and prey on the vulnerability of children rely on the child's inability to express themselves both at that time and in the future. These predators rely on a child's confusion, hurt and embarrassment. They rely on a child's ignorance and inability to completely understand what has happened to them and their inability to express the complexity of their experience. These predators rely on silence.

Victims of sexual assault and child abuse want justice, but they also want to be heard. They want their stories listened to with respect, patience and understanding. I am extremely pleased that this hardworking Andrews government is so quickly commencing its commitment to implement all outstanding recommendations from the Family and Community Development Committee's report entitled *Betrayal of Trust — Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations*, which was released on 13 November 2013.

The *Betrayal of Trust* report recommends that the Limitation of Actions Act 1958 not be applied in instances of child abuse. The report recognises the vulnerability of children and the challenges these children, who grow into adults, face in retelling their story no matter their age.

What is so very important about this bill is that it treats all children who have suffered child abuse equally and uniformly. There will be no time limits for these children, regardless of when or where the abuse occurred or who abused them. We must allow the voices of children to be heard, no matter how long ago a crime of abuse against them was committed. I am pleased that this bill is uniform in its operation and treats all child abuse claimants equally and fairly.

I ask those here today to imagine themselves as a child trying to articulate their experience of abuse. How do you find the words? How do you say these horrors out loud? How do you revisit this crime as an adult? How do you find the words to tell your loved ones, or even strangers, a story that hurts so much? It takes a

remarkable person to find the words to retell their pain. The *Betrayal of Trust* report speaks of the challenges that abuse victims faced in telling their stories as adults. Some people had not told their partners, children, parents or friends of their terrible experiences. Imagine their fear, shame and confusion as they struggle to find the words to tell the story. We cannot let those who prey on children benefit from a law that effectively silences those who have suffered childhood abuse in the past. We must take this away from them and give a voice back to these children, who are now adults, and reward these adults for their bravery in stepping forward once they are able to do so.

The issue of recognition of a crime is important, and it is also important to recognise how much this crime has affected the individual — how it affects their mental health, job prospects, friendships and relationships. Child abuse comes at a great cost, and a time limit should not be imposed on recognising its effects. I welcome the thoroughness of this bill, which also covers psychological abuse where that form of abuse is connected to an instance of sexual or physical abuse within the same claim.

I also welcome the compliance of this bill with the Victorian Charter of Human Rights and Responsibilities, and I thank former Attorney-General Rob Hulls and the Bracks Labor government for creating this wonderful charter, which helps assure the rights of all Victorians, especially the most vulnerable.

The pain that the terrible crime of child abuse causes so many people is overwhelming, so it is only right that we empower the victims of child abuse with a voice, wherever they are able to use their voices, no matter how long it takes. This very important bill opens doors to child abuse victims instead of shutting them 12 years after a crime occurs. This is an important bill, and I commend it to the house.

Mr WATT (Burwood) — I rise to speak on the Limitation of Actions Amendment (Child Abuse) Bill 2015. During the previous Parliament I spoke on a number of bills relating to child abuse, most of them leading from the Family and Community Development Committee's inquiry into the handling of child abuse by religious and other organisations, and earlier today I recognised the people involved in that inquiry. However, because this is a separate bill, I will again put on the record my appreciation of those people, those members of Parliament, who led us to the position where we can have this discussion today.

In this place I recognise the members for Broadmeadows, Thomastown and Ferntree Gully and,

in the Council I recognise Georgie Crozier, a member for Southern Metropolitan Region; Andrea Coote, a former member for Southern Metropolitan Region; and David O'Brien, a former member for Western Victoria Region.

I also put on the record my acknowledgement of the former member for Hawthorn for his great courage in setting up the inquiry conducted by the Family and Community Development Committee in the face of opposition from some quarters about our capacity as members of Parliament to perform that task. Any person who reads the report or any sections of it will be able to see the capacity of members of Parliament to conduct such an inquiry, particularly those six members of Parliament who produced that report. I commend them for the great work they did and understand how difficult it must have been to listen to some of the stories people told about the forms of abuse they suffered over many years, some of them decades earlier. I think this bill will remedy some of those problems and after long periods of time will allow people to deal with issues that they have dealt with internally and enable those people to deal with them externally.

I have said many times and reiterate that abuse is abuse is abuse. In my opinion it does not matter whether abuse occurs when a victim is going to school, watching television in a lounge room or walking down King Street when they are out on the town: abuse is abuse and should never be tolerated by anybody when it is perpetrated against anybody anywhere. Having said that, I believe the abuse of children is a special case. I do not deny that serious issues can be faced by adults who have been abused or who later identify the fact that they have been abused. After the passing of this legislation, when people say that they have faced an issue, there will be no time limit on taking action. Some people will only take action when they gain courage and feel confident to say something. Sometimes a great deal of time elapses between abuse and the victims' recognition that they have been abused. Some victims are told, 'It does not matter anymore'. I put on the record that it does matter, whether it happened yesterday or 20 years ago. I do not want anyone to think that any member of this house, or indeed this Parliament or the previous Parliament, which instigated this report and put in train a lot of things to help victims, thinks that remedying child abuse does not matter.

Abuse comes in many forms, but I honestly cannot think of anything more abhorrent than the abuse of a child. Members of my own family have found the courage — as children and some years afterwards — to

come forward and say, 'I have an issue'. I find it abhorrent to think that some people would discount those claims because the person is a child. I am proud of the fact that I am able to stand here and support this bill. I am proud of the fact that I am a member of a Parliament which is saying to victims that if a person has been abused, then we think their story should be told and that the victims should be respected, even if they were a child when it happened and as an adult now want to put their claim forward.

I listened to the remarks made by the shadow Attorney-General about how difficult it is for victims to come out and admit what has happened to them. As a government, as a Parliament and as a society — we should make sure that we can make it as easy as possible for people who have been victims to come forward and say, 'I was abused'. It is not easy for victims to stand up and say so, but it should be, and we should make people feel comfortable to do so.

Generally it is unparliamentary to pay tribute to people who are in the gallery, but I note that some people are here who find this issue deeply personal. I pay tribute to those people, and I pay tribute to the members of the committee who are still members of Parliament and those who are no longer members of this Parliament who did a lot of work to try to achieve some outcomes for those people who feel aggrieved and should feel aggrieved because they were victims. Those people should feel aggrieved that a system has been in place in this state which tells victims, 'It's too late'. It should never be too late to seek remedy for a problem that those people have experienced. I commend the bill to the house.

Mr LIM (Clarinda) — I rise tonight to speak on the Limitation of Actions Amendment (Child Abuse) Bill 2015. It would be remiss of me not to admit that listening to the contributions of other honourable members on this bill is such an emotional experience, particularly for someone who has been in this country for 45 years. It gives me further understanding of the different cultural background I come from, because I know the *Betrayal of Trust* report could never happen in the cultural background and country from which I come. Therefore it makes me so very proud that I have to try not to choke with emotion when dealing with a subject like this, because it is beyond words. It makes me feel so proud that we are such a civilised and proud community that we can handle this with dignity and pride.

It must have been a harrowing experience for those honourable members on both sides of this house and in the other place who took part in the committee that

looked into this terrible subject. The only question we can ask ourselves time and again is: how could we fail our young people so much and for so long, given the pain and agony of everyone involved — the young people themselves and all the related people? It is just horrendous, and how on earth could we fail them so much for so long? It is only appropriate to quote Justice Marks, who stated about two decades ago, ‘A society which fails to protect its children from sexual abuse by adults, particularly those entrusted with their care, is degenerate’. That speaks volumes about what this is about and how we feel now when debating this bill.

Our community and the Australian community in general have become more and more aware of the grave wrongs that have been committed against our children by people and organisations that are in a position of authority, power or care over children. Environments that should be considered a haven for children, such as orphanages and homes, have had a lack of adequate monitoring or supervision standards for a very long time.

Children have often suffered, first, by being neglected by their parents or families, and then again by institutions or organisations that have failed to adequately address their special needs in harsh circumstances. In the worst cases, people in positions where they were entrusted with the care of children have betrayed that trust and committed grave offences against their victims, leaving long-lasting and profound impacts. There are several major community concerns in light of the greater awareness of such crimes. Some of the cases that have been brought into the debate and of which the public has been made aware include offending that has taken place over long periods of time against multiple victims. Exacerbating the offending is the concept that large religious organisations and other bodies appear to respond to the problem with regard to their own interests and status.

The inquiry into the handling of child abuse by religious and other non-government organisations resulted in a report released in November 2013 that is now well known as the *Betrayal of Trust* report. Child abuse includes sexual abuse, physical abuse and psychological abuse that arises from an instance of sexual or physical abuse. This inquiry found that many victims of child abuse do not disclose their experiences or act on them until decades after the abuse occurred. This has consequences with regard to the statute of limitations. There is evidence that non-government organisations have sought to pursue a limitation defence at trial. This defence has adversely affected applicant victims in their bargaining position at negotiations. However, it is not unreasonable that it will

take many years for a victim to fully understand and comprehend the offence that has been perpetrated on them and then act and issue proceedings afterwards.

In Victoria, the Limitation of Actions Act 1958 stipulates that civil proceedings must commence within certain time frames of the claimed offence taking place. The time frames can vary for different areas of the law, from less than a month for infringement notices to up to 15 years for some contractual or property disputes. In many cases the limitation period is at the discretion of the defence and judges. This bill will remove the limitation period that applies to civil actions that are causes of action for damages founded on the death of or personal injury to a person resulting from child abuse. It will also remove the 12-year long-stop limitation period for actions under part III of the Wrongs Act 1958 in cases where the wrongful death was caused by child abuse.

This bill is being brought before the house and delivers on our pre-election promise to incorporate in legislation recommendations from the *Betrayal of Trust* report. In particular, it addresses recommendation 26.3:

That the Victorian government consider amending the Limitation of Actions Act 1958 to exclude criminal child abuse from the operation of the limitations period under that act.

The removal of the limitation period for victims of child abuse applies regardless of where or when the abuse occurred. The current law applies different criteria and limitation periods in consideration of the identity of the alleged perpetrator and the time and context of the abuse. Removing the limitation will instead make the act uniform in its operation and will treat all child abuse claimants equally and fairly.

I also note that the bill applies to prior claims of abuse regardless of whether or not the claims were previously subject to a limitation period, but this does not include cases that have already settled or been subject to final judgement. This allows historical victims of abuse, such as many of those who spoke to the Family and Community Development Committee during the inquiry, the opportunity to have their civil claims heard in court. I note that substantial consultation was conducted with government departments, the Victorian Managed Insurance Authority, Canadian provinces which have previously incorporated similar legislation and the wider community. I commend the bill to the house.

Ms RYALL (Ringwood) — It gives me great pleasure to rise to speak on a bill that is about better ensuring that children can in the future undertake civil

action without that being consequential on a limitation of time. It is important to understand that child abuse causes victims a lifetime of pain and tragedy, a lifetime in which every aspect of their relationships and what they do in life is affected. The removal of that limitation means that when a person is ready and able to speak up they can proceed with a civil case, without that being dependent on time. The Limitation of Actions Amendment (Child Abuse) Bill 2015 is vitally important. As such, the coalition supports the bill.

I appreciate the bipartisan focus and the bipartisan participation in the production of an outstanding report, which shines a light on the dark spaces that have existed for so long. In doing so, the committee members did a significant amount of work over a length of time to enable those who had suffered at the hands of child abusers to be heard, believed and taken seriously, and to know that while what they were doing was very painful, it meant that others might not have to go through similar circumstances and that preventive action would be put in place to better protect our children.

I am pleased that in producing the report of the inquiry, which was initiated by Ted Baillieu, a former Premier and member for Hawthorn, Georgie Crozier and her committee enabled a raft of recommendations to come through. Whilst the coalition government commenced the inquiry and the implementation of the recommendations, the current government is continuing to ensure the implementation of those recommendations. It is through our bipartisan joint committee work that some of the best work and outcomes of this Parliament occur. That is something to be proud of.

In October 2014 an exposure draft for a bill to remove limitation periods for victims of criminal child abuse — that is, to implement recommendation 26.3 of the *Betrayal of Trust* report — was released for public comment. If you look at the raft of child abuse protection initiatives the former coalition government put in place, you see it is substantial. Between 2010 and 2014 there was the Cummins inquiry; the directions paper *Victoria's Vulnerable Children — Our Shared Responsibility* and the strategy that subsequently came out of that; the investment of more than \$900 million in programs and reforms to better protect children; the establishment of the Commission for Children and Young People; the five-year plan for out-of-home care; an increase in police resources; the expansion of multidisciplinary centres in metropolitan and regional Victoria with co-location; and extra support for schools and educational organisations to respond to child abuse.

Our children are precious and vulnerable. They cannot protect themselves; they need protection. When they cannot get protection from the people who are caring for them, we as legislators need to make sure that we step in and create the legislation to make sure that they are protected, because the consequences of abuse are torment, pain and scars that nothing can erase. As a parent I know the great love and sense of responsibility I had for my daughter in her growing years. Parents need to know and ensure that when they entrust their children to others in the confidence that they will care for them — whether it be at school, in another organisation or in care — they are indeed safe and protected.

Abuse is not just sexual abuse. There can also be psychological or physical abuse, and it is something that impacts on an individual, particularly a child. It is imprinted on their mind forever and affects their ability to function, to form relationships, to trust, to love, to feel whole and real and not guilty. We cannot take away what has happened in the past but we can do something about the future. We owe it to the people who came forward at the inquiry, whether through written submissions or personal representations, to say thank you and commend them for their bravery and the impact they have had on the better protection of children and the prevention of child abuse in the future.

The horrific and tragic circumstances that surround child abuse go on forever. There is no limitation on that. The grief, pain and suffering of those children has no limitation, so why should there be a limitation on the time frame during which they can bring a civil action?

I very much appreciate the bipartisan support for the government's continued implementation of these recommendations. As difficult as it has been for so many, I know that the work produced this report and that the further recommendations that will be implemented will only serve to better secure and protect our children and ensure that they are safe and that their vulnerability is protected. I commend the bill to the house.

Mr RICHARDSON (Mordialloc) — It is humbling to speak on the Limitation of Actions Amendment (Child Abuse) Bill 2015. Firstly, I want to acknowledge the bipartisan contributions of members today. It has been harrowing to sit in the house today and hear some of the stories, reflections and accounts of the Family and Community Development Committee members. It shows what our Parliament and its committees can achieve if we take a bipartisan approach on important issues. I want to acknowledge that.

I also want to pay tribute to the Family and Community Development Committee members for producing the *Betrayal of Trust* report. For many of these victims this was the first time they felt empowered to come forward and tell their story. That is very significant. Many of these people who suffered abuse, sometimes decades ago, have lived through that pain and struggle for many years, so to bring up all that suffering and hurt by sharing those stories to try to improve and reform our system is very important.

It is important also to reflect on one of the key findings of the *Betrayal of Trust* report, which is recommendation 26.3. The report concludes on this important issue that the nature of child abuse means that there is rarely a large amount of evidence in the first instance so deterioration is not as relevant and the importance of allowing child abuse victims to seek justice for long-term physical and psychological harm outweighs the need to give certainty to defendants. That is the fundamental consideration: the protection of children is paramount.

One cannot comprehend how awful it is that some of these atrocities have occurred nor the magnitude of trying to address such systemic abuse across various systems or how a government goes about trying to build in some of those reforms. I am particularly reflecting on the work of the Family and Community Development Committee in undertaking that inquiry. That this work has been followed up by the federal Royal Commission into Institutional Responses to Child Sexual Abuse is significant. I worked for former federal Attorney-General Mark Dreyfus during the latter stages of preparing for the royal commission. It was amazing to see how much work went into preparing for the various satellite hearings. The task that needed to be undertaken by the royal commission was substantial.

The bill recognises and removes inappropriate time restrictions within the civil justice system faced by victims of child abuse. For many individuals affected — and some of the submissions were from people in their 60s, 70s and 80s, and it is worth reflecting on the Goulburn Valley — —

The ACTING SPEAKER (Ms Edwards) — The time appointed by sessional orders for me to interrupt business has arrived. The honourable member may continue his speech when the matter is next before the Chair.

Business interrupted under sessional orders.

ADJOURNMENT

The ACTING SPEAKER (Ms Edwards) — Order! The question is:

That the house now adjourns.

Park Orchards Football Club

Mr R. SMITH (Warrandyte) — I rise with a request that the Minister for Sport recognise the history of the Park Orchards Football Club and the importance of local grassroots football and in doing so commit funding for the club's rooms at its home ground at Domeney Reserve in Park Orchards.

The Park Orchards Football Club is central to the Park Orchards community. It is a place where much of the community congregates. At any home game on a Saturday during football season there are hundreds of local residents at the club enjoying the Sharks' performance on the ground. The club was established as a junior club in 1969 and has grown considerably since that time, with 450 juniors playing in 18 teams in recent times. When you add the 130 children who participate in Auskick, it is clear that the club is and has been an important place for Park Orchards families.

In 2012 the club made the historic decision to field a senior team in the Eastern Football League's fourth division. Under the passionate leadership of club president Stephen Harrington, the Sharks won the fourth division premiership in 2014 and are looking forward to a successful season in third division this year.

Manningham City Council has recognised the growing needs of the club and has been in discussions regarding significant renovations of the current clubrooms at Domeney Reserve. In order to make these plans a reality it is incumbent on the state to make a contribution to the health, wellbeing and enjoyment of both senior and junior players. With a redevelopment well overdue and with the success of the club bringing increased support, funding of \$400 000 from the state would make up a vital component of the overall cost.

The coalition government recognised the importance of local football clubs as places that communities can come together and importantly as somewhere our kids can be active, learn about teamwork and leadership, and engage with people who would mentor them. In my electorate both the Norwood and Warrandyte football club communities benefitted from support and funding from the state in partnership with local government. I ask the minister to continue the good work of the previous government, to recognise the great benefits

that local football brings to local communities and to ensure that funding is made available in the upcoming 2015–16 state budget.

Incinerator Gallery

Mr CARROLL (Niddrie) — I raise a matter for the attention of the Minister for Creative Industries. The action I seek is that the minister reaffirm the Andrews Labor government's strong commitment to arts and culture in Victoria and join me and the member for Essendon on a tour of the Incinerator Gallery, a building of heritage significance in my electorate and an important arts hub that is in desperate need of funding.

The architect Walter Burley Griffin is well known for designing our nation's capital. Lesser known is the story of how he and his wife, Marion Mahoney Griffin, designed industrial incinerators, one of which was built in Moonee Ponds in 1930 for the then Essendon City Council to dispose of the rubbish that was building up at the local council dump. It is the last of its kind in Victoria and one of very few remaining in the world.

Despite it being a beautiful example of the Art Deco style of the period, it is incredibly run down and in need of major funds. The Incinerator Gallery is a very important local arts hub in Melbourne's north-west, sitting on the banks of the Maribyrnong River. Having evolved from an industrial hub as a humble but state-of-the-art incinerator that burnt the city's rubbish, it has now established itself as a respected visual arts centre for Moonee Valley, attracting visitors from not only my local electorate and neighbouring areas but right across Melbourne. Unfortunately the relatively poor amenity for visitors and staff, as well as the deteriorating fabric of the building structure, means the gallery falls far behind the standards of many of the other galleries across Melbourne, and this has impacted in terms of its visual amenity and its ability to move up in the world of art galleries.

The costs involved in preserving such a heritage building, especially built heritage, are considerable, and this facility has been ignored for too long. However, it is very much worthy of a capital investment. I am pleased that the City of Moonee Valley has applied to the federal government through its National Stronger Regions Fund. I hope the minister will be able to support this important application.

The City of Moonee Valley has been advised, however, that due to issues with the building's structure, extensive improvements are needed if the gallery is to continue its work.

I call on the minister to continue his great work in merging several key components in the creation of Creative Victoria. Going forward I am sure that the Andrews Labor government will continue to make sure we have a 21st century arts and culture policy. The minister is very much moving forward with this.

I invite him, once again, to take a tour of this important facility in my electorate and join me and the member for Essendon in advocating for the Incinerator Gallery to build upon the vision that has been articulated by the City of Moonee Valley to the federal government and to make this a 21st century arts hub right in the heart Moonee Ponds, right in the heart of the city of Moonee Valley, that we can all be proud of.

Maffra District Hospital

Mr T. BULL (Gippsland East) — I raise a matter for the Minister for Health, and the action I seek is for the minister to visit the Maffra District Hospital and members of the Central Gippsland Health Service. Prior to the election the coalition committed \$75 000 towards a master plan for the Maffra hospital. That funding was to allow for planning and the development of a business case for improvements to the Maffra campus of the health service to ensure that the facilities there are functional and fit for purpose to meet the needs of the community well into the future. The facility plays an important role for a number of communities, not only for Maffra but also for those living in Heyfield, Stratford, Boisdale, Briagolong and other local communities, ensuring that people from those townships and the surrounding area can have access to the health services that they require.

The hospital serves a catchment population of around 8800 people, but it is 63 years old. Some areas of the building are still in their original condition and badly in need of upgrade. It is a fact that some areas of the Maffra hospital are approaching the end of their working life, and I saw this firsthand recently when I visited the hospital. A master plan is required to ensure that we have the right plans in the future for the gradual upgrade of this facility to meet the needs of the community.

The Central Gippsland Health Service, Maffra campus, provides residential aged-care facilities, independent living facilities and services across the broader community health spectrum. The condition of the building is generally poor, and over the last 35 years only minor refurbishments have been carried out. It would be good if the minister could come to this area and visit the hospital, see the situation firsthand and meet with members of the board and the management

team. I call on the minister to come to my wonderful electorate of Gippsland East to inspect this facility. I would be more than happy to host her visit if she could find the time to make her way to Maffra.

Seaford and Seaford North primary schools

Ms KILKENNY (Carrum) — My adjournment matter tonight is for the Minister for Education. I would like the minister to visit Seaford North Primary School and Seaford Primary School in my electorate of Carrum to hear about the great work these schools and school communities are doing to foster healthy, supportive and nurturing school environments and to discuss with them Labor's commitment to assist schools, school children and families with \$150 million in funding for camps, sports and excursions, because learning does not stop at the school gates, and \$15 million in funding for school uniforms. These were just two of the schools in my electorate neglected under the former government when more than \$600 million was cut from education and when capital works funding was halved. Indeed across the board we have seen a significant decline in per student funding since 2009–10 which reflects four years of budget cuts by the previous government under the Liberal-Nationals coalition.

As we know, this year the education maintenance allowance — payments that supported more than 200 000 Victorian students — was completely axed. We also know that from next year the Schoolkids bonus, which helps so many families at just the right time of the school year, is going to be scrapped as well. All of this has had a significant impact on the schools in my electorate and has affected many local families. These are families who are already struggling with the extra costs of raising children, and now they are increasingly being left to fill the gaps.

Last month the Victorian Auditor-General's office tabled its report entitled *Additional School Costs for Families*. In his report the Auditor-General expressed serious concern about the increasing reliance on parent contributions to schooling. In this environment Labor's plans to make funding available to assist with camps, excursions, sports and school uniforms, as well as glasses and breakfasts, is so important. Indeed, at a practical level it is vital for schoolkids to fit in. I know that from my personal experience growing up in America, where we did not wear school uniforms. I saw firsthand how kids were ostracised, excluded and made to feel inadequate because their parents could not afford to buy them the latest brands of clothing. I remember thinking at the time that we were fortunate in Australia to have school uniforms to break down the class barrier. But now with many schools moving to customised and

more tailored uniforms, we are seeing kids who are not able to wear the school uniform because their families cannot afford them.

Similarly, we do not want to see our kids missing out on school camps and excursions. Yet some families cannot afford the costs of camps and excursions, and either those kids miss out or, in some cases, all the kids are missing out because the schools cancel the camps or excursions altogether. As we know, learning does not stop at the school gate. School camps and school excursions are a very important part of children's learning and education. They are an adjunct to a student's life at school. They help teach and promote responsibility, independence and resilience. They identify and raise awareness of issues and concepts that are not easily taught in the formal classroom or inside the school gates, and they provide a greater diversity in educational experiences.

I know that principals Lee Murnane and Michael Browne from Seaford North Primary School and Seaford Primary School respectively would welcome the opportunity of a visit from the minister to show him the great work they are doing and to discuss Labor's funding plans to assist with uniforms, camps, excursions and sports —

The ACTING SPEAKER (Ms Edwards) — Order! The member's time has expired.

Wonthaggi Hospital

Mr PAYNTER (Bass) — My adjournment matter is for the Minister for Health. Prior to the 2014 state election the former government under the coalition committed \$25 million towards the expansion of the community rehabilitation and community health facilities at the Wonthaggi Hospital, and I am seeking the government's commitment to fund this important project. Wonthaggi Hospital is a major health service provider for people in and around the Bass Coast region, providing a range of specialist medical, surgical and specialist services and an emergency department. The proposed expansion of community rehabilitation and community health facilities at Wonthaggi Hospital will ensure better health for those living on the Bass Coast, which will mean that local people can get quality health care closer to home. This project would expand the health services provided by the Wonthaggi Hospital and ensure that it is equipped to continue to provide its valuable services to the people of the Bass Coast region, and I encourage the government to commit to fully funding this project. Further, it is critical that the strategic plan to develop the Wonthaggi Hospital to subregional status be pursued. In order to discuss this

project further and the funding opportunities I request a meeting with the minister when mutually suitable and a visit to the hospital.

Victoria Police recruitment

Mr PEARSON (Essendon) — I raise a matter for the attention of the Minister for Police. The action I seek is that the minister raise with the Chief Commissioner of Police what further measures can be taken to assist in the recruitment of representatives from the Horn of Africa community who are interested in joining Victoria Police.

Last week I was delighted to have the Minister for Police attend the Flemington police station and meet representatives of the Horn of Africa community who live on the Flemington housing estate, as well as local and regional representatives of Victoria Police. Five years ago the relationship between the Horn of Africa community and Flemington police station was not particularly good. I understand that there was a level of mutual suspicion and distrust. However, since that time the relationship has improved significantly.

One of the steps taken by Victoria Police has been to invite members of the community to cook and share a meal with representatives of the Flemington police station. Sitting down and sharing a meal is such a simple act, but it has created a real change in the way Victoria Police and the community engage with each other. As such, there now exists a very harmonious relationship.

While there have been real improvements, there remains a real need to improve employment opportunities for the residents. The federal Department of Employment recently released employer data for my electorate which shows that the unemployment rate in the September quarter was 10.2 per cent in Ascot Vale and 14.7 per cent in Flemington. I suspect that much of this rate could be attributed to the Wingate and Flemington public housing estates. This is far greater than Strathmore, which had an unemployment rate for the same quarter of 2.4 per cent, or Moonee Ponds, for which the rate was 4.5 per cent.

There is a real need to find ways to try to get people off the estates and into employment. I am sure that we would all be better off not only for having this occur but also for having representatives of the Eritrean, Oromo, Somali, Sudanese and Yemeni communities all serving in a variety of capacities in Victoria Police. To that end, I request that the minister ask the Chief Commissioner of Police how this can occur.

Home at Last program

Ms SANDELL (Melbourne) — Tonight I raise an important matter for the Minister for Housing, Disability and Ageing. The action I seek is that the minister meet with Housing for the Aged Action Group (HAAG) to urgently discuss a renewal of funding before it is forced to close its housing service for older people, Home at Last, on 15 May. Home at Last is a one-stop shop in Melbourne, providing housing support services for older Victorians who are either at risk of homelessness or under housing stress, with a low income and few assets.

Homelessness and housing stress for older people is increasing faster than for any other age group. Eighty-five thousand older people in Victoria are living in insecure rental circumstances. Home at Last provides many services, ranging from information and referral to more intensive support. Seventy-two per cent of clients at Home at Last are women. Women are disproportionately affected by housing stress due to reduced superannuation, family violence and other reasons related to their gender. One of the most innovative things about the Home at Last program is that it intervenes before a crisis occurs, to rehouse people in long-term, affordable housing, thus reducing the high social and economic costs associated with homelessness. This early intervention approach deserves support from government to help address homelessness right across the board.

Home at Last has been extraordinarily successful to date. In only three years it has assisted 2700 older people, with 70 per cent of clients being housed within three months. It has had several independent reviews and assessments to demonstrate its success. Funding for Home at Last should be renewed immediately. It is the only statewide homelessness service for older Victorians. Funding was provided by the last Victorian government through the homelessness action plan, but only until 31 March this year, which just two weeks away. Home at Last has been able to arrange to keep its doors open for an extra two months, but only due to volunteers and staff working extra hours. So far HAAG has had no answer from the Labor government about whether this funding will be renewed, and the clock is ticking. We cannot afford to wait for the commonwealth government to act first, given its appalling track record on the provision of essential social services.

Our public and community housing services need significant improvement, and I will continue to advocate for a greater injection of funds and a serious commitment from the Victorian government to solving

the housing crisis in Victoria. In the meantime, as we try to rebuild a broken housing system, funding for support services like Home at Last must be reliable for it to continue its work into the future.

Mernda police station

Ms GREEN (Yan Yean) — I raise a matter for the attention of the Minister for Police. The action I seek is that he give serious consideration to the funding of Labor's commitment to build a police station at Mernda in this year's budget. Unlike the case with those opposite, Mernda matters to Labor. I also know Mernda matters to this minister, because he has taken the time to visit the area and meet with the local community and council, and he has heard their concerns. Their concerns fell on deaf ears under the previous government while crime soared in the north. The Minister for Police and Emergency Services in the coalition government refused to set foot in Australia's fastest growing postcode of 3754.

As I said, unlike the case with those opposite, Mernda does matter to us. We took promises to the election which the electorate embraced. We committed to building a police station, extending the rail line and fast-tracking a prep-12 school. These things are absolutely pivotal to community strength. At the 2011 census, the 3754 postcode had a population of 19 000 people. This has doubled in just over three years, which occurred under the watch of those opposite. Sadly, this has seen a higher number of burglaries in the area than any new community would like to see. There has also been quite a bit of family violence — one of the highest increases in such crimes in the state. There are also problems with road safety, hoon behaviour and other issues that need to be addressed by a local police presence.

The lack of a police station is impacting on community strength and the way this community sees itself. An opportunity exists in the proposed Mernda town centre, which is the size of the Hoddle grid — it is almost the size of Shepparton, and it is growing — to make a new police station an integral part of that centre, which will include a shopping precinct with a train station and education facilities. This could be the model for how we integrate policing into new communities. I know the minister understands this.

I again want to acknowledge the support of the Police Association Victoria, which launched its 2014 election campaign in Mernda. It knows it well, the minister knows it well, and I urge the minister to give consideration to ensuring that this much-needed police resource is funded in this year's budget.

West Gippsland Trade Training Centre

Mr BLACKWOOD (Narracan) — I raise a matter for the Minister for Education. The action I seek is that the minister visit the West Gippsland Trade Training Centre located in Warragul. Formally opened last year, the centre, which is located across three sites, received funding of \$11 million under the federal government's Trade Training Centres in Schools program. I was very excited when I met for the first time more than four years ago with a group of local principals and training providers who were keen to embark on this project. Today their vision and initiative is providing many young men and women with a genuine opportunity for a rewarding career.

The project clusters a number of organisations to deliver a state-of-the-art model which combines secondary and further education to deliver better outcomes for both students and industry. The trade training centre facility is situated beside Warragul Regional College and is maintained by the college on behalf of the alliance. Every secondary college in the Baw Baw shire and organisations including Community College Gippsland are utilising the facilities. A trade training alliance has been formed, with the principals of each college making up the board of management. Warragul, Drouin, Neerim District and Trafalgar secondary colleges, St Paul's Anglican Grammar School, Marist-Sion College, Chairo Christian School and Warragul & District Specialist School, together with Community College Gippsland, form the trades training alliance responsible for overseeing the facilities and their programs. Currently 174 students and apprentices are undertaking training with the West Gippsland Trade Training Centre program.

Spread across a number of sites, the trade training centre delivers courses in agriculture, automotive, construction, electrotechnology, horticulture and hospitality. The trade training centre is deliberately specialising in areas of skills shortage, and in particular in trades such as joinery, carpentry, cooking, electrical, plumbing and automotive mechanical. The training centre also provides state-of-the-art access to education for students from right across Gippsland, with the latest information technology installed to enable remote teaching for students who are not always able to attend onsite training at the centre. This is an exceptional facility that is supporting students with trade training to meet the growing demand for trade services in the Gippsland region. It is a great example of commitment and foresight and of the tremendous collaboration between our local secondary college principals. They are combining their efforts and expertise to provide the

best possible educational outcomes for all students in their region, and they deserve to be congratulated.

The principal of Warragul Regional College, Rob Juratowich, is very keen to host a visit by the minister. I invite the Minister for Education to visit the trade training centre and to meet with the Warragul Regional College principal and other representatives to tour the facility and see the outstanding work and education opportunities being delivered.

Ambulance services

Ms THOMAS (Macedon) — I raise a matter for the attention of the Minister for Ambulance Services. I commend the minister for the excellent work she has led in delivering the interim report *Working with Paramedics to End the Ambulance Crisis*, and I note the minister did this within the first 100 days of the Andrews Labor government. The action I seek is for the minister to visit my electorate and hear firsthand from my local paramedics their responses to the report.

What a contrast this would be to the previous government. In June last year the then Premier, the member for South-West Coast, visited my electorate, but he snubbed our ambos. He did not want to hear local paramedics outline how ambulance response times in my electorate had blown out to 23 minutes. How refreshing it is then for us to have a Minister for Ambulance Services who has a real interest in listening and who is determined to address the crisis in our ambulance service. As Parliamentary Secretary for Health I have had the opportunity to meet with paramedics in Melton, Geelong, Moorabbin and of course at stations across my electorate. Wherever I go I am struck by the tangible relief felt by paramedics, who feel that at last they are being listened to by a government that is committed to ending the war on our paramedics and fixing the ambulance crisis.

The issues being raised with me are well documented in the report. They include that ambulance response time performance has fallen dramatically over recent years. The report tells us that dispatching an ambulance to a code 1 incident in the metropolitan region takes on average 1 minute longer compared to six years ago. Public demand for emergency ambulance services increased 5 per cent over the past six years. In recent years almost 60 per cent of all emergency incidents were classified as code 1 but on arrival paramedics have found that the code 1 response was not required. Paramedics are experiencing excessive fatigue, low morale and unacceptable injury and violence, with around 40 per cent of the workforce last year saying

they would not recommend the service as a good place to work.

Proposed reforms outlined in the report include improving collaboration with health services for emergency patient care, reviewing guidelines to facilitate paramedic decision-making at the scene in cases that do not require transport to an emergency department, and indeed a number of other reforms all of which when I discuss them with my local paramedics are in accord with their experiences. The Minister for Ambulance Services would be most welcome to visit Macedon. Local paramedics look forward to sharing their responses with her.

Responses

Ms HENNESSY (Minister for Health) — I thank the member for Gippsland East for raising a matter in respect of Maffra hospital. I understand that most of our health services are under extraordinary pressure, and I am certainly happy to get further information about the issues the member has canvassed. When I am in the vicinity, as I travel right across the state looking at various health services, I will be more than happy to meet with the member and also to discuss the issues at Maffra hospital.

I thank the member for Bass for his adjournment matter. I understand yet again that we have a very challenging model of care in his electorate, and I certainly understand that both in Wonthaggi and on the island that he represents there are a whole range of health service issues and model-of-care issues that require further discussion. I am happy to take this matter on notice, seek further advice and come back to the member for Bass on the issues he canvassed.

I also thank the member for Macedon for her adjournment matter. I am grateful for her work as my parliamentary secretary. She has been making an extraordinary contribution not just in metropolitan Melbourne but particularly in regional Victoria. She is fast earning a reputation for her very deep and persuasive knowledge when it comes to matters pertaining to the health portfolio and the ambulance services portfolio. She is a very active member of the Ambulance Performance and Policy Consultative Committee. She was absolutely integral to the production of our interim report, which canvasses some of the very deep challenges that this government must confront arising out of four years of neglect and attack on our very hardworking paramedics.

I would be more than happy to meet the hardworking paramedics of Kyneton with the member for Macedon.

I look forward to their feedback on our interim report and on the issues it canvasses. Again, I cannot speak highly enough of the work of the member for Macedon. The leadership and reputation she is gaining in this area is indeed deeply deserved.

Mr FOLEY (Minister for Housing, Disability and Ageing) — On behalf of us all I take the opportunity to wish the Minister for Health, who is just leaving the chamber, a very happy birthday.

I note that today is St Patrick's Day, and despite the fact that I am wearing orange as a badge of diversity, it is no reflection on the fact that we all have green flowing through our veins tonight.

I thank the member for Niddrie for his contribution, and of course I will take him up on the opportunity to visit the Incinerator Gallery with him and the member for Essendon on the banks of the sunny Maribyrnong River in that lovely park, a facility I have been to many times over a number of years. As the member indicated, it is a heritage-listed Art Deco gem sitting in a previous industrial facility now transformed into a community-based facility under the stewardship of the City of Moonee Valley. It was designed by the leading international and Australian-renowned architect Walter Burley Griffin and his wife. The heritage-listed facility has been the home of many local community-based innovative art programs and outreach programs for many years. I have been there on many occasions over the years to see such programs.

As the honourable member indicated, that is really at the core of what the creative industries portfolio is about. It is about how you take a cultural item or cultural facility at the heart of a community and you radiate out many levels of what we value. We value creativity in its own right. We value creativity as an opportunity to engage with communities, particularly those disadvantaged members of our community who would use the arts and culture as an opportunity to engage. Whether for therapeutic or any other purpose, we value bringing together opportunities driven by culture and creativity for our most vulnerable, people such as the clients and participants from the city of Moonee Valley who are part and parcel of the Incinerator Gallery.

As the member indicated, the creative industries portfolio is a new coming together of previously disparate parts of cultural activity in the state, whether it is the old Arts Victoria, Film Victoria or our design, fashion or digital economy strategies, all with a view that from that cultural offering we can achieve much more than the sum of its parts. We aim to create a lens

that takes us through community engagement, education engagement, disability engagement and economic opportunities. In that respect this is the kind of work we are happy to deliver. I am more than happy to arrange an opportunity for the members for Essendon and Niddrie.

I move now to the matter raised in the adjournment debate by the honourable member for Melbourne. The member is right: housing in this state was broken on the back of savage cuts by the state and federal Liberal governments. One was turfed from office in November, and the other is still in office at the federal level. As honourable members will know, according to a Productivity Commission report, \$470 million was ripped out of the social and community housing sectors in this state over the course of the last government's term of office. Four-hundred and seventy million dollars is a lot of community housing support, whether it is for the Housing for the Aged Action Group or any number of other good, worthy programs that are delivered right across the sector. It is a problem that is made worse when we see the federal mates of those opposite refusing to support innovative programs such as those the honourable member mentioned, including in the area of youth housing.

As the member indicated, the fastest growing drivers of homelessness are the rising levels of domestic violence — that is, women and children fleeing domestic violence — the impact of housing stress more generally in the private sector and the increasing impact, particularly in certain locations across Melbourne and regional Victoria, of the economy on jobs. In that context this is the worst possible time to rip \$470 million out of the state housing budget and not commit to renewing the homelessness national partnership or innovative programs like the National Rental Affordability Scheme and the housing partnership agreement at the federal level.

I will certainly have a look at the commitments the member is seeking. She is right: the former government ripping \$470 million from social housing has put this and many other programs at risk. I thank both honourable members who raised matters for me in the adjournment debate this evening.

Mr NOONAN (Minister for Police) — I will deal with the member for Essendon's matter first. I thank him for raising this important adjournment matter with me this evening following a visit we made to the Flemington police station last week. It was a positive visit in every respect and was one of the more positive things I have been engaged in in my new role as Minister for Police. Why was it positive? We had

Flemington community leaders from the Horn of Africa sitting in a police station with police leaders talking about the progress they have made collectively over the last five years. They have come a long way, and that is very positive and a great credit to those communities, their leaders and Victoria Police.

One would have to say that there was not a great degree of trust between police and those communities a number of years ago. That those people who have arrived here in Australia under very difficult circumstances, and who had a high degree of distrust for police in the countries from which they originated, now have a very strong interest in promoting policing as a potential career here in Victoria and Australia shows how far that level of trust has come in just a short period of time. I am very happy to raise the issues highlighted by the member for Essendon with the Acting Chief Commissioner of Police.

Victoria Police is acutely aware of the need for diversity and for that diversity to better reflect the community from which police members are drawn. That was referenced last year with the release of the blue paper, which on page 41 goes specifically to the need to have more members of Victoria Police who speak a language other than English at home. I inform the member for Essendon that police are already involved in some activities targeting prospective applicants who have arrived here from African countries. For example, in December last year Victoria Police attended the African Music and Cultural Festival, promoted recruitment to members of that community, and carried out an information session in Flemington. There are currently 98 police, protective services officers and sworn members who are from the African community. I speak on behalf of myself and the member for Essendon when I say that in future we would love to see that number grow. I will take those clear points that the member for Essendon has raised during the adjournment debate tonight back to the Acting Chief Commissioner.

I move to the matter raised by the member for Yan Yean. I am very pleased to respond to the member, who is a great local member. She demonstrates what a local member can achieve for their community. I remember travelling to her electorate last year and meeting with community representatives and representatives of the City of Whittlesea. I was left in no doubt about the need to increase the police presence through the provision of a new police station, particularly because of the population growth that is occurring in the area and the growth that is projected to occur in the future. We met Tom Joseph out there. I was very impressed with the community grassroots campaign, which featured a

Facebook page, Mernda Needs a Police Station. Mernda matters in every sense. That visit led Labor in the lead-up to the state election to commit to both acquiring land and building a police station in Mernda. It was a momentous occasion, and I am sure that the member for Yan Yean will remember it well, because it was on the day the Victoria Police Association launched its campaign. All the candidates were invited to attend that launch, but only one candidate turned up, and that was the member for Yan Yean. That speaks volumes about the member's commitment to not only this particular issue but all the issues in her electorate, on which in every sense she commits to deliver on behalf of her electorate.

I can inform the member for Yan Yean that work has commenced in terms of Victoria Police and the department looking at various options in relation to the potential site of a station in her electorate. I understand that the member has also met with local police in recent times. Obviously we need the funding allocation to come through. I can inform the member that I am speaking with the Treasurer in relation to that, and we look forward to the Treasurer's deliberations and his handing down the budget in May. We are absolutely committed to deliver this police station in Mernda in this term of government. I thank the member for Yan Yean for raising that matter with me tonight.

The ACTING SPEAKER (Ms Edwards) — Order! I call on the Minister for Environment, Climate Change and Water to respond on behalf of the Minister for Education and the Minister for Sport to the adjournment debate matters raised by the members for Warrandyte, Carrum and Narracan.

Ms NEVILLE (Minister for Environment, Climate Change and Water) — It is good to see so many of our government members in here tonight listening to and being engaged in the adjournment debate. There are a number of matters that were raised by a number of members, and I will alert and bring them to the attention of the appropriate minister.

The ACTING SPEAKER (Ms Edwards) — Order! The house now stands adjourned until tomorrow.

House adjourned 7.40 p.m.