

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE ASSEMBLY
FIFTY-EIGHTH PARLIAMENT
FIRST SESSION**

Tuesday, 6 October 2015

(Extract from book 14)

Internet: www.parliament.vic.gov.au/downloadhansard

By authority of the Victorian Government Printer

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The Honourable LINDA DESSAU, AM

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

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Minister for Environment, Climate Change and Water	The Hon. L. M. Neville, MP
Minister for Police and Minister for Corrections	The Hon. W. M. Noonan, MP
Attorney-General and Minister for Racing	The Hon. M. P. Pakula, MP
Minister for Agriculture and Minister for Regional Development	The Hon. J. L. Pulford, MLC
Minister for Women and Minister for the Prevention of Family Violence	The Hon. F. Richardson, MP
Minister for Finance and Minister for Multicultural Affairs	The Hon. R. D. Scott, MP
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms M. Kairouz, MP

**OFFICE-HOLDERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

Speaker:

The Hon. TELMO LANGUILLER

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, Mr McGuire, 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

Assembly — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey

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

Parliamentary Services — Secretary: Mr P. Lochert

MEMBERS OF THE LEGISLATIVE ASSEMBLY
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 ¹	Polwarth	LP
Battin, Mr Bradley William	Gembrook	LP	Naphthine, Dr Denis Vincent ²	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
Brooks, Mr Colin William	Bundoora	ALP	Noonan, Mr Wade Matthew	Williamstown	ALP
Bull, Mr Joshua Michael	Sunbury	ALP	Northe, Mr Russell John	Morwell	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Daniel David ³	Gippsland South	Nats
Burgess, Mr Neale Ronald	Hastings	LP	O'Brien, Mr Michael Anthony	Malvern	LP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Pakula, Mr Martin Philip	Keysborough	ALP
Carroll, Mr Benjamin Alan	Niddrie	ALP	Pallas, Mr Timothy Hugh	Werribee	ALP
Clark, Mr Robert William	Box Hill	LP	Paynter, Mr Brian Francis	Bass	LP
Couzens, Ms Christine Anne	Geelong	ALP	Pearson, Mr Daniel James	Essendon	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Perera, Mr Jude	Cranbourne	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Pesutto, Mr John	Hawthorn	LP
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 ⁴	Gippsland South	Nats
Edwards, Ms Janice Maree	Bendigo West	ALP	Ryan, Ms Stephanie Maureen	Euroa	Nats
Eren, Mr John Hamdi	Lara	ALP	Sandell, Ms Ellen	Melbourne	Greens
Foley, Mr Martin Peter	Albert Park	ALP	Scott, Mr Robin David	Preston	ALP
Fyffe, Mrs Christine Anne	Evelyn	LP	Sheed, Ms Suzanna	Shepparton	Ind
Garrett, Ms Jane Furneaux	Brunswick	ALP	Smith, Mr Ryan	Warrandyte	LP
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Smith, Mr Timothy Colin	Kew	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Southwick, Mr David James	Caulfield	LP
Green, Ms Danielle Louise	Yan Yean	ALP	Spence, Ms Rosalind Louise	Yuroke	ALP
Guy, Mr Matthew Jason	Bulleen	LP	Staikos, Mr Nicholas	Bentleigh	ALP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Staley, Ms Louise Eileen	Ripon	LP
Hennessy, Ms Jill	Altona	ALP	Suleyman, Ms Natalie	St Albans	ALP
Hibbins, Mr Samuel Peter	Prahran	Greens	Thomas, Ms Mary-Anne	Macedon	ALP
Hodgett, Mr David John	Croydon	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Howard, Mr Geoffrey Kemp	Buninyong	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Hutchins, Ms Natalie Maree Sykes	Sydenham	ALP	Tilley, Mr William John	Benambra	LP
Kairouz, Ms Marlene	Kororoit	ALP	Victoria, Ms Heidi	Bayswater	LP
Katos, Mr Andrew	South Barwon	LP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kealy, Ms Emma Jayne	Lowan	Nats	Walsh, Mr Peter Lindsay	Murray Plains	Nats
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 3 September 2015

² Resigned 3 September 2015

³ Elected 14 March 2015

⁴ Resigned 2 February 2015

PARTY ABBREVIATIONS

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

Legislative Assembly committees

Privileges Committee — Ms Allan, Ms D’Ambrosio, Mr Morris, Ms Neville, Ms Ryan, Ms Sandell, Mr Scott and Mr Wells.

Standing Orders Committee — The Speaker, Ms Allan, Ms Asher, Mr Brooks, Mr Clark, Mr Hibbins, Mr Hodgett, Ms Kairouz, Mr Nardella, Ms Ryan and Ms Sheed.

Joint committees

Accountability and Oversight Committee — (*Assembly*): Mr Angus, Mr Gidley, Mr Staikos and Ms Thomson.
(*Council*): Ms Bath, Mr Purcell and Ms Symes.

Dispute Resolution Committee — (*Assembly*): Ms Allan, Mr Clark, Mr Merlino, Mr M. O’Brien, Mr Pakula, Ms Richardson and Mr Walsh. (*Council*): Mr Bourman, Mr Dalidakis, Ms Dunn, Mr Jennings and Ms Wooldridge.

Economic, Education, Jobs and Skills Committee — (*Assembly*): Mr Crisp, Mrs Fyffe, Mr Nardella and Ms Ryall.
(*Council*): Mr Bourman, Mr Elasmar and Mr Melhem.

Electoral Matters Committee — (*Assembly*): Ms Asher, Ms Blandthorn, Mr Dixon, Mr Northe and Ms Spence.
(*Council*): Ms Patten, Mr Somyurek.

Environment, Natural Resources and Regional Development Committee — (*Assembly*): Ms Halfpenny, Mr McCurdy, Mr Richardson, Mr Tilley and Ms Ward. (*Council*): Mr Ramsay and Mr Young.

Family and Community Development Committee — (*Assembly*): Ms Couzens, Mr Edbrooke, Ms Edwards, Ms Kealy, Ms McLeish and Ms Sheed. (*Council*): Mr Finn.

House Committee — (*Assembly*): The Speaker (*ex officio*), Mr J. Bull, Mr Crisp, Mrs Fyffe, Mr Staikos, Ms Suleyman and Mr Thompson. (*Council*): The President (*ex officio*), Mr Eideh, Ms Hartland, Ms Lovell, Mr Mulino and Mr Young.

Independent Broad-based Anti-corruption Commission Committee — (*Assembly*): Mr Hibbins, Mr D. O’Brien, Mr Richardson, Ms Thomson and Mr Wells. (*Council*): Mr Ramsay and Ms Symes.

Law Reform, Road and Community Safety Committee — (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley. (*Council*): Mr Eideh and Ms Patten.

Public Accounts and Estimates Committee — (*Assembly*): Mr Dimopoulos, Mr Morris, Mr D. O’Brien, Mr Pearson, Mr T. Smith and Ms Ward. (*Council*): Dr Carling-Jenkins, Ms Pennicuik and Ms Shing.

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, 6 October 2015

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

CONDOLENCES

Vernon Thomas Hauser

The SPEAKER — Order! I advise the house of the death of Vernon Thomas Hauser, member of the Legislative Council for the electoral provinces of Boronia from 1970 to 1976 and Nunawading from 1976 to 1982. I ask members to rise in their places as a mark of respect to the memory of the deceased.

Honourable members stood in their places.

The SPEAKER — Order! I ask honourable members to take their seats. I shall convey a message of sympathy from the house to the relatives of the late Vernon Thomas Hauser.

RULINGS BY THE CHAIR

Constituency questions

The SPEAKER — Order! On 17 September the member for Warrandyte took a point of order and asked me to review the transcript to determine whether the member for Sunbury, in asking a constituency question, had in fact sought information from the minister. I have reviewed the transcript, and I confirm that the member had asked the Minister for Education to advise how some particular education funding would be allocated. The question is therefore admissible and has been lodged in the questions database for answer.

I take this opportunity to remind members that constituency questions are an opportunity to ask a question and that, notwithstanding the 1-minute time limit members have to raise an issue, lengthy preambles and epithets are not necessary in constituency questions and can in fact render the questions difficult to answer. When constituency questions were first introduced I gave a ruling to guide members in asking constituency questions, noting that so far as practical rules that applied to questions without notice and written questions would apply to constituency questions. Members will be aware that it is not in order for ministers to ask written or oral questions. This is a position confirmed in the *House of Representatives Practice*, 6th edition, which states:

Ministers do not ask questions, either of other ministers or, where permitted, of private members.

Asking questions is an opportunity for members to obtain information from the executive and to hold ministers to account. It is the Chair's view that constituency questions therefore should not be asked by ministers.

ABSENCE OF MINISTERS

Mr ANDREWS (Premier) — I advise the house that the Treasurer and the Minister for Finance will be absent from question time today. I will answer questions on their behalf. Further, the Minister for Industry will also be absent from question time today. The Minister for Public Transport will answer questions on her behalf.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Electorate office staff

Mr GUY (Leader of the Opposition) — My question is to the Premier. With PricewaterhouseCoopers, the Parliament's internal auditors, issuing advice sent to all party leaders, including myself, the member for Murray Plains, Mr Barber and the Premier, that the reallocation of staffing resources from electorate offices to party political activities would not survive either internal audit or scrutiny from the Auditor-General, I ask: does the Premier stand by his unequivocal statements to this house that Labor's use of casual electorate staff as Labor Party field organisers is completely within the rules?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question. Yet again he has confused an allegation that he cannot quite make with processes that are underway. I have nothing to add to my earlier answers other than to answer the Leader of the Opposition's question with the word 'Yes'.

Supplementary question

Mr GUY (Leader of the Opposition) — I ask: can the Premier also now guarantee that not one cent of the \$1.4 million spent over the last financial year by Labor MPs on employing casual staff was ever used to pay for Labor Party field organisers?

Mr ANDREWS (Premier) — Again I thank the Leader of the Opposition for his question. It is my expectation that every member of this Parliament acts with probity — —

Honourable members interjecting.

Mr ANDREWS — You do not get to answer questions anymore if you are on that side of the house, and for good reason. We will not be taking any probity lectures from Mr Ventnor over there.

Honourable members interjecting.

The SPEAKER — Order! The Premier is entitled to be heard in silence. The opposition has asked a question; the Chair wants to hear the answer from the Premier.

Mr ANDREWS — Again, apart from the Leader of the Opposition's rampant confusion when it comes to these issues, I would simply say to him that it is my expectation, and I would think the expectation of all Victorians — —

Honourable members interjecting.

Mr Guy — On a point of order, Speaker, given that the Premier talks about confusion, I wonder if he will give me leave to table a copy of the advice given to him about how \$1.4 million has been rorted from the parliamentary system?

Leave refused.

Mr ANDREWS — Again, Speaker, very simply, I expect each and every member of this place and the other place to act with probity in all things and at all times.

Ministers statements: Parramatta shooting

Mr ANDREWS (Premier) — I rise to extend my sympathies and the sympathies of the Victorian government and I am sure every member of this place to the family and colleagues in the New South Wales police force of Mr Curtis Cheng, the victim in last week's tragic incident at the Parramatta police headquarters. I am sure that all of us send our thoughts, prayers and best wishes to his family and to every dedicated and brave man and woman in both the police force in New South Wales and also the administrative staff who support them, just as I have sent the best wishes of the government to Premier Mike Baird. I know the Minister for Police has also sent our best wishes to his counterpart in New South Wales.

Events last Friday night tragically reminded us of the very real danger of radicalisation and the terrorist elements that, sadly, are part of modern life in our nation and in our world. However, these are not acts of faith, they are not acts of religious observance, they are not acts that are true to any culture or cultural tradition. These are evil, criminal, violent acts, and they ought to

be called out as such. They are an affront to those of faith, and they are an affront to those who support multiculturalism, harmony, respect, inclusion and the rule of law — all the values that we hold dear here in Victoria and indeed across our nation.

The Deputy Premier is chairing a cabinet task force on these issues of radicalisation, noting the \$25 million investment our government made at the last budget. We are serious about bringing people together in a spirit of cooperation, dealing with very real threats, the very real dangers, but doing so in a thoughtful way, an inclusive way, a respectful way and, dare I say it, a very Victorian way.

Electorate office staff

Mr GUY (Leader of the Opposition) — Speaker, I seek your indulgence to reinforce the opposition's agreeance with the Premier's comments in the statements he has just made and pass on our best wishes, as the entire Parliament does, through the Premier to the family of the man tragically murdered in New South Wales.

My question is to the Minister for Sport, who is also the Minister for Tourism and Major Events. Did the minister ever sign employment forms for Mr Jake Finnigan to work as an electorate officer for him?

Mr EREN (Minister for Tourism and Major Events) — Again, I answered these questions at the last sitting of Parliament. I reject the premise of the question that the opposition is asking — —

Honourable members interjecting.

Mr EREN — Can I just say, Speaker — —

Mr Pesutto — On a point of order, Speaker, under sessional order 11(1) the answer to the question must be direct, factual, succinct and relevant. The Leader of the Opposition's question contained no assumptions.

Honourable members interjecting.

Mr Pesutto — Excuse me, can I continue?

The SPEAKER — Order! The member will continue to make a point of order.

Mr Pesutto — And, Speaker, I respectfully remind you that I am entitled to make a point of order. My point of order is that the Leader of the Opposition's question — —

Honourable members interjecting.

The SPEAKER — Order! The member will put the point of order through the Chair. The member will not use it as an opportunity to repeat a question or make a comment.

Mr Pesutto — The Leader of the Opposition's question contained no assumptions. It was seeking the truth. We just want the truth from the minister. There is no assumption. I am not finished — —

The SPEAKER — Order! I have heard sufficient on the point of order. The member for Hawthorn will resume his seat. The minister had hardly begun. The minister will continue.

Mr EREN — As I indicated earlier and in answer to previous questions the opposition asked in relation to these matters, it is Parliament, the Presiding Officers — —

Honourable members interjecting.

The SPEAKER — Order! The minister is to be allowed to continue.

Mr Hodgett interjected.

The SPEAKER — Order! The Deputy Leader of the Opposition is warned.

Mr EREN — As I have indicated before, the employment of staff in relation to my electorate office is certainly within the guidelines of parliamentary officers. That is what I have followed: the guidelines and the rules according to all the members of Parliament in this place.

Mr R. Smith interjected.

The SPEAKER — Order! I warn the member for Warrandyte.

Mr EREN — I am proud of every single one of those people I have employed, and they have all worked very hard for the wider Geelong area and certainly for the electorate. I just say in relation to the substantive question that has been asked that I have followed the guidelines and the rules according to the Parliament.

Supplementary question

Mr GUY (Leader of the Opposition) — I ask the minister if he could guarantee that each and every time he signed casual payment forms for Mr Finnigan that the hours he authorised were only ever for Mr Finnigan undertaking work for the minister in his office.

Honourable members interjecting.

The SPEAKER — Order!

Mr GUY — Can I ask that again?

The SPEAKER — Please continue.

Mr GUY — Can the minister guarantee that each and every time he signed casual payment forms for Mr Finnigan that for the hours he authorised Mr Finnigan was only ever undertaking work for him in his office?

Honourable members interjecting.

The SPEAKER — Order! Members on both sides will allow the minister to respond to a question as asked.

Mr EREN (Minister for Tourism and Major Events) — The Leader of the Opposition can ask this question in 20 different ways. My answer remains the same: I follow the parliamentary rules and guidelines according to those guidelines, as does every other member of this place.

Mr Clark — I raise a point of order in relation to sessional order 11(2) about whether or not answers have been responsive to the question. I submit that this is an important test case about the operation of this sessional order. As you know, this sessional order was framed in response to an election commitment made by the now government about giving the Speaker and the President the power to declare if a minister has not answered a question. I submit to you that the sessional order needs to be interpreted in that context.

Here the minister was asked two very simple and straightforward questions about whether or not he had signed employment forms and about the hours worked by a particular electorate officer. If, Speaker, you are to rule that the answers the minister gave were responsive as required by sessional orders, it would in effect mean that the minister is at liberty not to answer a question. It would mean that the new sessional order means no more than the existing standing orders about being relevant. It would make it a nullity and ineffectual.

I submit to you, Speaker, that you should rule that the minister's answers to both the substantive and the supplementary questions were not responsive in accordance with sessional order 11(2) and that the minister should give written answers.

Ms Allan — In response to the lengthy point of order raised by the manager of opposition business,

Speaker — and I appreciate his support for a change to the sessional orders that the opposition initially opposed with great vigour when it was first introduced by the government — the minister responded entirely in accordance with the sessional order. He was asked about matters relating to employment within his office, and he responded accordingly. He responded entirely accordingly within the guidelines of both the sessional orders and the standing orders. I make the further observation that he was doing so in an area that was outside his portfolio responsibilities. That is another liberty that has been extended to the opposition. I urge you to rule the point of order out of order.

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

Ministers statements: bushfire preparedness

Ms GARRETT (Minister for Emergency Services) — Today I rise with a serious warning for all Victorians and ask them to continue preparing in earnest for a long, hot, dry fire season. This week's hot and windy weather is a precursor of the difficult season ahead. These are exceptional conditions at this time of the year. Over the weekend alone we saw more than 70 grassfires and yesterday we lost one house in the Wensleydale fire.

Today has been declared a total fire ban day in six weather districts. This is one of the earliest starts to the summer season that we have seen in Victoria. Our expert advice is that there is a higher risk of bushfires this summer, so people must start preparing now. This means checking your property for hazards, having a plan for high-risk days and staying informed via radio, internet, television, community networks and the FireReady app.

We are the fastest growing state in Australia and have a unique set of challenges with our climate and terrain. With more and more people living on the urban fringe, those people need to be aware that they could face threats they have never encountered. To help prepare the state, the Andrews Labor government has brought forward Fire Action Week to 1 November. We want to make sure that people are starting to have conversations now about what they will do in the event of a fire.

As I announced last month, this government is also providing more than \$20 million for a fleet of 47 firefighting aircraft, such as water bombers and helicopters. This is the largest fleet Victoria has ever assembled. It includes the two large air tankers, which are some of the biggest firefighting aircraft in the world and which played such an important role last season.

Today 16 aircraft are on stand-by, and the entire fleet will be operational by early December, or earlier if need be. This fleet will help protect our communities and will be critical in stopping the spread of bushfires.

We are committed to keeping our state safe, which is why the Andrews government is boosting the ranks of firefighters by 450. And as we get ready, I want to pay tribute to the firefighters who have already begun selflessly putting themselves on the line for their communities.

Electorate office staff

Mr GUY (Leader of the Opposition) — My question is to the Minister for Sport, who is also the Minister for Tourism and Major Events. In light of Mr Jake Finnigan's statutory declaration that he actually worked as a Labor Party field organiser, making calls and doorknocking in the seat of Bellarine, paid 60 per cent by the Labor Party and 40 per cent by the Parliament through the member for Lara's office, I ask: does the minister stand by his previous answer to this house that in all aspects in nominating and employing electorate staff he has followed all of the rules?

Mr EREN (Minister for Minister for Tourism and Major Events) — I thank the Leader of the Opposition for his question. As I have said before on a number of occasions, like every member of this place, I have followed the rules and guidelines that were set out by the Parliament. If the Leader of the Opposition asks the same question over and over again, I will refer back to: like every other member in this place, I have followed the rules and guidelines accordingly.

Supplementary question

Mr GUY (Leader of the Opposition) — Can the minister guarantee that at no stage, when Mr Finnigan was being paid as a casual staff member through his office, was he actually working as a Labor Party field organiser in the electorate of Bellarine?

Mr EREN (Minister for Tourism and Major Events) — Again I thank the Leader of the Opposition for his question. The answer is not going to change, because it is the same question. Like every other member in this place, I have followed the rules and guidelines accordingly.

Mr Guy — On a point of order, Speaker, I asked the minister a very different and very direct question about giving a guarantee to this house that Mr Finnigan, a staff member of his, was at no stage working in an electorate other than the seat of Lara. He has not given

that guarantee and has not answered the question. I ask you to bring him back to answering a very straightforward question.

The SPEAKER — Order! The minister has concluded his answer. I do not uphold the point of order.

Ministers statements: Grand Final Friday

Mr PAKULA (Minister for Racing) — Anyone who was at the Benalla Gold Cup on Friday — I include the member for Euroa, the member for Gippsland East and Ms Symes, a member for Northern Victoria Region in the other place — would acknowledge what an enormous success it was. I advise the house that Country Racing Victoria (CRV) will support the Benalla Racing Club holding its gold cup meeting on Grand Final Friday for as long as it remains a public holiday, and in doing so CRV will have the government's full support.

The day was supported by a \$66 000 investment from the race day attraction program which in turn supported kids entertainment, fashions on the field and a grand final theme headlined by Nathan Brown, Cam Mooney and Spud Frawley. The cup itself had an outstanding winner in Araldo Junior. As for the figures, the crowd was up to 4352, from last year's figure of 1896 — an increase of 2456; gate takings were up 135 per cent; on-course wagering was up 80 per cent; dining and hospitality packages were up 350 per cent; and the club's database added 800 contacts. It was a stunning day and a tribute to the club, its CEO, Paul Hoysted, its chairman, Greg McNulty.

Mr Andrews interjected.

Mr PAKULA — Not good. The Benalla community was not barracking for Grand Final Friday to fail, like those opposite were. They said no-one would turn up to the grand final parade, and 150 000 Victorians proved them wrong. They said you would not be able to buy a coffee or a meal in regional Victoria. In Benalla and in many other towns you did have to wait to get a coffee or a feed, but it was not because the establishments were closed, it was because they were full.

Palace Theatre

Ms SANDELL (Melbourne) — My question is to the Minister for Planning. As the minister would know, there are many important buildings in inner Melbourne that deserve to be protected for their arts, heritage and cultural value. One such building is the Palace Theatre on Bourke Street. This theatre has been in operation

since 1860, and for over 100 years it has been a Melbourne city staple, having been a theatre, a cinema and more recently a live performance venue which has filled a much-needed mid-size venue niche.

At present there are plans in the works to demolish this well-known site to make way for hotel suites, and there have been disturbing reports over the last week that Jinshan Investments has continued to strip out important interior heritage fabric of the Palace. Does the minister believe that the Palace Theatre is a site of state or local heritage significance in Melbourne and should be protected?

Honourable members interjecting.

The SPEAKER — Order! The comment the Chair makes to the interjections is no. The Chair has registered the question as put by the member for Melbourne, and the Minister for Planning will respond.

Mr WYNNE (Minister for Planning) — The Palace Theatre is a very important site in the city. It has hosted many events over the years. It has been, of course, a place of rich cultural heritage, particularly in the live music industry, as we know. It has been subject to review, as the member would be aware, by the City of Melbourne. The Palace Theatre is within a heritage overlay which applies to the Bourke Hill precinct. Indeed it was the now Leader of the Opposition who put in place height controls over a range of sites —

Mr Guy — Five foot seven!

The SPEAKER — Order! The minister will not engage with the Leader of the Opposition, good interjection as that might have been.

Mr WYNNE — I am not sure where to go with that, Speaker. He can be five foot seven, and I am six foot four, but I do stand on the shoulders of giants, like Evan Walker and others, as a Minister for Planning.

The City of Melbourne is currently progressing the Melbourne planning scheme amendment C241, which seeks to apply permanent heritage controls for the Palace Theatre to recognise its individual significance. This amendment does not propose the application of internal controls because, as the member for Melbourne would be aware, significant works have gone on.

There has been further consideration of the internal controls, but at this stage the City of Melbourne is dealing with the external fabric of the building within the broader height controls that the previous Minister for Planning did in fact put in place.

Supplementary question

Ms SANDELL (Melbourne) — I thank the Minister for Planning for his answer, but given that the City of Melbourne's actions have not prevented damage to the interior of the Palace Theatre, given that the community's expectations for this site are wildly different from the current weak heritage controls that apply to the site and given that this raises a major policy issue with the current Victorian Civil and Administrative Tribunal (VCAT) proceedings, will the minister use his powers under the VCAT act to call in the demolition and redevelopment application and ensure that the Palace Theatre is protected to the standards that are expected by the Melbourne community?

Mr WYNNE (Minister for Planning) — I thank the member for her question. Clearly the external fabric of the building is what is important. There have been significant works that have been undertaken to the internal fabric of the building, which on the advice that I have received from my department are of such a nature now that, sadly, it would be impossible to rectify what has gone on there.

But if we can ensure that the external heritage of the building is protected with the new controls that have been put in place, I think we are in a good position to ensure that this very important building within the Bourke Hill precinct is in fact retained and redeveloped. On the question of whether I will intervene using ministerial powers, the advice I have been provided with is that it does not warrant that intervention.

Ministers statements: Grand Final Friday

Mr EREN (Minister for Tourism and Major Events) — I rise to update the house on the success of the grand final public holiday, a key Andrews Labor government commitment, and its effect on the visitor economy. We promised it, and we delivered it — and what a great day it was. It was a great day for kids and a great day for mums and dads, who were able to soak up a great Victorian tradition for the first time. It was a great day too for our state's essential visitor economy. In regional Victoria, tourism businesses were booming. Anecdotal evidence suggests that several of our regions that are most dependent on the visitor economy are counting the spoils of a ripping grand final weekend.

Accommodation in Gippsland sold out, and there was not a bed to spare in Bright. Operators in the Grampians region reported above-average visitation, and Daylesford was equally impressed. In fact some operators at Phillip Island have labelled the weekend as

being more like a Christmas period. One winery in the High Country reported its takings were 64 per cent higher than they were on the grand final weekend of 2014. If we look at Tourism Victoria website traffic, we see that hits were up by 35 per cent on the day compared with the year prior. Each and every visitor was looking for ways to spend their money in regional Victoria and to see for themselves that Victoria has the best of everything.

However, it is not just about our visitor economy; we gave people a chance to spend valuable time with their families. We say to those opposite that if they are really planning to take this great day from Victorian families and footy fans, they should be up front about it. Victoria's visitor economy contributes more than \$21 billion to our economy.

Mr Clark — On a point of order, Speaker, the minister is now debating the issue. I ask you to bring him back to informing the house about government initiatives.

The SPEAKER — Order! The minister will come back and conclude his ministers statement. He has 8 seconds.

Mr EREN — This was a great day, but on that day the Leader of the Opposition's office was closed, the member for Box Hill's office was closed and so was the office of the member for Croydon. They enjoyed the public holiday like everyone else.

Honourable members interjecting.

The SPEAKER — Order! The minister has concluded. I warn the member for Hastings. The manager of opposition business is entitled to be heard in silence on a point of order, and that includes by government members and opposition members.

Mr Clark — On a point of order, Speaker, the minister was openly defying your previous ruling. I ask you to caution him that he should not behave in that manner in defying the authority of the Chair.

The SPEAKER — Order! I concur with the manager of opposition business.

Board and judicial appointments

Mr WALSH (Murray Plains) — My question is to the Premier. Can the Premier confirm that his government considered making board appointments based on giving priority to a list of ALP members earning more than \$70 000?

Mr ANDREWS (Premier) — I thank the Leader of The Nationals for his question, and I simply say to him that all appointments under this government are made on merit.

Honourable members interjecting.

Mr ANDREWS — There are many, many people holding lots of different points of view who have been appointed and reappointed: Judith Troeth, Michael Kapel, Victor Perton, Andrew McIntosh — shall I go on, Speaker? They are absolute Labor Party firebrands, are they not?

Mr Walsh — My point of order, Speaker, is about relevance. The question was explicit. I ask you to bring the Premier back to answering the question.

The SPEAKER — Order! I uphold the point of order.

Mr ANDREWS — I am very happy to continue talking about our approach to appointments to boards. My personal favourite on that list is of course the former Deputy Premier and member for Benalla, Pat McNamara. I would simply say to the current Leader of The Nationals that we appoint on merit, probity is paramount, and I am absolutely proud to have changed the policy settings in this state to ensure that no less than 50 per cent of all appointments will be women.

In the recent process led by the Minister for Environment, Climate Change and Water in relation to water boards not only was the policy delivered, it was exceeded — more than 50 per cent. We have a very different approach to those opposite. There is no Office of Living It Up anymore; appointments are on merit, with probity, the best people to do the best job for the people of Victoria.

Supplementary question

Mr WALSH (Murray Plains) — My supplementary question is obviously to the Premier. Can the Premier guarantee that no-one in his office was responsible for yet again leaking information to the media against one of his own ministers?

The SPEAKER — Order! I invite the Leader of The Nationals to explain to the Chair in what way that supplementary question is connected to the substantive question.

Mr WALSH — Reports in the *Age* newspaper today talk about the fact that there was a list prepared that was not necessarily used, and that information was

leaked from the Premier's office about one of his own ministers.

The SPEAKER — Order! The Premier will respond to the supplementary question.

Mr ANDREWS (Premier) — I am more than happy to respond to the question asked by the Leader of The Nationals by simply again reminding him that we are a government that appoints on merit, with probity being paramount. I find it very, very disappointing that the Leader of the Opposition, the Leader of The Nationals and all of those opposite — —

Honourable members interjecting.

The SPEAKER — Order! The Premier will resume his seat. The question was asked and allowed. The Premier is entitled to be heard in silence. The Chair wants to hear the answer.

Mr ANDREWS — It is very, very disappointing that those opposite would attack Judith Troeth, Michael Kapel, Victor Perton, Andrew McIntosh — —

Honourable members interjecting.

The SPEAKER — Order! The Premier will resume his seat.

Mr R. Smith interjected.

The SPEAKER — Order! I warn the member for Warrandyte again. I will not warn him another time. The Leader of the Opposition on a point of order, to be heard in silence.

Mr Guy — My point of order, Speaker, is on the issue of relevance. It is a very simple question: can the Premier guarantee on the substantive question asked by the Leader of The Nationals that his office was not yet again responsible for leaking against one of his own ministers?

The SPEAKER — Order! I ask the Premier to come back to answering the question.

Mr ANDREWS — I was certain the question was about appointments, and I am just listing a fine group of Victorians who are not necessarily closely aligned to the Labor Party but have been appointed to do a good job for the good people of this state.

Honourable members interjecting.

Mr ANDREWS — Others can get all angry and upset across there. Volume is not substance.

The SPEAKER — Order! The Premier will resume his seat.

Honourable members interjecting.

The SPEAKER — Order! Both the Leader of the Opposition and the Premier will come to order and allow the manager of opposition business to make a point of order in silence.

Mr Clark — On a point of order, Speaker, the Premier is defying your ruling. I ask you to ask him to come back to answering the question as asked.

The SPEAKER — Order! I ask the Premier to come back and conclude answering the question.

Mr ANDREWS — We are a strong, unified team delivering each and every one of the commitments we have made, and this is why they are on that side of the house.

Ministers statements: Grand Final Friday

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I rise to inform the house of a new attraction at Melbourne Zoo and the new record that Zoos Victoria set on Grand Final Friday. I recently visited Melbourne Zoo to launch the new Lemur Island, an amazing hands-on experience which has been booked out ever since. I also took the opportunity to visit some of the newest stars of the zoo: Juju the baboon, Obi the pygmy hippo and Kanzi the gorilla. It was a great opportunity to remind Victorians that Grand Final Friday would be a great time for Victorian families — and did they listen! They all went out to visit our zoos.

Zoos Victoria had 25 000 people visit its three zoos, beating its previous record. There were over 7000 visitors to Werribee Open Range Zoo — the highest single-day visitation on record. There were 4758 visitors to Healesville Sanctuary — the highest single-day visitation on record. There were over 11 000 visits to Melbourne Zoo — the highest since Mali was born five years ago. I want to wish the zoo a happy birthday. It turns 153 today.

Grand Final Friday was not just a great day for the zoos; it was a great day for tourism across our regions. Yesterday I met with the Queenscliff, Geelong and Surf Coast councils, all of which said visitation was up. Accommodation and food and wine sales did a roaring trade. Geraldine Tripodi from Sailors' Rest in Geelong was quoted in the *Geelong Advertiser* on the weekend as saying that she had been cursing the new holiday and our Premier but that now:

... we're eating our words ...

It's been very busy all day, and busy again in the evening.

I am sure the member for Ovens Valley was thrilled by the 96 per cent occupancy in Bright. More than just creating huge crowds for the parade and packing St Kilda beaches and cafes and more than celebrating our game, Grand Final Friday was the perfect opportunity for families to spend quality time together and visit our zoos and our regions.

CONSTITUENCY QUESTIONS

Eildon electorate

Ms McLEISH (Eildon) — (Question 1284) My question is to the Minister for Planning. My constituents run a business in the green wedge. Their business has been established for 30 years, well before the zoning changes in 2002. They are keen to extend their opening hours in line with community needs as well as the need to remain viable. Nillumbik council is refusing the extension to their opening hours as the property does not sit on 20 acres. My constituents have addressed objectors' concerns comprehensively and are happy to work with council to achieve the necessary outcomes.

Business changes are necessary as tourism and community needs change. The council has prepared a draft tourism strategy, and this business can be the key to so many initiatives. What advice can the minister provide to my constituents with regard to how it is possible to conduct and continue to grow appropriate business in their zone, which is rural conservation zone, the green wedge?

Narre Warren South electorate

Ms GRALEY (Narre Warren South) — (Question 1285) My question is to the Minister for Public Transport and concerns Hallam railway station in my electorate. I ask the minister to provide an update on the expected opening date of the public toilets at Hallam station.

Mildura electorate

Mr CRISP (Mildura) — (Question 1286) My question is to the Minister for Health and is about an issue raised by Mrs Dorothy Brown of Underbool regarding autopsy delays. I ask the minister to explain why delays of up to two weeks in many cases are occurring in conducting autopsies on deceased Mallee residents.

Yan Yean electorate

Ms GREEN (Yan Yean) — (Question 1287) My constituency question is to the Minister for Education. After four years of neglect of education by the former coalition government, families in the Yan Yean electorate see an Andrews Labor government getting on with it and building and completing new schools, such as Mernda Central P-12, Mernda South, Hazel Glen and Wallan. These much-needed investments are welcomed by local families and will mean improved access to great state schools. However, we need to ensure that existing schools do not continue to suffer from the underinvestment and budget cuts left by the Liberals and The Nationals. Therefore I ask the minister to join me in the coming months in visiting Diamond Valley College, a great state school with a great future, to discuss its future opportunities and challenges as an established school in the north.

Bass electorate

Mr PAYNTER (Bass) — (Question 1288) My question is to the Minister for Roads and Road Safety. Last week there was a fatal accident on the corner of McGregor Road and Cunningham Crescent in Pakenham. Statistics from car counting conducted by the Cardinia shire confirm that McGregor Road has approximately 15 000 vehicles per day travelling immediately north of the railway line. Immediately south of the railway line in the duplicated section we have 20 000 vehicles per day.

Whilst McGregor Road was substantially upgraded by the coalition government, the railway crossing itself continues to be a bottleneck. The road is a major link between the Princes Highway and the Pakenham bypass. When will the minister allocate funding to have the McGregor Road railway crossing widened to allow for a four-lane carriageway to pass through the crossing, enabling a better and safer flow of traffic through this area?

Carrum electorate

Ms KILKENNY (Carrum) — (Question 1289) My constituency question is to the Minister for Sport. Can the minister outline what the government is doing to support and encourage women's participation in sport? Recently I met with Kate Gillespie-Jones, who is the captain of the Seaford women's football team. The weekend before, skipper Kate kicked a lazy 12 goals in her round 18 match and was named winner of the Victorian Women's Football League division 1 best and fairest.

Given all the recent publicity around male AFL achievements, it is time to congratulate Kate and all the other women players on their contribution to our beloved AFL. Kate and many other women and girls in my electorate of Carrum are keen to hear from the minister on what the Andrews Labor government is doing to support and encourage female participation in sport.

Melbourne electorate

Ms SANDELL (Melbourne) — (Question 1290) My question is to the Minister for Housing, Disability and Ageing. My office has been approached by a number of tenants in public housing located in Sutton Street, North Melbourne. They are concerned about open drug use and the presence of non-tenants in common areas, rubbish being left in the building and poorly maintained facilities, including broken locks. Public housing tenants, like any other Victorians, have the right to live in dignity.

These tenants are often in vulnerable situations, are newly arrived Australians or have refugee backgrounds, so there is an extra onus on the government to address the problems faced by them. However, I have found that the reality is often the opposite. I am informed that complaints about security and maintenance are routinely dismissed without records being kept. I ask the minister to describe any steps that he is taking to create responsive and accessible complaints mechanisms for these residents of public housing.

Niddrie electorate

Mr CARROLL (Niddrie) — (Question 1291) My constituency question is for the Minister for Housing, Disability and Ageing. I have been contacted by a constituent, Mr Paul Angel of Airport West, who is trying to improve car parking accessibility for disabled people. Mr Angel's wife, Margaret, and both adult children, Peter and Beck, live with the condition hereditary motor and sensory neuropathy type II and are often unable to stand or walk, and therefore use wheelchairs. Mr Angel is concerned that designated parking bays in many municipalities are not built to the Australian standard and that permits are too easily obtained by people with no serious disability. I ask the minister to seek a review of the implementation of compliant disability parking bays and the eligibility of permit holders.

Evelyn electorate

Mrs FYFFE (Evelyn) — (Question 1292) My question is to the Minister for Education. In 2014 the

now minister committed to reopen the Swinburne Lilydale campus and said:

If elected, Victorian Labor will do whatever it takes to preserve the Swinburne Lilydale site for TAFE and university, including compulsory acquisition of the site if necessary.

In fact it was the Premier himself who said:

We'll remove the padlocks, open the gates and give TAFE and university back to the community.

The expression-of-interest process finished a few months ago, yet there has been nothing but silence from the government, which is starting to anger the community. As the Minister for Education would be aware, this is the period that students look at tertiary institutions and need to submit applications for enrolment next year, yet our students do not know what courses will be available to them or what the providers will be. The Minister for Training and Skills announced that the site would open early in 2016, but we are no closer to finding out. I have had to ask this question a couple of times already because the community of Yarra Ranges still does not have clarity on this issue. I ask again, on behalf of students and parents, will the minister clarify what is happening?

Pascoe Vale electorate

Ms BLANDTHORN (Pascoe Vale) — (Question 1293) My constituency question is to the Minister for Environment, Climate Change and Water. I ask the minister what available supports and resources the government has or sponsors for people seeking to establish and maintain sustainable gardens? The reason that I ask is the example set by Pascoe Vale constituent Paul McKay, who has turned his weatherboard home on a suburban block in Pascoe Vale South into a truly amazing sustainable garden and environmentally friendly home. Just a few weeks ago his home was open to the public as part of the open house program sponsored by the Alternative Technology Association. Hundreds of people took great delight in learning about the aquaponics system in Paul's front yard, his home-grown trout and barramundi, how he grows enough watercress to make a year's supply of watercress pesto, his homemade honey from the bees he has in his backyard, the sweetness of his berries, the wood pellet heater that he intends to run with pellets made from lawn clippings and the straw and mud walls of his house. Lots of people are interested to know what supports are available.

DEPUTY ELECTORAL COMMISSIONER

The SPEAKER — Order! I wish to advise that on 5 October 2015 I administered to Elizabeth Anne Williams, the deputy electoral commissioner, the affirmation required by section 16 of the Electoral Act 2002.

Mr Watt — On a point of order, Speaker, I seek your guidance on constituency questions and refer to a ruling you made before question time. *Rulings from the Chair* refers to constituency questions and under the heading 'General questions guidelines apply' states:

The general guidelines for questions apply equally to constituency questions. The primary object of questions is to seek information relating to government administration.

The member for Yan Yean seemed to ask the minister to visit her electorate.

Honourable members interjecting.

Mr Watt — I am sure the member for Yan Yean asked for the minister to visit her electorate, so she asked for an action. The member for Narre Warren South asked for an update, which has been — —

Ms Graley — No, I did not.

Mr Watt — Yes, you did. You started with 'update'. Check *Hansard*. The member asked for an update, which is an action. The member for Niddrie also asked for something which was clearly not asking for information but for an action. I ask you, Speaker, for guidance on whether or not asking for action, which would be an adjournment item, fits within the rules given the fact that my reading of *Rulings from the Chair* would find all three of those constituency questions to be out of order.

Honourable members interjecting.

The SPEAKER — Order! The member for Burwood is entitled to make a point of order. The member for Clarinda will allow the Chair to continue. The questions asked appeared to be correct to the Chair. I will be happy to look at them, but they appeared to be correct.

RELATIONSHIPS AMENDMENT 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 amend the Relationships Act 2008 and for other purposes.

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

Mr PAKULA (Attorney-General) — I am happy to advise the member for Hawthorn that the purpose of the bill is to amend the act to provide that only one partner in a relationship to be registered needs to live in the state of Victoria and to allow certain relationships formalised in other jurisdictions to be recognised as if they were registered under the act.

Motion agreed to.

Read first time.

**JUSTICE LEGISLATION AMENDMENT
(POLICE CUSTODY OFFICERS) BILL 2015***Introduction and first reading*

Mr NOONAN (Minister for Police) introduced a bill for an act to amend the Victoria Police Act 2013, the Corrections Act 1986, the Court Security Act 1980, the Crimes Act 1958 and the Road Safety Act 1986 with respect to police custody officers and for other purposes.

Read first time.

**ADOPTION AMENDMENT (ADOPTION BY
SAME-SEX COUPLES) BILL 2015***Introduction and first reading*

Mr FOLEY (Minister for Equality) introduced a bill for an act to amend the Adoption Act 1984 to enable the adoption of children by same-sex couples and to amend the Equal Opportunity Act 2010 to remove the exception to the prohibition to discriminate in relation to religious bodies providing adoption services and for other purposes.

Read first time.

**VICTORIAN ENERGY EFFICIENCY
TARGET AMENDMENT (SAVING
ENERGY, GROWING JOBS) BILL 2015***Introduction and first reading*

Ms ALLAN (Minister for Public Transport) — On behalf of the Minister for Energy and Resources, I move:

That I have leave to bring in a bill for an act to amend the Victorian Energy Efficiency Target Act 2007 in relation to the VEET scheme target and greenhouse gas reduction rates and for other purposes.

Mr CLARK (Box Hill) — I ask the minister to provide a brief explanation additional to the long title.

Ms ALLAN (Minister for Public Transport) — This is a bill that amends the Victorian Energy Efficiency Target Act 2007 to set the Victorian Energy Efficiency Target scheme target for the five-year period 2016–20. The bill also provides a mechanism for setting future targets and clarifies the link between the target and annual retailer liabilities under the scheme.

Motion agreed to.

Read first time.

BUSINESS OF THE HOUSE**Notices of motion**

The SPEAKER — Order! Notice of motion 2 will be removed from the notice paper unless the member wishing their notice to remain advises the Clerk in writing before 2.00 p.m. today.

**SCRUTINY OF ACTS AND REGULATIONS
COMMITTEE***Alert Digest No. 12*

Ms BLANDTHORN (Pascoe Vale) presented *Alert Digest No. 12 of 2015* on:

Children, Youth and Families Amendment
(Aboriginal Principal Officers) Bill 2015
Criminal Organisations Control Amendment
(Unlawful Associations) Bill 2015
Education and Training Reform Amendment
(Miscellaneous) Bill 2015
Gambling Legislation Amendment Bill 2015
National Parks Amendment (No 99 Year Leases)
Bill 2015

Public Health and Wellbeing Amendment (No Jab, No Play) Bill 2015
Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Bill 2015
Serious Sex Offenders (Detention and Supervision) and Other Acts Amendment Bill 2015
Victims of Crime Commissioner Bill 2015
Wrongs Amendment Bill 2015

together with appendices.

Tabled.

Ordered to be published.

DOCUMENTS

Tabled by Clerk:

Adult, Community and Further Education Board — Report 2014–15

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Corinella Foreshore Reserve

Energy Safe Victoria — Report 2014–15

Financial Management Act 1994:

Report from the Minister for Veterans that he had received the Report 2014–15 of the Victorian Veterans Council

Report from the Minister for Women that she had received the Report 2014–15 of the Queen Victoria Women's Centre Trust

Glenelg Hopkins Catchment Management Authority — Report 2014–15

Goulburn Broken Catchment Management Authority — Report 2014–15

Health and Human Services, Department of — Report 2014–15

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 97 (*Gazette G36, 10 September 2015*)

Mallee Catchment Management Authority — Report 2014–15

North Central Catchment Management Authority — Report 2014–15

North East Catchment Management Authority — Report 2014–15

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

Ballarat — C173

Banyule — C71

Boroondara — C220

Casey — C202

Colac Otway — C83

Corangamite — C36

Glen Eira — C130

Greater Geelong — C203, C261

Knox — C120

Macedon Ranges — C84

Maroondah — C98

Melbourne — C261

Mitchell — C56

Monash — C123

Moonee Valley — C144

Moreland — C130, C133

Stonnington — C175, C184, C206

Surf Coast — C100

Warrnambool — C73 Part 2, C97

Whitehorse — C162, C170

Yarra — C181, C190

Yarra Ranges — C147, C175

Port of Hastings Development Authority — Report 2014–15

Road Safety Camera Commissioner — Report 2014–15

Roads Corporation (VicRoads) — Report 2014–15

Statutory rules under the following Acts:

Adoption Act 1984 — SR 102

Improving Cancer Outcomes Act 2014 — SR 106, 107

Subdivision Act 1988 — SR 105

Supreme Court Act 1986 — SRs 102, 103 (Volumes 1 and 2)

Transfer of Land Act 1958 — SRs 104, 105

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 102, 103

Documents under s 16B in relation to the:

Education and Training Reform Act 2006 —
Ministerial Order No 860

Environment Protection Act 1970:

Industrial Waste — Classification for Drilling
Mud

Industrial Waste — Classification for
Unprocessed Used Cooking Fats and Oils

Veterans Act 2005 — Approval of the Transfer of
the King Valley Community Memorial Hall from
the Whitfield RSL Sub-Branch Building Patriotic
Fund to King Valley Community Memorial Hall
Inc.

Sustainability Victoria — Report 2014–15

Victorian Catchment Management Council — Report
2014–15

Victorian Curriculum and Assessment Authority — Report
2014–15

Victorian Law Reform Commission — Medicinal
Cannabis — Ordered to be published

Victorian Regional Channels Authority — Report 2014–15

Victorian Registration and Qualifications Authority — Report
2014–15

Victorian Small Business Commissioner, Office of — Report
2014–15 — Ordered to be published

West Gippsland Catchment Management Authority —
Report 2014–15

Wimmera Catchment Management Authority — Report
2014–15.

The following proclamations fixing operative dates
were tabled by the Clerk in accordance with an order of
the House dated 24 February 2015:

*Associations Incorporation Reform Amendment (Electronic
Transactions) Act 2015* — Whole Act — 1 October 2015
(*Gazette S285 29 September 2015*)

*Education and Training Reform Amendment (Registration of
Early Childhood Teachers and Victorian Institute of
Teaching) Act 2014* — Remaining provisions (except
s 79) — 30 September 2015 (*Gazette S278 22 September
2015*).

*Energy Legislation Amendment (Publication of Retail Offers)
Act 2015* — Whole Act — 1 October 2015 (*Gazette S285
29 September 2015*)

Infrastructure Victoria Act 2015 — Whole Act — 1 October
2015 (*Gazette S285 29 September 2015*).

ROYAL ASSENT

**Message read advising royal assent on 22 September
to:**

**Corrections Legislation Amendment Bill 2015
Crimes Amendment (Child Pornography and
Other Matters) Bill 2015**

**Emergency Management (Control of Response
Activities and Other Matters) Bill 2015**

**Firearms Amendment (Trafficking and Other
Measures) Bill 2015**

**Heavy Vehicles Legislation Amendment Bill 2015
National Electricity (Victoria) Amendment Bill
2015**

Resources Legislation Amendment Bill 2015.

APPROPRIATION MESSAGES

**Message read recommending appropriation for
Victims of Crime Commissioner Bill 2015.**

PARLIAMENTARY COMMITTEES

Reporting dates

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

That the resolution of the house of 5 May 2015 be amended:

- (1) to extend the reporting date for the Electoral Matters
Committee's inquiry into the conduct of the 2014
Victorian state election to no later than 30 April 2016;
and
- (2) to extend the reporting date for the Public Accounts and
Estimates Committee's inquiry into the impact on
Victorian government service delivery of changes to
national partnership agreements to no later than 1 March
2016.

Motion agreed to.

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,
8 October 2015:

National Parks Amendment (No 99 Year Leases) Bill
2015

Prevention of Cruelty to Animals Amendment Bill 2015

Public Health and Wellbeing Amendment (No Jab, No Play) Bill 2015

Victims of Crime Commissioner Bill 2015

Wrongs Amendment Bill 2015.

I will make a few short comments on the program I have just put before the house for hopeful support and endorsement. As members will see, there are five bills on the program this week. They go to delivering key election commitments the government made during its time in opposition. I am sure that there will be significant interest and debate from members of both sides of the house, who will no doubt vigorously put their points of view on these various pieces of legislation.

I have every expectation that we will require the full amount of time available to us this week to accommodate debate on these bills. I have not had any communication from the opposition as to whether there is anything in particular it wants to see included in the government business program this week. I may learn more during the contributions to this debate made by members opposite. This is a more regular week than we have had in previous sitting weeks, with just five bills to consider. I also acknowledge and extend my appreciation to the opposition for accommodating the pairs arrangements this week, given there are some members who cannot be here due to personal circumstances. I appreciate the opposition's cooperation in accommodating those absences through the standard pairs arrangement.

I look forward to a good week in which we debate strong and well put together government legislation aimed at implementing our election commitments. This is about progressing the commitments we made to the Victorian community and moving on them as quickly as we can. Some of these bills have highly complex issues attached to them, in particular the no jab, no play legislation, and no doubt they will be considered this week in the second-reading debate. With those few words I commend the motion to the house.

Mr CLARK (Box Hill) — The opposition does not support the government business program. At least four of the five bills the government has listed raise significant issues warranting consideration in detail, but the opposition has no confidence whatsoever that the government will allow them to go to the consideration-in-detail stage. If the bills were to be debated properly, including the consideration-in-detail stage they deserve, we believe it would not be possible to do so within the regular sitting hours of the house. If the government wants to have these bills considered

and dealt with this week, it should be providing for longer periods of sitting time instead of pushing these bills through with the guillotine on Thursday afternoon.

We have seen repeatedly in past weeks that the government has no intention whatsoever of honouring its election commitment to make the consideration-in-detail stage a standard feature for bills in the Assembly. The sitting week before last the opposition went out of its way to shorten the second-reading debate to allow time for consideration in detail, but the government's response was to filibuster at great length to fill out the time and deny that opportunity. In the last sitting week we made clear to the government that we believed the nurse-patient ratios bill warranted consideration in detail, especially given that the Minister for Health sits in this house, so some of the implications and potential unintended consequences could be properly examined. No such opportunity for consideration in detail eventuated.

The opposition's conclusion, having provided the government many weeks to get its act together and start complying with its own election promises, is that the government is resolutely determined not to comply with its promise for more consideration in detail. We will simply flag in debate on the government business program where we believe bills need to be considered in detail and we will leave it to the government to decide whether to honour its election promise.

In relation to the business program this week, we believe that there are complexities in a number of the bills the house is being asked to consider that should receive extensive consideration in detail and we believe that if any of these bills were to be considered properly, they would require more time than the government proposes to allocate to them. In the absence of any indication that the government intends to allow for consideration in detail and provide additional sitting time to facilitate that consideration, the opposition opposes the government business program.

Mr PEARSON (Essendon) — I am delighted to join the debate on the government business program. As the Leader of the House outlined, there is a significant parcel of work before the house this week — there are five bills we plan to debate, many of which deliver on the government's election commitments. However, we are also getting on with the issues that confront any government on a daily basis.

I listened with interest to the contribution made by the manager of opposition business, who raised some concerns the opposition has about some bills. He made a point about not being provided the opportunity to

consider these bills in detail. As I understand it, no request from the opposition has been made to the Leader of the House for these matters to be considered in detail. It is very hard for the government to accommodate the wishes and desires of the opposition if they are not formally expressed through the appropriate channels. Notwithstanding that, there are five bills before the house and there will be ample time for members on all sides to make a contribution to the debate on them and talk about the importance the various pieces of legislation have to them and their communities. Aside from my criticism of the opposition, I acknowledge in the contribution made by the Leader of the House the fact that the opposition has been accommodating in relation to the provision of pairs leading to the efficient running of this place. That should be acknowledged.

There is a solid work program before us this week. The government is seeking to work through a number of bills, many of which will deliver on our election commitments. As I said, there will be plenty of opportunity for members to make a contribution in the debate on them to stress test various aspects of the bills and to explain the impact they feel the bills will have on their communities. It is disappointing that the opposition has not made a formal request for any bills to be considered in detail if that is what it wishes. I encourage the opposition to make those approaches through the formal channels. I am delighted to support the government business program, and I commend it to the house.

Mr CRISP (Mildura) — I rise on behalf of The Nationals to talk on the government business program. It is a business program that we will not be supporting. Again, it is because there is no consideration-in-detail stage. Recently we were told that, if there were time, we would consider a bill in detail. We made the time, and the government just let debate drag on. So the election promise that there would be more consideration in detail has not been delivered. That is a concern to us as we look at a number of bills listed here that are of particular interest to The Nationals.

The Prevention of Cruelty to Animals Amendment Bill 2015 is a bill on which work was started by the previous government and, although we are pleased to see it come to this Parliament as a result of some of that work, we still think there are a few edges that need to be knocked off this particular bill. The National Parks Amendment (No 99 Year Leases) Bill 2015 is a big issue in country Victoria and we have a number of speakers who are anxious to speak on this. And of course the Public Health and Wellbeing Amendment (No Jab, No Play) Bill 2015 will have an interesting

debate, as it has aroused a lot of interest, particularly amongst younger families in our electorates. The other two bills also have their merits and will be debated. But The Nationals cannot support a business program where we are not given the opportunity to go through the consideration-in-detail stage.

Mr DIMOPOULOS (Oakleigh) — It gives me pleasure to speak to the government business program motion. I too want to support the comments made by the Leader of the House and the member for Essendon. This is just another example, as has every sitting week been since we were elected, of a full program in this chamber. We have five bills on the program. We have the Prevention of Cruelty to Animals Amendment Bill 2015, which will enhance powers to ensure the better protection of animals whilst reducing the cost burden on government. We have the Public Health and Wellbeing Amendment (No Jab, No Play) Bill 2015, which has been well traversed in the public domain — it was an election commitment. We have the Victims of Crime Commissioner Bill 2015, which will enshrine in law the role of the crime commissioner to advocate for victims. We also have the Wrongs Amendment Bill 2015.

I have a real interest in the Wrongs Amendment Bill. I think it is an excellent bill and an excellent initiative to lower the threshold for significant injury for claimants with spinal injuries to be equal to or greater than 5 per cent, and I am advised by the Attorney-General that that is a significant issue for a group of Victorians. It provides a limited entitlement to damages for loss of capacity to care for dependents. There are also other elements to that bill.

Finally, we have the National Parks Amendment (No 99 Year Leases) Bill 2015. Again, this was a commitment we made in the election.

This is a full and considered program. Most of these elements were considered by the public in its decision to elect a Labor government in November last year. This is not the first time these issues have been traversed in the public domain, nor even in this chamber. I am proud to support a government business program which effectively protects our environment, supports workers, provides better safety for kids in kindergartens and childcare centres, enhances the protection of animals and ensures that the victims of crime have proper representation.

I think there is a staggering difference in the approach between this government and the previous government. While I think it is important to debate bills in the Parliament, I think the approach taken by the Liberal

and Nationals parties in this chamber is really a bit of a stunt. To seek to debate every bill at the consideration-in-detail stage, particularly when they have not made a formal request through the appropriate channels, is a bit of a stunt to my mind. This is particularly so when you consider that for the debate on many bills in the last few sitting weeks they have not even provided sufficient speakers — no more than one or two. So I am not quite sure how genuine that request for consideration in detail is, and I think it is just running interference on what is effectively the program that they never had a hope of delivering when they were in government. There is a staggering difference.

Today we received the Governor's message advising royal assent to seven bills. I come to this chamber every sitting week and I get this notification. The role of government in Parliament is to run the business of the Parliament, not to sit and complain about not having had an opportunity when the opposition had an opportunity for four long years. Half the legislation that we are considering now seems to be legislation that the opposition could not finish. Given that for four years the other side did not have the opportunity or the insight, work ethic or craftsmanship to put sufficient legislation through, I think it is cheeky for the Leader of the Opposition to come out in the media and say that you cannot get any real work done. He said:

If you want creat jobs in this state, you don't do it by staying at home.

Those opposite are having a go and complaining about the one public holiday the government has offered the Victorian community — an election commitment again — when they took a holiday for four years. If they want to complain about one day, they should have taken four years' worth of work seriously and done it.

Mr Clark — On a point of order, Deputy Speaker, some latitude is allowed in debating government business program motions, but the member is now way off the topic and I ask you to bring him back to it.

The DEPUTY SPEAKER — Order! I do uphold the point of order and I ask the member to come back to the motion before the house.

Mr DIMOPOULOS — I just wanted to draw an analogy between the amount of work that the government has been doing over 9 or 10 months and the lack of work in a legislative sense that the opposition did in the four years it was in government, and yet it is having a go at one day off for workers. Nonetheless, I fully support the government business program and I look forward to debating the bills.

Mr KATOS (South Barwon) — I rise to support the manager of opposition business and the member for Mildura in opposing the government business program. As has been stated, we have put in many requests for consideration in detail, and at the moment it is like beating your head against a brick wall. The Leader of the House when in opposition did make a commitment to make the consideration-in-detail stage the standard practice of this house.

So far in the 58th Parliament two bills have gone into a consideration-in-detail stage, being the Summary Offences Amendment (Move-On Laws) Bill 2015 and the National Parks Amendment (Prohibiting Cattle Grazing) Bill 2015.

The bills before the house are the Prevention of Cruelty to Animals Amendment Bill 2015, the Public Health and Wellbeing Amendment (No Jab, No Play) Bill 2015, Victims of Crime Commissioner Bill 2015, the Wrongs Amendment Bill 2015 and the National Parks Amendment (No 99 Year Leases) Bill 2015, and opposition members would like to ask questions about some of those bills. Perhaps the Leader of the House or ministers could put on some casual staff who could facilitate consideration-in-detail stages for bills rather than work for the Labor Party. With that, Deputy Speaker, I am more than happy to oppose the government business program.

House divided on motion:

Ayes, 42

Allan, Ms	Kilkenny, Ms
Andrews, Mr	Knight, Ms
Blandthorn, Ms	Lim, Mr
Brooks, Mr	McGuire, Mr
Bull, Mr J.	Merlino, Mr
Carbines, Mr	Nardella, Mr
Carroll, Mr	Neville, Ms
Dimopoulos, Mr	Noonan, Mr
Donnellan, Mr	Pakula, Mr
Edbrooke, Mr	Pearson, Mr
Edwards, Ms	Perera, Mr
Eren, Mr	Richardson, Mr
Foley, Mr	Richardson, Ms
Garrett, Ms	Sandell, Ms
Graley, Ms	Spence, Ms
Green, Ms	Staikos, Mr
Halfpenny, Ms	Suleyman, Ms
Hennessy, Ms	Thomas, Ms
Howard, Mr	Ward, Ms
Hutchins, Ms	Williams, Ms
Kairouz, Ms	Wynne, Mr

Noes, 34

Angus, Mr	O'Brien, Mr D.
Blackwood, Mr	O'Brien, Mr M.
Bull, Mr T.	Paynter, Mr
Burgess, Mr	Pesutto, Mr
Clark, Mr	Ryall, Ms

Crisp, Mr
Dixon, Mr
Fyffe, Mrs
Gidley, Mr
Guy, Mr
Hodgett, Mr
Katos, Mr
Kealy, Ms
McCurdy, Mr
McLeish, Ms
Morris, Mr
Northe, Mr

Ryan, Ms
Sheed, Ms
Smith, Mr R.
Smith, Mr T.
Southwick, Mr
Staley, Ms
Thompson, Mr
Tilley, Mr
Wakeling, Mr
Walsh, Mr
Watt, Mr
Wells, Mr

Dr James Bourke

Mr EREN (Minister for Veterans) — I wish to inform the house in my capacity as Minister for Veterans of the passing of a great Victorian veteran of the Vietnam War, Dr James Raymond Bourke, AM, MG, PhD, Lieutenant Colonel, retired. Jim served with the 1st Battalion, Royal Australian Regiment, or 1RAR, in Vietnam, the first battalion to deploy from Australia 50 years ago, in 1965.

Members may know of Jim through his founding in 2002 of Operation Aussies Home, a private organisation of Vietnam veterans, which had the aim of finding, recovering and repatriating the remains of four Australian soldiers and two Royal Australian Air Force personnel listed as missing in action in Vietnam, men whom Jim referred to as ‘the forgotten six’. Jim felt deeply that Australia had a responsibility to bring them home, saying:

It’s our sacred duty to these men who gave their lives. I think we, as a nation, have a moral obligation to their families. That’s how I see it, and that’s what’s driven us. We’re doing it for the families.

In 2007 Operation Aussies Home headed back to Vietnam to pursue locating, identifying and bringing home the remains of Lance Corporal Richard Parker and Private Peter Gillson, who were killed during battle in southern Vietnam. The men were finally brought home to Australia for burial with full military honours. Later in 2007 and in 2009, with involvement from the Australian Defence Force, the remaining four Australians were identified, recovered and repatriated.

I pass on my condolences and those of my parliamentary colleagues to Dr Bourke’s family, his friends and the veteran community, which he served throughout his life.

Bushfire preparedness

Mr T. BULL (Gippsland East) — The Department of Environment, Land, Water and Planning firefighting teams make a great contribution to reducing the risk of fire and to containing outbreaks in Victoria’s parks and forests and on other public land. Gippsland East is one of the most fire-prone locations in the world. It has had more than its fair share of bushfires over recent years that have impacted very significantly on our communities. Locations such as Bonang, Bendoc, Omeo, Swifts Creek, Orbost, Heyfield, Briagolong and Cann River, to name a few, have all been threatened in recent years and in many cases have suffered losses.

Motion agreed to.

MEMBERS STATEMENTS

Minister for Roads and Road Safety

Mr MORRIS (Mornington) — Last week I received a letter from the Minister for Roads and Road Safety. Apparently the letter was signed on 24 September and related to a constituent matter. I thank the minister for his response to my correspondence, which was originally directed to VicRoads, but I do wonder whether the minister is receiving advice from that body in a timely manner.

Mr Arthur Ranken, a constituent of mine, has sought my assistance to meet VicRoads to discuss a new concept he has been developing for some time. It is a project dedicated to improving visibility on our roads at night, and specifically it concerns roadside guideposts and bicycles. The minister advised me that VicRoads had written to Mr Ranken, inviting him to make contact with a view to making arrangements for him to present his concepts to the relevant staff. The only difficulty is that Mr Ranken had met with VicRoads on 21 August, seven weeks after my initial request and five weeks before the minister provided this advice to me. The minister also indicated that he had been advised of correspondence directly from VicRoads to Mr Ranken, and that a copy of that correspondence was attached to his letter. Unfortunately it was not.

Ministers do not always respond to issues raised by opposition members, and I genuinely thank the minister for his response. Unfortunately, no doubt in good faith, he signed a letter on 24 September advising me of a meeting which had occurred five weeks previously and then failed to provide a copy of promised correspondence. The minister is either not receiving timely advice from VicRoads or he is being very poorly served by his private office — perhaps both. Perhaps another capability review is in order.

In all cases planned burning has been undertaken to protect these and other towns. It is heavily relied on by these communities to keep them safe. Therefore it was and is bitterly disappointing to see an industrial dispute that has resulted in this crucial planned burning not being undertaken over the last few weeks. This means our communities will not be protected to the level they should be. The only comment we have received from the minister is that she has encouraged parties to resolve this. I suggest that she demand it be resolved, as it is simply completely unsatisfactory that this has left communities more vulnerable this summer.

Bairnsdale Cup

Mr T. BULL — On Sunday I had the pleasure of attending the Bairnsdale Cup, which was a great day of racing at my home track. There was a great turnout of people from across the region, including from Lakes Entrance, Orbost and Maffra. The club, under the leadership of Mark Graham and Greg Beadle, is going ahead in leaps and bounds, producing an increasing number of starters in recent years and strong crowds at each of the race meetings.

Grand Final Friday

Mr HOWARD (Buninyong) — Friday was a great day for so many people across my region as they enjoyed the benefits of the AFL Grand Final public holiday. Families, including mine, enjoyed a very happy time together, and Ballarat was abuzz with so many people, locals and visitors appreciating so much of what the city has to offer. So many people with whom I spoke said they were delighted to have the opportunity to enjoy a day off work to appreciate the exceptional weather and have the opportunity to get out around Lake Wendouree and Ballarat's historic streetscapes et cetera. Although some businesses did not open on the day, most in the hospitality area did choose to open and reported very active days. Clearly the day was not just about business, but comments from some of our regional business operators included:

Business was 70 per cent up on the Friday. If I was 70 per cent up, other businesses in the region would have been too.

We had a better weekend overall.

It cost more to open but was worth it.

We have a record Friday for October, with business quadrupled compared to a usual Friday's business.

I put seven staff on, as opposed to the usual four.

Friends said that caravan parks in the area were booked out — businesses flat out.

It was good for all of the economy.

Great atmosphere — staff really buzzing.

Some noted that the public holiday was just replacing the Show Day holiday lost under the Kennett government. While some in the business community still expressed their opposition to the public holiday, I believe that this view represents a minority view and that the holiday was appreciated by the vast majority of people in my region.

Light the Night

Mrs FYFFE (Evelyn) — On Friday it was an honour to again speak at and launch the Light the Night walk at Lilydale Lake. Last year 500 people attended and raised \$20 000. This year 800 people came in support of the Leukaemia Foundation's fundraising for research. It was an amazing sight to see the yellow, white and blue lanterns raised high in the half-hour walk around the lake. Congratulations to everyone involved, especially Brian Hodgson, who is the driver behind the event.

Yarra Valley book launch

Mrs FYFFE — On Sunday I was honoured to speak at the launch of the second book produced by the Yarra Valley Italian Cultural Group entitled *La Terra Promessa — Italians in the Yarra Valley before 1945*. This is an excellent follow-on from the group's first book entitled *Dreams from a Suitcase*. Those with an Italian ancestry in the Yarra Valley have had a magnificent influence on the evolution of our local identity. Known for their hard work, sense of family, resourcefulness and warmth, they are admired by many and are a shining example of how members of a cultural group embraced their new home and contributed to its ongoing development.

For the early Italian settlers, life was tough, especially for the women. Despite the many challenges settling in a new country brings, our Italian friends have made the most of their opportunities and now occupy a special place in the hearts of the people of the Yarra Valley. Congratulations to the author, Anthony McAleer, and to the chair, Luigi Fotia, and his committee.

Nappy Collective

Mrs FYFFE — The Nappy Collective was launched in 2013 by a group of mums who had lots of unused nappies which could be passed on to families in crisis. I am proud to say that my office is participating in the initiative.

Daniher's Drive

Ms EDWARDS (Bendigo West) — Daniher's Drive is a four-day event where a group of Neale

Daniher's friends and supporters are travelling around Victoria to raise money for the Cure for MND Foundation. I was really pleased recently to be able to join the Premier at the Florey Institute of Neuroscience and Mental Health to raise awareness and encourage donations to the Cure for MND Foundation, and I am proud that the Labor government has contributed \$150 000. Daniher's Drive starts on 15 October and travels along the Great Ocean Road.

On Friday, 16 October, Neale and his team of drivers — over 50 teams now — will travel north towards Bendigo through Castlemaine. I am thrilled that the teams will stop over in Bendigo on Friday night and that the tickets for the Bendigo Sportsman's Night have now sold out. From 4.30 p.m. there will be a goal-kicking competition where past and present AFL players will take on 10 of our country players in a David versus Goliath contest at the Queen Elizabeth Oval. This will be a great family fun event.

Motor neurone disease (MND) is a progressive, terminal neurological disease. There is no known cure and no effective treatment for MND. Every day two people in Australia die from MND and two are diagnosed with it. The average life expectancy after diagnosis is 27 months. An estimated 900 people have MND in Australia.

I congratulate and thank Neale Daniher and his great team of supporters and friends who are about to embark on a very important fundraising and awareness-raising adventure for the Cure for MND Foundation. I encourage all members of Parliament to consider donating to this very important cause.

Mount Pleasant Road Primary School & Kindergarten

Ms RYALL (Ringwood) — Monday, 6 October, marked the beginning of a new era for the Mount Pleasant Road Primary School & Kindergarten community. With the new school term I had the honour, with principal Lisa Yeoman and school council president Fiona Lawrie, of welcoming very excited students, teachers, parents and family members to their new school, which is a \$5.1 million rebuild that has seen the school move from Victoria's worst to a 21st century state-of-the-art learning facility.

When the coalition government conducted an audit of every classroom in the state, Mount Pleasant Road Primary School & Kindergarten was found to be the worst — so much so that the funding for the new school came from additional maintenance funding applied to start to deal with the \$420 million backlog in

maintenance that the audit identified in classrooms across Victoria.

For so long Mount Pleasant Road Primary School & Kindergarten had suffered from neglect, despite the pleas of so many. I recall the day I was able to inform the school principal, Lisa Yeoman, school council president, Fiona Lawrie, and teachers of the funding. The cheers showed just how ecstatic they were about finally being heard, finally being understood and finally being granted the funds to revolutionise the education learning spaces needed for both teachers' and students' educational outcomes. We made a great team when we all came together to ensure that the building outcomes met the needs of all.

My thanks go to the former education minister, the member for Nepean, who saw firsthand the state of the buildings and the termite holes in the floors and felt the cold air coming in around the windows. The audit backed up what we all knew. At the opening principal Lisa Yeoman acknowledged and thanked the former minister for his great work on bringing the school rebuild to fruition. A plaque would be a very fitting reminder to all at the school of the minister who listened and acted.

Andrea Lehane

Ms KILKENNY (Carrum) — On 23 September, four young men made a terrible and stupid decision. Four young men — it is believed they were only 16, 17 and 18 years old — rode monkey bikes through the Carrum Downs shopping centre in my electorate of Carrum. One of the riders struck Andrea Lehane, aged 34, from Carrum Downs. Andrea died two days later in hospital when her husband made the very sad decision to turn off her life support. Andrea left behind her husband as well as two young children — a little boy aged three and a little girl aged four.

Following Andrea's death the Carrum Downs community has come together in a show of strength, support and resilience. This community has shown the true meaning of community spirit, and it is that community spirit that shone through at a candlelight service for Andrea last Sunday evening. I attended the service with several thousand other people. There was not anger or hatred; there was compassion. And there was a steadfast resolve to do what is necessary to make Carrum Downs an even better, stronger, more caring and more compassionate community for all.

Over the weeks and months ahead I will be working with the community, asking community members to share their thoughts on what can be done to make

Carrum Downs an even better place. We need to make sure this tragedy is never repeated. We need to do all we can to make sure our young people are supported, engaged, educated and mentored to help them make good decisions, not stupid decisions, and to help them reach their full potential and become positive role models and contributing members of our local communities.

Shepparton Access

Ms SHEED (Shepparton) — I rise to congratulate Shepparton Access, one of the winners of the 2015 Learn Local Awards, on its outstanding program known as Creating Pathways into the Community. Shepparton Access is a local, innovative and dynamic service which supports people with a broad range of disabilities, together with their families and carers. It has been recognised as a service of excellence for adult education. Participants are encouraged to reach their goals and fulfil their potential while having the freedom to dream. Shepparton Access partners with local businesses, organisations and groups to promote community participation and inclusion.

One of its most innovative projects is EcoPark, a partnership with St Luke's Catholic Primary School, which has the aim of providing practical approaches to sustainability. The park explores food production, recycling, solar energy and water conservation. It promotes a healthy and sustainable environment and brings ecological knowledge and sustainability to life with a variety of learning adventures. It sells its homegrown produce from its little local eco store.

I also take the opportunity to congratulate the organisation's CEO, Wendy Shanks, together with all the staff, volunteers and participants, on receiving this impressive award. The \$10 000 prize will allow Shepparton Access to purchase specialised digital technology to meet the needs of people with communication problems and provide a whole range of digital technology they would not otherwise have been able to afford.

Drug education funding

Ms SHEED — With the drug ice known to be causing serious damage in our communities, Australian Community Support Organisation and Odyssey House have formed a partnership with the goal of establishing a residential — —

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

International Day of the Girl Child

Ms THOMAS (Macedon) — Sunday, 11 October, is International Day of the Girl Child. Declared by the United Nations in 2011, the day seeks to draw attention to the unique challenges girls face around the world. This year's theme is the power of the adolescent girl.

Over the past 15 years and as a result of the millennium development goals, significant progress has been made in improving the lives of girls during early childhood, with greater access to primary school education, vaccination, clean water, sanitation and better nutrition. However, according to the United Nations insufficient attention has been paid to the challenges girls face in their second decade of life.

Adolescence brings its own challenges to girls, including ongoing access to high school education; avoiding child marriage; avoiding pregnancy, which according to the World Health Organisation is the second greatest cause of death for 15 to 19-year-old girls globally; access to menstrual hygiene products; and avoiding gendered violence.

Last week nine teenage girls from around the world presented to the UN General Assembly their *Adolescent Girls' Charter*. The girls called on governments around the world to take action on the following: ensure that all girls and boys complete free, equitable and quality primary and secondary education; end all forms of discrimination against women and girls everywhere; eliminate all forms of violence against all women and girls in the public and private spheres; eliminate all harmful practices such as child, early and forced marriage and female genital mutilation; and ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making.

I challenge all members in this place to take up the charter and consider how we might focus on the plight of adolescent girls from across the world but also in our own electorates. I will finish by acknowledging Australia's committed not-for-profit humanitarian and human rights organisations, including my former employer Plan International — —

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

Benalla Saints

Ms RYAN (Euroa) — I wish to acknowledge the magnificent success of the Benalla Saints at Sunday's Goulburn Valley Football League grand final. The Saints broke a 42-year premiership drought with their

convincing 59-point win over Kyabram. I congratulate captain James Martiniello and coach Luke Morgan on their efforts, along with Sam Martyn and Josh Marchbank, who won the two best on ground medals. Of the 22 players on the ground, 18 were locals, which is a remarkable achievement for the community and a reflection of the club's leadership team. The future of the club is very bright, with the under-18s also taking home their premiership for the second year in a row.

As a long-suffering St Kilda supporter, it is nice to finally know that the red, white and black is not cursed, even if an AFL premiership continues to elude us.

Seymour Football Netball Club

Ms RYAN — I also pay tribute to Seymour's A-grade netball team, which had a premiership win after 27 years. The Seymour Football Netball Club has stamped its dominance on the Goulburn Valley league this year. The efforts of its coach, Ash Chapman, who coaches both the A and B-grade teams, should not go unrecognised, nor should the fact that the club has achieved this success despite having just one netball court to train on and no change room facilities. I urge the Minister for Sport to take a close look at Seymour's facilities and the commitment made by the coalition to provide a new court and change room facilities at Kings Park.

Grand Final Friday

Mr DIMOPOULOS (Oakleigh) — I rise today to congratulate the Premier, Minister for Small Business, Innovation and Trade and this government for delivering on its commitment to provide the grand final eve public holiday. What a wonderful day it was for Melbourne and regional Victoria. One hundred and fifty thousand people saw what many have argued was the most successful grand final parade in history, even though one of the teams was from another state. I spent the day in Eaton Mall in Oakleigh. I can inform the house that the crowds were massive. There were families everywhere, and I am told — —

Mr Pakula interjected.

Mr DIMOPOULOS — That is right; well, nearby. I am told that Oakleigh was flat out well into the evening. As the Attorney-General says, Nikos and Vanilla were busy. I was at another cafe, Aroma Cafe, with the Minister for Small Business, Innovation and Trade. My regional colleagues tell me that country Victoria was also booming, both with day trips and people taking the opportunity to stay for the long weekend.

Although I normally would not waste my time doing this, I had a glance at the Leader of the Opposition's Facebook page, where he posted his report card on the public holiday, albeit only hours after it had begun. There were hundreds and hundreds of comments. But what do you know — about 90 per cent of the comments were in favour of the holiday! You know the opposition is out of step with the community when its leader cannot even get his own Facebook friends on side.

Many of us fondly remember the Show Day public holiday, which was taken away from Victoria by the Kennett government. The grand final eve public holiday just takes us back to where we were before. We know that if it was up to those opposite, and if they could get away with it, Victoria would have many fewer public holidays and there would be no such thing as penalty rates.

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

Lindsay Kline

Ms McLEISH (Eildon) — I wish to acknowledge the passing of former test cricketer Lindsay Kline. Most famous for his role in the tied test with his good mate Ian Meckiff, the left arm wrist spinner was one of a small number of test cricketers to take a hat-trick. Lindsay was man of great character, who was a lover of bowls. He was a true gentleman who was always kind and never had a bad word to say about anybody.

Country Fire Authority Flowerdale brigade

Ms McLEISH — Members of the Flowerdale Country Fire Authority (CFA) brigade kicked up their heels on Saturday, 19 September, to celebrate their 70th anniversary. Congratulations to Captain Nigel Parry, secretary and party organiser Trudie Goudge, master of ceremonies Brian Makin and the crew for putting on such a good show. The fabric of the CFA is one to be admired, with the level of volunteerism evident in local families, with husband and wife teams or parents and their young adult children. It is pleasing to see the number of young people playing an active role in this vibrant CFA.

Foodbank Victoria

Ms McLEISH — I was thrilled to have the opportunity to volunteer with my daughter at the Foodbank Victoria stand at the Royal Melbourne Show recently. This was the first year Foodbank has had a presence at the show. I was inspired by the number of

volunteers in attendance, many of whom were involved for the first time.

It was clear that the Foodbank brand is positive, with so many people commenting about the great work it does in the community. I found encouraging children to put together a hamper from the donated items to help feed a family for a week particularly engaging. Children, with the help of their parents, had to think about balancing the meals and the requirements of breakfast, lunch and dinner. Once their hamper was complete they wrote a note to the family that would be the recipient. I highly commend Dave McNamara, his staff and the generous donors and volunteers on their efforts.

State Emergency Service Narre Warren unit

Ms GRALEY (Narre Warren South) — There are few amongst us who deserve to be called heroes and few who deserve our respect and admiration, but the men and women of the Narre Warren State Emergency Service (SES) unit certainly do. These wonderful volunteers sacrifice so much so that during our most difficult times, when we need them the most, they are there for us.

Recently I joined more than 150 people to celebrate the 10th anniversary of this wonderful SES unit. Since its humble beginnings in June 2005 the unit has grown to over 40 volunteers, and it services an area of more than 400 square kilometres and 390 000 residents. Last year alone it responded to over 650 requests for assistance, which is a remarkable effort. It is an extraordinary team that always goes above and beyond for our diverse and ever-growing community.

One volunteer in particular was recognised for their dedicated service with the inaugural John Wall Award. This award is named after John Wall, who began volunteering with the Narre Warren SES unit in 2009 and had an immediate impact on his fellow volunteers. John was known for his caring and kind personality and was always willing to lend a helping hand. Judy Wall spoke of her dedicated husband and read his ode with her son, David, daughter-in-law, Sambat, and granddaughter Scarlett. Just like John, the inaugural winner, Tony Jackson, was nominated for his willingness to provide guidance and assistance and for always going above and beyond. Well done, Tony. Tony is just one of the many extraordinary men and women who make up the team in Narre Warren.

Thank you to Clinton Brown, Lee Dickinson, Amy Brand and Tim Howell for their efforts in putting on such a wonderful night and to every volunteer for

always being there for us. We can never thank you enough.

Mark Lewis

Mr GIDLEY (Mount Waverley) — I rise in the Parliament to congratulate Mark Lewis on being awarded the Baden-Powell Scout Award, the highest scouting award available to youth in the commonwealth. This prestigious award takes into consideration the aims of scouting, which are to encourage the physical, intellectual, emotional, social and spiritual development of young people. It was a pleasure to join Mark and his family last Sunday afternoon at the Waverley Valley Scout Hall to recognise his unique achievement in receiving such a distinguished award. I also recognise those who have supported him in reaching this goal, including his family and the scout movement.

Ovindu Rajasinghe

Mr GIDLEY — Today in the Parliament I recognise Ovindu Rajasinghe for being awarded the Queen's Scout Award. The award is the highest youth award achievable in the scouting movement in the commonwealth. I congratulate Ovindu on receiving such a well-respected award, and I also recognise those who have supported him in reaching that goal, including his family and the scout movement. It was a pleasure to join Ovindu and his family last Sunday afternoon at the Waverley Valley Scout Hall to recognise his unique achievement in receiving such a distinguished award.

Chinese community celebratory events

Mr GIDLEY — I take this opportunity to thank all organisations in Victoria that have participated in Chinese Mid-Autumn Festival celebrations. As a Waverley resident and the local state member of Parliament, it has been a pleasure to attend many local events at this time of the year to enjoy friendship, fellowship and moon cakes.

During this time I also attended a number of events recognising China's national day. The day is of great significance to the People's Republic of China, and I was pleased to be able to attend such occasions.

Medicinal cannabis

Ms GREEN (Yan Yean) — Today marks another step in the miraculous life of Cooper Wallace, a life almost cut short by crippling seizures but for the administering of medical cannabis. In an Australian first, the state government will legalise access to locally

manufactured medicinal cannabis products for use in exceptional circumstances like Cooper's from 2017. It is one year and one day since the now Premier committed to this change at Cooper Wallace's home in Mernda, because no family should have to choose between breaking the law and watching their loved one suffer.

The Attorney-General tabled the Victorian Law Reform Commission report today. The commission was asked to advise how the law could be amended in order to allow people in exceptional circumstances, like this family, to safely access medicinal cannabis products. It makes it real when you know someone like Cooper and have seen him crawling up a corridor in the Premier's office, laughing, waving and expressing himself in a way only he can. Before the administration of medicinal cannabis he could not sit, he could not crawl, he could not drink or eat orally and he was in hospital for over 200 days in one year. Now he is a healthy, happy child who will start school next year. He, like many others, will benefit from medicinal cannabis becoming legal. Thank you — —

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

Traralgon Football Netball Club

Mr NORTHE (Morwell) — Congratulations to the Traralgon Football Netball Club on its recent premiership successes. In football the club was able to secure wins in the seniors, under-18 and under-16 competitions whilst the A-grade netball team secured a narrow win over Drouin. None of the local footy experts predicted that Traralgon would have such a successful year. Many pundits wrote the team off after it was smashed by Leongatha by more than 20 goals in the first game of the year.

Under the leadership of president Andy Quenault and playing coach Mark Collison, Traralgon was able to secure third place on the ladder at the end of the home and away season and ultimately play off in the grand final, again against Leongatha. The team got off to a great start and was never headed by a determined Leongatha, which is coached by the inspirational Beau Vernon. Congratulations must also go to retiring skipper Michael Geary, who went out in style. Well done also to Martin Cameron, Andrew Livingstone and Kate French on their football and netball coaching successes.

Grand Final Friday

Mr NORTHE — I wish to make some comments about Dan's grand final parade public holiday. In last night's *Latrobe Valley Express* under the heading 'All quiet on the valley streets' there were many comments from local retailers and traders, including from Traralgon's Metro Seven owner, Rosa Blaquiere, who said:

It's horrible.

The government says (the public holiday) will let you spend time with your family, but it doesn't.

Moe's Montree Cafe owner, Pauline Lee, said the decision to declare the grand final parade public holiday was ludicrous and that:

It's the most stupid and ridiculous holiday you could imagine ...

As one business owner said to me last week, 'Not happy, Dan'.

Olga Kenny

Mr PEARSON (Essendon) — I would like to acknowledge the lasting contribution that Olga Kenny has made to the Moonee Ponds community. Olga Kenny grew up in Shuter Street, Moonee Ponds, not far from my electorate office, in a house which is the current location for the Caroline Chisholm Society. Olga's father ran a retail business for many years at 103 Puckle Street, where Olga now has a coffee every morning. Olga has been active in the Puckle Street Traders Association as a consequence of running Paulene Maree, a children's clothing shop at 101 Puckle Street, and she has been a passionate advocate for our community.

Olga, I thank you for your dedication and commitment to our community. Moonee Ponds would be a far less welcoming place but for your labours and efforts over many years.

Helle Warming and Rhiannon Colarossi

Mr PEARSON — Congratulations to Helle Warming from Ascot Vale and Rhiannon Colarossi from Strathmore on making the finals of the AusMumpreneur awards, which recognise women juggling motherhood and business. Helle, who lives in Ascot Vale, created the niche website Lucas Loves Cars as a result of struggling to find enough quality toy cars for her five-year-old son. Rhiannon created a website called The Wellbeing Web, which encourages mums to look after themselves. Rhiannon noticed that a

mum's wellbeing directly impacted children's learning and happiness.

Encouraging primary caregivers, who are overwhelmingly women, to start their own businesses increases the opportunity for women to create real equity in their businesses, which will decrease not only the gender pay gap but also the gender wealth gap.

Essendon Rowing Club Saltwater Challenge

Mr PEARSON — Recently I was joined by the member for Niddrie at the Essendon Rowing Club for its Saltwater Challenge event. Essendon Rowing Club is a wonderful community facility. The event was, as usual, very well organised and attended. It was a great honour to attend.

YouthNow

Ms SULEYMAN (St Albans) — On Friday, 18 September I was happy to launch the Sunshine YouthNow's report entitled *Western Youth Working — A Pathway Blueprint to Improve Youth Engagement and Employment in Melbourne's Western Region*. The report outlines innovative and creative ways of tackling youth unemployment and disengagement in the west. The Andrews Labor government, together with organisations such as Sunshine YouthNow, is committed to making sure that young people have the skills and training needed for the jobs of the future. I congratulate YouthNow on receiving the 2015 Victorian Learn Local Award for excellence in creating local solutions for its BizE Centre program.

St Albans level crossings

Ms SULEYMAN — On another matter, last week I was joined by the Minister for Roads and Road Safety, federal Senator Scott Ryan, the member for Kororoit, local campaigner Dianne Dejanovic and St Albans traders to officially announce that work has begun on the removal of the level crossing at Main Road, St Albans. Outbound trains on the Sunbury line will not stop at St Albans station for the rest of October. Shuttle buses will replace trains between St Albans and Keilor Plains stations. It is fantastic to see that works are underway, with cranes in sight at St Albans station this week. The locals are absolutely ecstatic about seeing construction workers at the site.

Family violence

Mr RICHARDSON (Mordialloc) — Recently I had the privilege and honour of attending a family violence prevention forum at the Carrum Bowling Club alongside my parliamentary colleague the member for

Carrum. It was a powerful night. It was a night of learning and an opportunity for people from support groups and refuge centres as well as survivors of family violence to come together to share their stories and their experiences and discuss the challenges of our system. We had the great honour of having the Minister for the Prevention of Family Violence down at the bowls club to hear directly from people who have been affected by these tragedies and to put forward the government's agenda and strong commitment to backing the recommendations of the Royal Commission into Family Violence following its important work.

We know that people who have the courage to step out and try to get assistance and support face a significant bureaucratic maze. The royal commission's work is vital in empowering those people and dealing with those systemic challenges. We know that family violence is the biggest cause of death, injury and disability for women under the age of 45. It is an absolute tragedy, and we need to put the onus on people who are the perpetrators so they take responsibility for their actions. We also need to empower people who are survivors of family violence and who are courageous enough to care for their children and to try to find a better life. Our legislation needs to do that.

Murray Plains electorate sporting clubs

Mr WALSH (Murray Plains) — I rise to acknowledge all of the football and netball clubs in my electorate that have won premierships over the last few weeks, particularly the Kerang Football Club, which has now won four in a row and has played in eight grand finals in the last 10 years. It is a very successful club in the Central Murray Football League. More importantly I would like to acknowledge all those teams and clubs which may not have won the grand final but which provided a season of sport for young people in both football and netball. As we all know, involvement in team sport is a critical part of the upbringing of a young person. It teaches them good values. It teaches them to cooperate and work together with other young people, and it sets them up well for the future.

As we all know from research, people who have not been involved in team sports are over-represented in the justice system. I thank all the clubs in the Murray Plains electorate for what they do in giving young people a start in life by allowing them to play football and netball through the winter. On behalf of this house I congratulate all those clubs across Victoria for what they do in that particular area.

Grand Final Friday

Mr WALSH — On the topic of the grand final holiday, I commend the businesses in both Echuca and Swan Hill that opened for 4 hours on the day to make sure that visitors who came to town had the opportunity to have a meal or a cup of coffee and do some shopping. They did not have a long weekend.

The DEPUTY SPEAKER — Order!

Banyule Housing Support Group book launch

Mr CARBINES (Ivanhoe) — I commend Gerard O'Donnell, who wrote *Hands Held, Tears Dried, Dignity Restored — The History of the Banyule Housing Support Group 1973–2015*. The book was launched on the weekend. I commend the 150 people who have volunteered for many years with that organisation for their work.

PREVENTION OF CRUELTY TO ANIMALS AMENDMENT BILL 2015

Second reading

Debate resumed from 2 September; motion of Mr PAKULA (Attorney-General).

Mr WALSH (Murray Plains) — I rise to make the lead contribution on behalf of the Liberal-Nationals coalition on the Prevention of Cruelty to Animals Amendment Bill 2015. The legislation has been amended quite a few times, Acting Speaker, as you would well know, and usually with support from both sides of the house, because it is an important part of Victoria's legal fabric. The opposition supports the amendments that are being put forward today in this bill. I would like to think we had a strong track record in initiating and supporting measures that improve animal welfare in Victoria when we were in government, and we are pleased to see that this government is continuing the previous coalition government's reform in this area.

As I said, the Prevention of Cruelty to Animals Act 1986 is a key part of the animal welfare legislation in Victoria. It is colloquially known as the POCTA act, so I will describe it as that as I go through my contribution. The purpose of the POCTA act is to prevent cruelty to animals, obviously, encourage considerate treatment of animals and improve the level of community awareness about the prevention of cruelty to animals. That part of the role is also very important; it is important that people understand what the expectations are around the treatment of animals.

As I said, the legislation has been amended many times over the years. As a result of the support of both sides of the house over that journey Victorians can have great confidence that our state has in place good animal welfare laws that are modern and robust and that meet community expectations, which I think is also very important.

The POCTA act regulates both domestic animal industries and commercial animal industries. I might spend a moment talking about the commercial animal industries. The Victorian economy benefits from quite significant commercial animal industries, which are both a major supplier of protein for our diet and significant export industries as well, principally in the form of beef, sheep meat, chicken meat and, more for domestic consumption, eggs. One of the standout sectors is the dairy industry. About 86 per cent of Australia's dairy production is carried out in Victoria, so it is a key part of our economy and of the fabric of quite a few of our country communities.

We also have a live export industry out of Victoria, something that the opposition supports, particularly the export of genetics in the dairy industry. Dairy heifers are exported to overseas countries so they can improve the genetic material in their dairy herds and increase the supply of milk, particularly for infants in those countries. The export of dairy heifers has been a successful industry developed particularly into Asia, including Indonesia and China. As we all know, there has been a long history of the export of sheep from Portland, particularly to the Middle East, again to meet a particular market there.

Animal welfare is at the forefront of both those sectors in what they do in exporting dairy heifers and sheep from south-west Victoria. Overseas countries look to us, along with our food regulations, which is among the best in the world, for some of the standards around animal welfare in these industries. I think we can be very proud of that. There are also significant animal industries in horseracing, both in gallops and in trots, and also in the greyhound industry, and I will come back to some of the changes that affect the greyhound industry.

The POCTA act also regulates the domestic animal industry. The two big ones for most people are cats and dogs. One of the key things around those industries, apart from the fact that they are large industries in the services that are provided to people who have pets, is that it is about people's wellbeing and welfare. For a lot of people, their pets are their company. They are what keeps them going each day. A lot of people have a dog just to make sure that they go for a walk in the morning,

because the dog wants to go for a walk, and all those sorts of things. The pet industry is important from a regulatory point of view and from an animal welfare point of view, but it is also an important industry in terms of the companionship it provides people who have pets. The overwhelming majority of people do the right thing. Occasionally under this legislation the department will come across people who are hoarders of pets, and that becomes a real issue for both the department and for that person. Again, the pet industry is very important in Victoria for the reasons I have set out.

We also have a sector in Victoria where animals are used by scientific and teaching organisations. We need to bear in mind that there are some strict ethical issues around the use of animals in those circumstances, but a lot of the advances we have seen in medical science that have benefited the human race have come through this process. We need to bear in mind the benefits for us as a population as well. As I said, there is a high expectation that we will treat animals well and that anyone who mistreats animals will be held to account and will face significant penalties, which is what this bill provides in some areas. As I said, it is important to keep the animal welfare legislation up to date to meet community expectations.

The bill makes a number of amendments across a range of sections of the act. Some I will talk about; others are probably more minor in nature but are equally as important. The one I want to talk about, firstly, is the change for greater powers to deal with large-scale animal welfare emergencies. This was an issue that arose when I was Minister for Agriculture and Food Security in the last Parliament, when a major chicken broiler producer ran into financial trouble and could not feed his chickens. There were significant legal challenges around that case as to who actually owned those chickens. At that time the department could not go in and see those chickens because of a dispute around ownership. As members may know, often contract feeders of birds do not own the birds; they just feed the birds to a certain weight gain. The birds are then on-sold and the contract feeders are paid on performance. In that case the department could not go in and seize those birds. It was an unfortunate and distressing situation, and it cost the department over \$1 million to feed the birds through that time until the legal issues were resolved.

The bill makes some amendments to the POCTA act so that those issues will not arise again and the department will be able to go in and seize such animals and make sure they are treated humanely into the future. That change is a very good one. As I said, it was a significant

cost to the department to work through that case, and the amount was not recoverable. I place on the record my thanks to the department on how its officers handled that very difficult situation.

The bill also makes some changes, which the opposition supports, around new offences and increased penalties for fighting, baiting, blooding and luring animals. This comes out of the investigation into live baiting in the greyhound industry. The greyhound industry is a good industry for the majority of people who do the right thing in that industry; however, there were some people who did not do the right thing. The bill provides new offences and greater powers for entry to properties where fighting, baiting, blooding or luring is suspected. It alters the definition of 'aggravated cruelty' to clarify that there can be multiple acts of cruelty rather than one single action, and it increases the penalties relating to fighting, baiting, blooding and luring so that they align with other maximum penalties for cruelty and aggravated cruelty offences under the act. Anyone who does the wrong thing will be found out, and they will face significant penalties into the future. The greyhound industry has a good track record of trying to look after itself, but there were obviously a few bad apples in the barrel.

As minister I had the opportunity to go to the greyhound adoption centre at Seymour, a facility to which money was allocated by the then racing minister, the former Premier. What I had not been aware of until I visited the centre is the fact that greyhounds actually make great pets. Although they may run fast, basically they are lazy animals. They do a short bit of running fast, but they like to sleep a lot of the time. For those people who want a more relaxed pet, apparently a greyhound is a very good pet to have.

Mr Noonan interjected.

Mr WALSH — I will choose to not pick up the interjection by the Minister for Police, who is being very unkind.

As I said, the opposition supports these changes to the greyhound industry, and the shadow Minister for Racing may make further comments on that in his contribution. It sends a clear message to those who do the wrong thing that they will be caught and they will be punished.

The bill also provides new powers to give the courts a greater range of options when dealing animal cruelty issues. I could not make this contribution without saying that I would hope the courts actually use the new powers to impose the higher penalties they are being

given. We in this place modernise legislation to try to deal with community concerns about particular issues. Some would be unkind enough to say that the courts do not necessarily follow that process by enforcing the penalties we set out in legislation when they make rulings. I hope the courts take note of the increased penalties and apply those where they see fit.

The ownership bans of up to 10 years for serious offences were introduced by the previous government. The bill proposes to take away the reference to 'serious offence' and make it just 'offence'. It gives the courts more power to impose bans and creates the opportunity to consider cumulative issues in determining the mistreatment and abuse of animals into the future. That is important, and I hope the courts use these powers they are being given to send a clear message to those who do not treat animals well and to make sure that is well publicised so that people do not reoffend in the future.

This legislation also improves banning orders. There have been banning orders in the past, but the bill introduces a new element where the courts can order monitoring of compliance with banning orders. In the past banning orders have been put in place for people who mistreat animals. However, there was not necessarily the process to follow them up to make sure they were being enforced. This bill puts in place a process where these people can be monitored. Instead of inspectors having to go back to the courts to apply for an order to do inspections to make sure banning orders are being complied with, the courts will be allowed to authorise the monitoring of control orders so that inspectors can go and make sure the orders are being complied with. This is common sense, and the opposition welcomes it as part of the changes to the legislation. It gives a clear signal to the community that banning orders are serious and will be enforced into the future.

As I said in my introduction, the bill makes changes to the legislation around the use of animals for teaching and research purposes. This is a touchy, ethical issue for some people, but I reinforce that a lot of the advances we see in medical science come through this process of animals being used for research work. I do not think we should discount the benefits to mankind from undertaking the work that has been done in that area.

The changes the bill makes to the POCTA act around this area include modernising the licence and fee structure regulations; establishing the Animals in Research and Teaching Welfare Fund, which all paid fees for monitoring and reporting on compliance by animal research and teaching establishments will be

paid into; improving enforcement powers for the regulation of scientific procedures; and providing for adverse publicity orders to be made in relation to animal research and teaching establishments. The changes will provide modernisation to that part of the act.

The bill also makes other amendments such as providing for greater powers to inspectors when they are inspecting livestock, particularly around the fact that an owner of livestock needs to muster the livestock for the inspector at the time; the prohibition of spaying of animals unless done by a vet; and creating new provisions that make it an offence to sell, purchase or convey animals that are unfit due to injury or disease, an extension of offences that currently apply only to bobby calves.

As I said at the start of my contribution, the Liberal-Nationals coalition will be supporting this legislation. I believe we have a very strong track record in government with the changes we made over the four years we were in government in Victoria. A lot of those changes were around the domestic animal industry, particularly with the work we did with the RSPCA to bolster the legislative powers it had and money it was allocated to clamp down on illegal puppy farms. There was huge community concern around illegal farms which created adverse publicity at that time, and justifiably so due to the way some of those puppy farms were operating. The increased powers the RSPCA was given has led to some substantial prosecutions, but also the additional money they were given allowed them to build the infrastructure to make large-scale seizures of animals from illegal puppy farms and buy the motor vehicles and trailers to transport those animals when they were seized.

My reading of the budget is that the RSPCA has lost about \$1 million of what we promised it in comparison with what the current government is giving it. We put in place a very strong mandatory code of practice around cat and dog breeding facilities. That had over 100 prescriptions around veterinary checks, retirement plans, housing, nutrition, exercise, socialisation and particularly staffing ratios. There was a mandatory code around how many staff were required for the number of animals at a particular establishment. We also listened to community concerns and put in place the five-litter ban on female breeding dogs in that code.

The code introduced compulsory animal health plans which had to be signed off by a vet and also put in place a fit and proper person test for people who owned or managed dog or cat-breeding facilities. We also gave the RSPCA the ability to inspect pet shops and

introduced a requirement for pet shops to keep detailed records on the sources of the dogs and cats they had for sale. This is an important part of putting traceability into the system so that those pet shops have to prove they have obtained their pets from a licensed and complying breeding establishment. That is important in stamping out illegal operations. If they do not have a market for those animals, they will not survive into the future. We also put in place a ban on wire cages at breeding establishments, a ban on euthanasia by blunt force trauma and a requirement that dogs and cats be euthanased humanely. There have been some major changes in that area.

When we left government, aggravated cruelty carried a fine of \$72 500 or up to two years in jail — a major penalty. We also drastically increased the penalty for running an illegal puppy farm from \$1195 to \$24 208 for individuals and up to \$88 566 for a body corporate, and that sends an important message. People quite often hide behind the corporate structure, but this means that the corporate structure is roped in and fined appropriately. The major increase in fines is a key thing. Fines have increased from \$1200 fines which had been in place for over a decade to nearly \$25 000 and \$88 000 for a body corporate. As I have also mentioned, we put in place a ban of up to 10 years for people owning animals.

A lot of things happened, and we are seeing more things happen here now, and that is one of the reasons we are supporting this legislation. We also tightened up the requirements on applicable organisations to ensure that all dogs and cats were bred ethically. There were definitions around applicable organisations where there was a concern that members of those organisations were slipping around the rules, so to speak. This tightens things up. I know DogsVictoria had a serious look at its membership base to make sure that members of DogsVictoria who had an exemption for an increased number of breeding females were doing the right thing into the future.

No contribution to a debate on this legislation and the domestic animal industries would be complete without talking about the education programs that are in place, such as the We are Family program which many people would be aware of. It is for when younger couples with a pet dog, which has been the centre of attention in their household, bring home a new baby, their first child. There is an issue with making sure that the family understands the risk of the dog with the baby and that the dog is socialised to understand the importance of that baby coming into the household. The We are Family program, funded from dog licence money, is an important program for people having their first child.

The other great program is the Responsible Pet Ownership program which goes to schools. It is run by the Bureau of Animal Welfare and teaches children how to interact with dogs. You may interact quite well with your own pet which knows you very well, but when you go onto the street or into public places and there are other dogs, you need to be more mindful about how those dogs will react to you, rather than the one that you know so very well at home.

Another thing we introduced as a government was the Animal Welfare Fund. It allocated \$1.6 million in grants to small volunteer-based organisations that provide services for abandoned, lost and sick animals. One of the fortunate things you get to do as a minister is go around and give out grants on behalf of the Victorian taxpayers. Those trips I took and visits I made to give money to the volunteer organisations that provide those services were some of the more pleasant duties I had as a minister, because those people really do care about what they do. Although the grants may not have been huge, they made a major difference to the services provided by those groups.

Over the coalition's four years in government we put in place a lot of legislative and regulatory changes and the funding to back those up and help stamp out cruel and illegal breeding establishments in this state, something that probably had not been done in a decade. Good things were done and good things will continue to be done, which is why we are supporting this legislation. The review of the code of practice for pet shops is something that will be done, and I commend that happening. That will complement the work that was done around the mandatory code of practice for breeding establishments into the future. No-one likes to see illegal, cruel animal operations, and this will help stamp those out into the future.

I put on the record my thankyou to the departmental officers who did a lot of the work on the consultation around the code for breeding establishments and in developing the enforcement regime that made sure that there was a crackdown on illegal puppy farms over the four years we were in government. In the press recently there was a case at Pyramid Hill where a family was taken to court and faced quite significant fines — something like \$205 000 in fines — and a 10-year ownership ban for what it was doing with an illegal breeding establishment. I commend the Loddon Shire Council by-laws officers, the RSPCA and the department involved in that case. It took a number of years to track those people down, but I believe the changes that we made to the law gave the RSPCA the powers and the financial resources to do that and led to that conviction. That will serve as a reminder to people

right across Victoria to make sure that they do the right thing into the future.

I finish by saying that the Minister for Agriculture has a very important role to carry out regarding this legislation, as we have talked about, but she also has a role to support those breeding establishments that do comply with the law — and there are many of them. They perform a very important role in society in providing the pets people want to have. People may want a particular breed or type of dog that may not be available through an animal shelter or an adoption program. They provide a service that is necessary. It is important for the minister in future to make sure that she backs up those businesses that are doing the right thing. As I have said, there are many that do the right thing. If she or any member of this house has the opportunity to go to one of those very well run breeding establishments, they will see that they have in place all the rules and everything that is necessary to make sure that they comply with the mandatory code — the socialisation programs, the nutritional programs, the exercise programs and the staffing ratios to make sure those animals are well looked after — because it is their business and it is in their best interests to make sure they do it well. To finish, I remind the minister that she should clamp down on those people who are being cruel to animals and those who are not doing the right thing, but that as a minister of the Crown she also has a responsibility to stick up for those who are doing the right thing.

Ms GREEN (Yan Yean) — I take pleasure in joining the debate on the bill, which amends the Prevention of Cruelty to Animals Act 1986. I will take my lead from the previous speaker and use the acronym 'POCTA' to refer to the act and the bill as a short cut in my 10-minute contribution.

I will pass on to the minister the advice given to her by the Leader of The Nationals in his contribution. I will say, though, that if you cannot find someone else to say something good about you, you pump up your own tyres. We have just heard 30 minutes of the previous minister for agriculture pumping up his own tyres — they must be almost full to bursting. If he was so good, why is he not still the minister? There are many people in the sector who knew what he was up to in the Office of Living It Up — that is where his priorities lay rather than with this very important portfolio.

The POCTA act is Victoria's primary animal welfare legislation. It protects the welfare of animals in Victoria and applies equally to all species and uses of animals. The changes proposed by the bill will enhance the government's capacity to deal with animal welfare

issues appropriately by ensuring that the animals involved are treated humanely while costs to the taxpayer are minimised. The government has agreed to implement the recommendations of the chief veterinary officer's report entitled *Investigation into Animal Welfare and Cruelty in the Victorian Greyhound Industry*, and the bill partly addresses some of those recommendations.

It is interesting that the previous minister has now left the chamber, because cruelty to greyhounds was flagrant under his government's watch, which is a galling fact given the previous Premier, the former member for South-West Coast, was himself a veterinarian who formerly worked with the department. The community has made its judgement on that. The bulk of the legislative reforms recommended by racing integrity commissioner Sal Perna and Victorian chief veterinary officer Charles Milne will be contained in specific legislation to be introduced later this year.

The Andrews Labor government is taking a tougher stance on animal cruelty than its predecessors by introducing legislative changes that will increase penalties, create tougher enforcement powers and give greater protection to vulnerable animals. This will be welcomed by the many people in our community who are motivated by the protection of animals. I know there are many such people in the Yan Yean electorate, particularly volunteers, including those at the Cat Protection Society of Victoria in Greensborough and at the many organisations looking after our equine friends. Just up the road from where I live May Dodd runs a donkey shelter in Yarrambat, of which the local community is a great supporter.

One of the areas in the act we are taking action on is the spaying or desexing of female animals, which will be prohibited unless conducted by a veterinary practitioner. Other changes to the POCTA act will ensure that offences and sanctions imposed on offenders are in line with community expectations. The maximum penalty for animal cruelty is being raised to 250 penalty units for an individual, which is \$37 917.50. For corporations it remains at 600 penalty units, which is \$91 002. For aggravated cruelty the maximum penalty is doubled, making it 500 penalty units for an individual and 1200 penalty units for a corporation.

The changes will also ensure that we are better able to respond to large-scale animal welfare emergencies. I have lived through the Black Saturday fires and a number of other fires — I have done so as a local MP, a CFA volunteer and formerly as the Parliamentary Secretary for Police and Emergency Services — and I

remember after Black Saturday in particular the enormous amount of work done by volunteers to look after wildlife and companion animals. It was alarming to see the shock on the faces of some of those volunteers the day after the fires as they were dealing with the animal welfare consequences.

Today there are a number of community volunteers coming up with innovative ideas about how to prepare for those sorts of emergencies. It is not just about when an emergency occurs, it is also about when people want to remove themselves from the area for their own safety on code red days, particularly those who are not able or willing to defend their properties — older members of our community and those with children — which I absolutely welcome, but stay because of the number of animals they own. Ensuring that these people are able to leave their area safely on code red days or when their area is under threat knowing that they are supported and that their animals will be looked after is an important thing.

As I mentioned earlier, there will be increased penalties for cruelty and aggravated cruelty, but also included in the bill is a boost to the capacity of courts to ban offenders from being in charge of animals and an increase in the powers of the authorities to deal with such offences. The POCTA bill also marks the commencement of the Labor government's response to live baiting in the greyhound racing industry by increasing penalties and strengthening enforceability for baiting and luring offences. But we will have more to say about this later in the year.

The overwhelming majority of the community has spoken and said that live baiting is a barbaric, abhorrent and illegal practice. The Andrews Labor government wants to send a strong message to the industry and to the community that this sort of horrific behaviour will not be tolerated. Following the release of evidence of live baiting earlier this year, two independent investigations were conducted — one by the racing integrity commissioner, Mr Sal Perna, who undertook an investigation of industry participants, and the other by the chief veterinary officer of Victoria, Dr Charles Milne, who conducted a broad investigation into allegations of animal cruelty in the greyhound racing industry.

I want to acknowledge those in the industry who do the right thing. It is a shame that the industry, which is a great industry, has had its reputation sullied by the irresponsible and cruel practices we have seen. I grew up in the town of Warrnambool. My dad used to work on the gate at Botanic Park, and my uncle, Ab Plozza, was a trainer — our family loved the dishlickers. It is

really important for the community to get their faith back in that industry.

Both reports were publicly released on 11 June 2015. In total there were 68 recommendations made by Mr Perna and Dr Milne. The government has accepted all of the recommendations put to it and is acting immediately on a number of these. Financial penalties for luring, baiting and blooding will be doubled under the changes, increasing the penalty to a fine of up to \$75 835 or up to two years imprisonment, in line with the maximum penalty for aggravated cruelty.

The Andrews government is strengthening the inspector's powers to provide entry onto properties where it is reasonably believed that animal fighting, baiting, blooding or luring is occurring and for the seizure of animals found at such events. While current powers are adequate in the majority of cases in relation to dealing with animal welfare in emergencies, they have proven to be inadequate where these emergencies happen on a large scale, as I referred to earlier, and where there are complex ownership arrangements that make it difficult to identify and locate owners. I heard a caller on radio this morning talking about the welfare of a horse with a blanket on it in the heat. These are great changes. I commend the department, I commend the minister and I commend the bill to the house.

Mr T. BULL (Gippsland East) — It is a pleasure to rise to make a contribution to the debate on the Prevention of Cruelty to Animals Amendment Bill 2015. As outlined by our lead speaker, I reiterate that we are supporting this bill. This bill proposes various amendments to the Prevention of Cruelty to Animals Act 1986 to strengthen the administration and enforceability of the act and to ensure that the act continues to be in line with what we would best call community expectations in this area. It is fair to say that as the spotlight has been shone on animal cruelty issues over recent decades, there have been a number of situations where community expectations have perhaps not been met, and various governments since then have made improvements in these areas to better meet those expectations. This bill is another step in that process.

I will cover some of the major changes this bill makes, because it is fairly wide reaching. As the previous speaker touched on, one of those changes is the creation of new offences related to fighting, baiting, blooding and luring. As we have heard, these are issues that were brought to great prominence earlier this year with a report on the greyhound racing industry. That resulted in two investigations being undertaken. One of those was by the chief veterinary officer, who came up with a number of recommendations. Some of those

recommendations have been incorporated into this bill and will be implemented. It goes without saying that members on both sides of the house very strongly support the introduction of those recommendations by the chief veterinary officer.

These amendments are very much about bringing things into line with community and public expectations. This includes greater powers for entry onto properties where fighting, baiting, blooding or luring is suspected. The bill makes an alteration to the definition of 'aggravated cruelty' to clarify that it may be multiple acts of cruelty rather than one single act, which was the previous definition. It also increases the penalties for offences related to fighting, baiting, blooding and luring to align them better with other maximum penalties for cruelty and aggravated cruelty offences that we currently have under the act. We all would have seen that program — whether on the night or later online — that showed practices that were clearly totally unacceptable. It is great to see this action being introduced relatively soon after its broadcast to bring these changes to fruition.

One thing I mention when talking about the greyhound racing industry is the greyhound adoption program. It is a fantastic program. The pleasing thing about the greyhound adoption program is that it is gaining a lot more publicity and a lot more people are becoming aware of it. As a result of that, we are seeing more and more people realise that greyhounds become good pets. It was pleasing when walking around the Royal Melbourne Showgrounds with the shadow Minister for Agriculture just a week or two ago that there was a fantastic display by the greyhound adoption program. They had a couple of greyhounds there, which allowed people to come up, pat the dogs and see what great pets they can make. As we get more and more greyhounds adopted out to families who will care for them, it makes a big difference to the industry as a whole to be able to cater for these dogs once their racing careers are finished.

The bill also provides greater powers to deal with what we might call larger scale animal welfare issues and emergencies. It provides powers to allow for the immediate seizure and disposal of animals. I note the commentary earlier from the shadow minister on the time when he was a minister in the previous government. He said that sometimes situations popped up, including one in 2012 when around 700 000 broiler chickens were found to be malnourished and starving across six properties across Victoria, and clearly some form of action needed to be taken in response to that. It cost the state \$80 000 a day to feed those birds, and I am led to believe that the eventual expense was in the

vicinity of \$1 million. These enhanced emergency seizure powers will enable the immediate seizure of animals where there are large-scale welfare emergencies and also allow for the disposal of animals if deemed appropriate.

The bill provides courts with greater powers to deal with animal cruelty offenders, which is a very important step. The bill also provides increased powers for courts to impose control orders or, for want of a better description, bans, and to better monitor compliance with those bans so that once they have been put in place they can be enforced. These increased powers will ensure that courts are able to impose and monitor animal ownership bans on people who have cruelty to animals convictions. These measures are very much in line with community expectations and introduce standards that I am sure will exceed community expectations. I refer not only to members of the broader community but also to animal welfare stakeholder groups, of which there are many across the length and breadth of Victoria. I am sure those people will welcome these improved standards.

The bill also changes arrangements in regard to animal research. These include modernising the licence and fee structure for the use of animals in research and in teaching and the establishment of an Animals in Research and Teaching Welfare Fund. The bill will ensure that all fees for monitoring and reporting on compliance by animal research teaching establishments will be paid into the fund and that, as a result, improved enforcement powers will be put in place for the regulation of scientific procedures. I know that this is a contentious area for some sections of our community. Obviously we need to balance the need for testing against any animal welfare issues that arise. It is an area that attracts vastly differing opinions, but I think the changes that are being made will be welcomed. The amendments to the section of the act which regulates research using animals will result in modernising licence and fee structures and improving cost recovery, and will also go a long way towards reducing any regulatory burden that is put in place.

I would like to touch on some other amendments. One of those concerns the provision of greater powers for inspectors to require owners to muster and secure livestock where necessary for inspection in rural and regional Victoria. This provision is particularly pertinent to my area of Gippsland East, where we have a very large population of grazing animals. I think this is a step in the right direction.

The bill also provides for the prohibition of the spaying of animals unless done by a veterinary practitioner.

When it comes down to this, we want to ensure that the spaying of animals is done properly. Matters concerning the spaying of animals may have been overlooked in the past, so I think this reform will be very much welcomed.

Clause 5 of the bill extends the offence of cruelty to include selling, offering for sale, purchasing, driving or conveying an animal that appears to be unfit due to emaciation, injury or disease. Again, this is a common-sense amendment.

As was touched on by an earlier speaker on this side of the house, the Liberal-Nationals coalition has a strong record of initiating and supporting measures which improve animal welfare in Victoria. This has been a trend in all governments of recent decades, which have taken significant steps in these areas. Opposition members support the changes that have been made, and we are very pleased that, relatively early on in its term, this government is continuing the good work along these lines.

I believe the changes in this bill are part of a common-sense approach, particularly the reforms that have come about as a result of the greyhound racing inquiry. These reforms will be well received by everybody within the wider Victorian community, and that is why the coalition in opposition is supporting the bill.

Mr BROOKS (Bundoora) — It is a great privilege to join the debate on the Prevention of Cruelty to Animals Amendment Bill 2015. At the outset I will say that it is great that there is cross-chamber support on this legislation. This bill deals with a number of very important aspects of preventing cruelty to animals and in some way responds to various issues that have arisen in the past and takes action through statute to address those particular areas.

Like previous speakers, I want to make some comments about the provisions in this bill that deal with the greyhound racing industry. All members of this house would have been shocked and horrified to see the images that were broadcast on *Four Corners* in February, which included the cruelty of live baiting and the savage way in which defenceless animals were treated. Quite rightly there was a very strong community reaction to that media coverage, and consequently there has been a very strong reaction from the government. At the outset of that situation being exposed, a couple of inquiries were established — one by the chief veterinary officer of Victoria, Dr Charles Milne, and another by the racing integrity

commissioner, Sal Perna, who started an own-motion investigation into those issues.

The reports of both of those inquiries have been presented to government and have been made public. It is well worth members reading them in terms of the changes that are recommended by both investigations.

At the time that those inquiries were set up the government also allocated \$3 million from the Regional Racing Infrastructure Fund for some instant measures being taken in these areas. Those measures ensured greater greyhound welfare compliance and the employment of education officers as well as the provision of increased resources for the investigations staff at Greyhound Racing Victoria. A dedicated trial track steward was also provided and some funding was targeted towards better technology in this regard. Some instant action was taken as well as the establishment of the two inquiries.

The report by Dr Milne is comprehensive. One of the key aspects that he highlighted to government was the issue around the conflict between Greyhound Racing Victoria's apparent role in promoting the sport and at the same time regulating the sport. From Dr Milne's point of view this conflict sometimes makes it difficult for Greyhound Racing Victoria to understand its core job. He recommended the possible separation of those roles, and I understand that those sorts of issues are now being looked at as part of a broader review.

In his report, Sal Perna noted that there was a strong level of cooperation from Greyhound Racing Victoria with his investigation. A number of participants in the industry were compelled to give evidence. I cannot remember the exact number, but well over 20 people were compelled to come forward and give evidence. Obviously Mr Perna's report is very thorough, and he has found no evidence of corruption in the industry, which was one of the allegations made in the original *Four Corners* report and *Animals Australia* media show. Whilst Mr Perna does not dispute the fact that those practices existed within sections of the greyhound racing industry, he found no evidence of corruption.

Members will know that, between the airing of that *Four Corners* program and the present time, the entire membership of the board of Greyhound Racing Victoria stepped down and new people have stepped up into those positions. The government, on receipt of the reports from both the chief veterinary officer and Mr Perna, made it very clear that it would work to implement of all those recommendations.

In terms of the overall integrity model for greyhound racing — in fact for all three codes — the Minister for Racing has commissioned Mr Paul Bittar, someone who has international experience in racing governance, to develop what will essentially be a new integrity model across all three codes here in Victoria. That is due early next year. That is a serious piece of work and one which will no doubt address some of the issues that have been highlighted in the reports I have just mentioned and also a range of other integrity issues in those codes.

On top of that, the government committed to some of those recommendations at that very early stage, including increasing fines and penalties under the act for people involved in live baiting. The bill we have before us today does just that, with most financial penalties for offences involving live baiting being doubled, so there is a significant increase in the penalties for people who are involved in those practices.

At the time, we said we would introduce a new offence under the legislation for someone who is present at a property where live baiting is occurring, and that is exactly what this bill does today. It bolsters the powers of inspectors to make it easier for them to enter premises where it is reasonably believed that live baiting is occurring, and it mandates the appointment of a veterinarian to the board of Greyhound Racing Victoria to prioritise animal welfare and certainly to ensure that the board has a clear focus on animal welfare.

It is timely to note that the minister today, I think, announced two new appointments to the board of Greyhound Racing Victoria: Ms Peita Elkhorne and Mr Robert Greenall. It is worth noting that Mr Greenall fits that description of someone with significant veterinarian experience. I understand that he has over 25 years experience in the veterinary field. Again, we have come good with follow-through on a recommendation that was made by the reports.

The government has outlawed the presence of certain animals, whether they are dead or alive, that have been used for greyhound training or racing. That is a key part of this legislation — ensuring that certain types of animals specified in the legislation are not able to be kept at a premises that is used for greyhound racing. It also increases the sanctions and penalties for people involved in live baiting.

The key point I want to make is that *Four Corners* and Animals Australia should be commended for their work in exposing this animal cruelty. It is an example of one

of the better aspects of activists and journalists — working to ensure that something that is wrong is exposed to public scrutiny and that corrective action is taken. I do want to say, though, that Animals Australia is now campaigning for an end to the greyhound racing industry per se, and that is where I disagree with its point of view. Greyhound racing is an important part of our society.

I have a conflict; I grew up in a family that was a very strong greyhound racing family. My father was a trainer and owner. I spent too long on the weekends as a child at trial tracks, being shipped around with dogs. I must say that my family taught me to respect animals, and we loved those animals like pets. In fact most of them were just like family pets. We found greyhounds to be beautiful, placid, friendly animals. On the one hand I certainly understand the concerns around cruelty to animals, but all the people I have ever had contact with in that industry have been people who love their greyhounds like anyone else would love their pets. I certainly would not want to see detriment done to that great sport by the actions of a few people who have done wrong.

It is important to note that greyhound racing is an industry that supports many communities. It is not as big and flashy as the gallops, but it contributes to an important part of the economy, particularly in regional Victoria but also in places like Broadmeadows. That is something we should be cognisant of when we talk about the future of greyhound racing. It is important that we stamp out cruelty wherever it is, and there is certainly significant action being taken by this government. There is more to come on this, and there is more action to be taken. It is also important that we do not overreact to this and that we make sure we take measured action — that we stamp out cruelty to animals but also support a great sport that is such an important part of our community.

Ms SANDELL (Melbourne) — It gives me great pleasure to rise and speak on this bill and affirm that the Greens will be supporting this bill, which strengthens enforcement of and compliance with the Prevention of Cruelty to Animals Act 1986. As has already been mentioned, the bill clarifies offences relating to dogfights and cockfights, expands the ability of courts to intervene to prevent animal cruelty and increases penalties for offences of cruelty to animals.

As has been mentioned, the bill implements some of the recommendations of the investigation into animal welfare and cruelty in the Victorian greyhound racing industry. Victorians were profoundly shocked by the revelations about live baiting in the greyhound industry

that were revealed on *Four Corners* in February this year. I, and I imagine many other people in this place, received hundreds of letters from Victorians who were so concerned. They were horrified. They were sickened by these discoveries. Live baiting and blooding is simply a horrific, inhumane and cruel practice. It is illegal of course, but it depends on a really strong enforcement framework and really strong enforcement to ensure that it does not occur, and that simply has not been happening in the greyhound racing industry.

The previous member said that we should not overreact to these allegations, but I do not think this is an overreaction. This bill is a step in the right direction, but I actually think it is insufficient when it comes to animal cruelty. It is deeply concerning that Greyhound Racing Victoria, one body, is on the one hand responsible for animal welfare but on the other hand also responsible for the promotion of this industry. This form of self-regulation clearly creates a conflict of interest, and what suffers is the welfare of the animals. We have already seen that happen; we have seen the horrific consequences of this. If the government refuses to ban greyhound racing, at the very minimum it needs to introduce independent regulation of the greyhound industry. Greyhound Racing Victoria cannot continue to be both the promoter and police force for this industry.

By way of context I want to talk a bit more broadly about cruelty to animals. Although this bill is a good step in the right direction, there are so many other things that we need to do as a Victorian community in this area. The laws we have in this state are simply not strong enough to protect animals. The profit motive and negligence expose animals to treatment that most Victorians would find really appalling and deeply distressing if they could see it for themselves. I draw to the attention of members a few issues in need of urgent attention here in Victoria, and our time in this Parliament is our opportunity to make a big difference in the lives of animals in this state with a few simple measures.

We would start by banning sow stalls and cage eggs. We cannot keep cramming animals together in horrific circumstances with no regard for their health or welfare simply because of a greedy desire to maximise profit. The Greens have long been calling for a swift end to jumps racing. This is a particularly barbaric form of horse racing that has resulted in numerous preventable deaths and horrific injuries of horses in this year alone. We could easily put an end to this by banning jumps racing, just like almost every other state in the country has done. We would not be the first, and indeed we would be almost the last state to do so.

Something close to my heart is doing away with duck shooting. We need to put an end to this archaic and barbaric practice, and again we are one of the last states in the country that allows it. I am ashamed that we have not banned it. It not only results in horrific injuries to and the deaths of many water birds but also means that many protected and endangered birds are killed every year. That is not on. If we care about protecting biodiversity in the environment, we cannot allow duck shooting to continue. These are quite simple measures, but they need the will of members in this place and of this government to achieve them. We have not seen that will demonstrated so far.

I want to raise a couple of other matters. The Greens have raised with the Minister for Agriculture and the Minister for Environment, Climate Change and Water the issue of the netting that is used by many people to cover their backyard fruit trees as protection from birds. A lot of people do not realise some of the netting they use traps endangered flying foxes. They often get caught in these nets resulting in quite horrific injuries and sometimes death. It is also quite dangerous for the wildlife rescuers who go out to collect them. We could ban inappropriate netting. It does not mean people cannot cover their fruit trees — absolutely not. It just means they need to use nets with slightly smaller holes, so they do not inadvertently catch fruit bats, flying foxes, birds or other critters in those nets.

We could very easily create regulations to prevent the sale of non-wildlife-safe netting. It would be a very easy thing for this government to do through regulation and something that I think would have a huge impact on wildlife carers and our endangered species. Similarly we need to better regulate and enforce prohibitions on opera house nets in private waterways. These hurt and kill many platypuses every year. We also need much stronger regulations and compliance around glue traps, because these cause huge suffering to small animals.

This bill is a good start. I am pleased to support it, but if we are taking small measures like this, we really should also be looking at the bigger picture. We should be making sure that the welfare of animals in our state is the highest priority and is not trumped by commercial or industry objectives time after time. Ghandi said, 'The greatness of a nation and its moral progress can be judged by the way its animals are treated'. As lawmakers in this place we are entrusted with the responsibility to protect and advance our moral progress through the legislation we create. We have the opportunity to weave greater compassion and humanity into Victoria's laws. We can make sure that the principles of care and compassion towards all living

things, not just towards human beings, are embedded in our laws. It is for these reasons that I am pleased to support the bill as a step towards a more compassionate approach to the treatment of animals in our state. We may seek to move amendments in the upper house to further strengthen the protection of animals in our state, but in the meantime I wish the bill a speedy passage.

Ms WILLIAMS (Dandenong) — It is a pleasure to rise in support of this bill. As a fervent animal lover — as many of us in this place are — the issue of animal cruelty is one I am very passionate about. This legislation presents a welcome strengthening of our animal cruelty laws, but I must admit it is abhorrent to me that in this day and age we require such legislation. I think many in this place find it sickening that there are people out there who have no regard or compassion for other living things, and indeed some engage in deliberate acts of cruelty and brutality. In preparing for this bill I was reminded of a quote by Milan Kundera, ‘Humanity’s true moral test, its fundamental test, consists of its attitude towards those who are at its mercy — animals’.

Last year, after months of searching for the right pet for me I was very fortunate to adopt my dog, Lola, through an animal rescue shelter.

Ms Edwards — Facebook.

Ms WILLIAMS — She does feature on Facebook quite significantly. Thankfully, compared to many other animals in that shelter, Lola’s story is not too bad. Although, from what I know about her mother, her mother experienced quite significant trauma and was a victim of quite serious over breeding. I have kept in touch with the shelter that Lola was born into and the stories of cruelty that come to light through that shelter and dozens like it around the country are truly disturbing.

One case I remember reading about last year involved the case of a dog breeder at Narre Warren North who was charged with some 80 offences relating to the confinement of dogs in quite squalid conditions without proper access to water. There was quite a fight to ensure that was rectified. I think about the joy that Lola brings to my life and the joy that animals in general bring to our lives and I cannot fathom how people can excuse these sorts of conditions.

While we often think of household pets when we think of incidents of animal cruelty, it goes far beyond that, as can be seen by the recent attention paid to puppy farms. In 2014 the RSPCA revealed that more than 17 000 acts of animal cruelty had been reported in that

year. This figure was up by around 1500 on the previous year. I was interested to see that a growing concern for the RSPCA was the emergence of animals being abused by drug-affected people. These cases are often of the most brutal kind, as ice-fuelled addicts in particular rage against innocent animals. However, one of the biggest increases in reports for that period concerned farm animals. I am pleased that through this bill the government is seeking to crack down on this kind of cruelty.

In Victoria the prevention of animal cruelty is covered by the Prevention of Cruelty to Animals Act 1986, and this bill amends that act. The bill aims to strengthen the administration and enforceability of the Prevention of Cruelty to Animals Act 1986. It intends to improve courts’ capacity to make control orders following a guilty finding, and it will also allow for monitoring to ensure compliance with such orders. Prevention of cruelty to animals inspectors and specialist inspectors will have stronger powers regarding enforcement procedures under the act, and the bill clarifies certain offences and introduces new offences in relation to baiting and luring as well as animal fighting. Penalties will also be increased for cruelty and aggravated cruelty to animals. Further, the act is amended to strengthen powers in the case of large-scale animal emergencies.

The administration around the rescue and care of large numbers of animals can be costly and difficult to manage. In some cases, identification and location of owners proves difficult and complex. This amendment bill allows for ministerial authorisation for the seizure and disposal of animals where essential, and it allows for the ability to hold seized animals at a location until arrangements are made for their disposal. Unfortunately at times this is a sad reality.

We are all well aware of the misery endured by animals in the factory farms we have heard about in recent times. Community concern is significant. I am frequently contacted by constituents on matters relating to animal cruelty. Puppy breeding, chicken farms and many other animal factories have been the subject of many horror stories, and people in our community are disgusted by this. I am proud to be part of a government that takes these issues seriously. I am exceptionally proud of our commitment to crack down on puppy farms, which is a policy that has been extremely well received by constituents in my electorate of Dandenong.

This bill also addresses a number of other issues relating to animal welfare, and it further strengthens our commitment to addressing these issues. Most notably the bill marks the commencement of the Andrews

government's response to live baiting. As we have heard, earlier this year the greyhound industry came under fire for its inability to eliminate the use of live lures by some unethical trainers. Through the use of hidden cameras, an ABC TV *Four Corners* program, which has been referred to a number of times already in the debate on this bill, revealed that live piglets, rabbits and native animals were being used to blood greyhounds for the track. The footage of a squealing piglet was pretty appalling, to say the least, and it certainly made me cringe. Despite the practice being outlawed for decades, we know it is continuing, or has been in recent times. Two independent investigations, one by the racing integrity commissioner and the other by the chief veterinary officer, have been conducted, and the government has accepted all 68 recommendations produced by these investigations. Some are being acted on immediately, and specific legislation to be introduced later in the year will address the bulk of the other recommendations.

Another concern is the practice of dogfighting. According to the RSPCA's inspectorate manager, Allie Jalbert, this practice is very difficult to track and is suspected to be connected to 'illegal gambling, drugs and organised crime networks'. Dog fighting is an activity in which dogs are specifically bred or trained to fight — indeed sometimes to fight to the death. This is without doubt a brutal practice. It is sickening to think that these fights are often attended by large numbers of people cheering on at the sidelines as these poor animals tear each other apart. It is difficult to find words to describe the type of person who gains enjoyment from this kind of activity. I must admit that it is beyond my comprehension, and indeed there has been much said in many psychological studies about the mental wellbeing of people who engage in such acts of animal cruelty and what they might be capable of in a whole range of other areas.

There is some concern around how highly organised these underground dogfighting rings can be. They are often held in bushland under cover of darkness. Generators are used to power lights, and temporary fencing is erected. I cite the example that was reported in the *Newcastle Herald* about an operation in the Hunter Valley in New South Wales. The RSPCA in Victoria reports that dogfighting complaints have been minimal and that evidence to substantiate cruelty charges has been hard to find. It is pleasing that this practice does not appear to be a huge problem here, but one incident of it is problem enough.

This bill introduces offences for the possession of specific animals on a property used for greyhound training or racing. Importantly this will not apply if it

can be demonstrated that these animals are kept for a legitimate purpose — for example, pet rabbits or livestock such as pigs that are bred for food. There will also be new offences for animal fighting. Financial penalties for most offences around issues of luring and dogfighting will be doubled, which will bring them into line with the penalties for aggravated cruelty. We are also seeking to strengthen the powers of inspectors to provide entry onto properties where it is reasonably believed that animal fighting, baiting, blooding or luring is occurring, and this bill provides for the seizure of animals found in these circumstances. As the law currently stands an offender may be disqualified from being in charge of an animal for up to 10 years. This penalty will be increased and the ability to impose a lifetime ban on an offender will be introduced. This sends an important message that animal cruelty will not be tolerated, and I could not be any more supportive of that message.

Whilst it is a very progressive move to increase penalties for animal cruelty, the enforcement of control orders is also of concern. This amendment intends to aid inspectors in their ability to ensure that control orders are met. After a penalty has been imposed, inspectors will have improved powers to make sure that an offender is abiding by an order that has been handed down by a court. As an example of how this bill will alter the way incidents can be dealt with, I recall a case from August 2014 when an offender already banned from owning poultry was found guilty of owning and grooming poultry for cockfighting. His penalty was 240 hours of community service and a 10-year ban from owning birds. Under these amendments it would now be possible to impose a lifetime ban, and courts would be able to authorise inspectors to monitor compliance under a control order.

A significant change to be implemented under this bill relates to the spaying of animals, which will now be prohibited unless conducted by a veterinary practitioner. Another change enables multiple acts of cruelty to be combined to result in the offence of aggravated cruelty. All in all, this bill goes a significant way to strengthening our valuable laws that protect vulnerable animals and penalise cruel behaviours that have no place in our community. For that reason, I commend the bill to the house.

Ms RYALL (Ringwood) — I rise to speak on the Prevention of Cruelty to Animals Amendment Bill 2015, and I say from the outset that the opposition supports this bill. Along with, I am sure, all members of this house and the majority of members of the community, I find animal cruelty abhorrent. Time and again we hear through the media of cruelty to animals.

As legislators it is our role to continually progress and amend legislation as issues come to hand and as new ways to prevent cruelty to animals are identified. Therefore the Prevention of Cruelty to Animals Act 1986 is a key piece of animal welfare legislation.

This bill is about preventing cruelty to animals and improving the level of awareness within the community about such prevention. Part of this is making sure that the Victorian community has confidence in the penalties and in the education programs that are in place in relation to animal welfare and the prevention of animal cruelty. It is also about making sure that our laws are robust, that they are in line with modern practices and that they meet the expectations of the community in relation to the prevention of cruelty to animals.

The bill creates greater powers to deal with large-scale animal welfare emergencies, and within that it enables the immediate seizure and disposal of animals when those emergency situations occur. It is always distressing when a situation involving cruelty or an animal emergency event occurs. This amendment removes the requirement to wait seven days to take action. While in most cases this may have been adequate, there have been occasions when emergencies have occurred on a large scale and it has been important to act very quickly.

The bill also constructs new offences and increases penalties for the fighting, baiting, blooding and luring of animals. We have seen in the media the issues around greyhound racing and the allegations and findings in relation to that. This legislation enables the uncovering of these acts of cruelty and subsequent investigations into live baiting within the greyhound industry. This addresses some of the recommendations of the chief veterinary officer's report in relation to welfare issues in the greyhound racing industry by bringing forth new offences and allowing for greater powers of entry to property where fighting, baiting, blooding and luring is suspected to be occurring. The definition of aggravated cruelty is altered to clarify that it can be multiple acts of cruelty rather than just one single action. The bill also increases penalties relating to fighting, baiting, blooding and luring so that they are in line with other maximum penalties for cruelty and aggravated cruelty offences under the act.

The exposure of live baiting earlier this year shocked Victorians and rightly created much distress within the state of Victoria. There is no place for animal cruelty, and these new penalties and the increased fines send an absolutely clear message to the greyhound racing industry that these practices must be stamped out or

there will be very severe consequences. It is a very big wake-up call for the greyhound racing industry.

The bill gives the courts further or new powers so they have a greater range of options for dealing with animal cruelty offenders. Ownership bans of up to 10 years for serious offences were introduced as an option by the previous government. The bill proposes the removal of that serious offence requirement so that courts have greater discretion to impose bans when they think that such orders might be beneficial. The aim, obviously, is the prevention of further instances of cruelty to animals.

Another consequence of the bill is the power of the courts to order monitoring and compliance with such bans. When those bans are implemented, we want to make sure that they stick, that further and subsequent cruelty to animals is not undertaken and that non-compliance with such bans does not occur. Under these amendments the courts will be able to authorise monitoring either when a control order is made or on application by an inspector.

There are also amendments within the bill with respect to laws around the use of animals for teaching and research purposes. Obviously that is a very important ethical area as well, and we need to make sure that there is adequate control there. These amendments result in a modernised licence and fee structure, and that is about improving cost recovery and reducing the regulatory burden as well.

The former government had a very strong record of improving animal welfare in Victoria. Between 2010 and 2014 there were significant advances made with respect to domestic animals and livestock, including allocating additional funds to the RSPCA to help bolster puppy farm regulation enforcement. I remember standing out on the steps of Parliament House in 2011 talking to many members of the Victorian community who were concerned about puppy farms and the fact that for so long the issue of strengthening the laws around puppy farms had been neglected. We provided additional funds for the RSPCA along with a commitment to provide further funds.

We introduced a very strong mandatory code of practice for dog and cat breeders, including mandatory vet checks, retirement plans, housing, nutrition, exercise, socialisation and staffing ratio requirements. We also added five-litter limits for female breeding dogs to the code. That code introduced compulsory animal health checks, with a vet sign-off being required, and compulsory post-birth checks as well as a fit and proper person test for people who want to own and manage dog and cat breeding businesses.

We gave the RSPCA the ability to inspect pet shops and introduced a requirement for pet shops to keep detailed records on the source of every dog and cat they have for sale. These records can be used by council and RSPCA officers to investigate and prosecute illegal puppy and kitten farms that are not complying with the code and with other requirements. Under the revised code that was put in place, breeding businesses were banned from using wire floor caging. We also explicitly banned euthanasia by blunt force trauma.

It was the former government that gave the RSPCA and council authorised officers the stated power to enter illegal puppy farms or kitten farms and seize animals. With those laws, all dogs and cats advertised for sale had a microchip number, which gave councils the ability to trace the origin of a dog or kitten and therefore the ability to investigate and issue fines for offences. We increased fines for cruelty and aggravated cruelty, and penalties more than doubled in that time. So there has been significant work on this issue.

From time to time there is a need to further strengthen the requirements around the prevention of cruelty to animals and also to deal with penalties associated with that. On that note, I commend the bill to the house and wish it a speedy passage.

Ms THOMAS (Macedon) — It is my pleasure to rise today to speak on the Prevention of Cruelty to Animals Amendment Bill 2015. I commend the bill and congratulate the Minister for Agriculture on bringing it to the house. I also note the support for the bill by the Liberal Party, The Nationals and the Greens in this place. It is terrific to see the bill receive that support, as indeed it should. The Minister for Agriculture is absolutely at the leading edge of improving animal welfare in this state and indeed in the country.

We all recall — and many members have talked about it today — the horrific footage aired on *Four Corners* that brought to our attention the abhorrent practice of live baiting in the greyhound racing industry. This episode saw many hundreds of emails being received by me — and I know, because members have talked about it today, by other members as well — from community members who were absolutely appalled at what they were seeing. It was beyond our imagination that such barbarism existed in our community, and we were all repelled by what we saw on that *Four Corners* program. I also note that while that program was being aired both the Minister for Agriculture and the Minister for Racing were hard at work preparing a response, because I saw on social media on that same evening both of them expressing their abhorrence at what they had seen and their determination to take action.

The bill marks the commencement of the government's response to that live baiting scandal by both increasing penalties and strengthening the enforceability of those penalties. We want to send a very clear message that practices like live baiting will not be tolerated in our society. As I said, the government acted quickly, with both the Minister for Racing and the Minister for Agriculture commissioning investigations into live baiting. Both reports were released on 11 June. The government has accepted all the recommendations and is acting on a number of them immediately.

To speak to the legislation itself, it is a comprehensive bill that achieves a number of things. It enhances emergency seizure powers to enable the immediate seizure and disposal of animals where there is a large-scale animal welfare emergency. It ensures sufficient powers are in place to adequately deal with animal fights — both dogfighting and cockfighting — and the use of animals for blooding and luring, such as in the greyhound industry. Amendments are made regarding participation, the keeping of animals for use in blooding and luring, and seizure and disposal powers. It improves the courts' capacity to make control orders that disqualify someone from or place conditions on their animal ownership following a finding of guilt and improves inspectors' powers to monitor compliance with such orders.

The bill increases penalties for offences with cruelty and aggravated cruelty elements in order to align them with other maximum penalties under the act. It enhances the powers of the prevention of cruelty to animals inspectors to enable better enforcement under part 2 of the act. It reduces the regulatory burden on animal research and teaching establishments through improved licensing and cost-recovery mechanisms. It establishes the Animals in Research and Teaching Welfare Fund, into which will be paid fees for monitoring and reporting on compliance by animal research and teaching establishments.

I might note at this point that it was my pleasure to attend, with a number of my colleagues including the member for Broadmeadows, the Baker institute the other day, where we saw some groundbreaking research being undertaken into cardiovascular disease and diabetes, made possible by investigations into mice. I think others have spoken about this. We need to use animals, but it is essential that we do so in an ethical and regulated way.

The bill also provides for improved enforcement powers for the regulation of scientific procedures under part 3 of the act. It provides for adverse publicity orders to be made in relation to animal research and teaching

establishments, as well as making miscellaneous amendments to improve the operation of the act.

As I said, I am delighted that this bill is receiving such wide support. Animal welfare is an issue of real concern in our community and is one of the leading issues that constituents contact me about. I would like to take this opportunity to acknowledge the work of one of my constituents, Ms Sue Kirkegard, who is the president of Project Hope. I might add that she was also a fantastic supporter and campaigner for me in the lead-up to the election last November. Sue has tirelessly worked for Project Hope in a volunteer capacity. Project Hope was established back in 1973. Its mission is to provide a rescue service for maltreated horses.

Amongst her many responsibilities as president, Sue takes calls on the registered Project Hope telephone number; she manages all incoming information; she is a key contact for all members of Project Hope; she promotes the role of Project Hope in the community; she organises disaster assistance; she is the editor of the newsletter, which I am very proud to print for her; and she is very involved in the day-to-day rescue of neglected horses. It is wonderful that there are community members out there like Sue and other volunteers through registered not-for-profit organisations like Project Hope that are doing their bit to look after animals and promote animal welfare.

The Minister for Agriculture is also well known — exceedingly well known now, I might say — across the community for her outstanding leadership in cracking down on puppy farms. She has been exceptional in this regard, and her campaigning has been quite astounding. I really congratulate her on that. I note that the government and the minister followed through by not only raising public awareness of the horrors in puppy farms but delivering through the May budget a significant boost of \$5 million in grants to the RSPCA to establish a specialised flying squad of inspectors with increased powers to get in there and audit puppy farms. This is a fantastic breakthrough. The community has been exceedingly concerned about the prevalence of puppy farms, and in a very short space of time we have reached the point of having no tolerance for puppy farms. That is something that all members in this house agree on, and it is really great progress.

In conclusion I say that this legislation is about the prevention of cruelty to animals. I would like to make note of my brother Andrew Thomas. On Sunday Andrew will be celebrating 28 years of working for Mars Petcare in Wodonga. He has worked in pet food manufacturing all his life. I might also say he is a real sucker for a rescue animal. One of the things I love

about Mars is that it is a pet-friendly workplace. I understand the Minister for Agriculture may soon make a visit to Mars Petcare. She will be warmly welcomed by all the workers there who not only care very deeply about the quality of their work but are passionate about domestic animals and domestic animal welfare. They hold the Minister for Agriculture in very high esteem for the work she has done in campaigning against puppy farms and against animal cruelty more broadly. On that note, it is with real pleasure that I commend the bill to the house.

Mr WATT (Burwood) — I rise to speak on the Prevention of Cruelty to Animals Amendment Bill 2015. From the outset I say that I know other members of the Liberal and Nationals parties have made it clear that they will be supporting this bill. On the prevention of cruelty to animals not only do members on this side understand that it is the right thing to do morally but also for many on this side their livelihoods are affected by animals. A number of members in the Liberal and Nationals parties have been farmers, when obviously having animals on your farm is imperative, and looking after those animals — —

Mr Foley — Not if you are a grain farmer.

Mr WATT — Not the grain farmers, but some of the grain farmers might have animals. From the outset I would like to point out that the Liberal Party is looking to increase their stock of farmers, particularly their stock of dairy farmers. I note that Roma Britnell has been preselected as the Liberal Party candidate for South-West Coast. It is great to see that we are introducing another candidate — and hopefully will introduce another member of the Liberal Party into this place — who has some real world, real-life experience, particularly with animals. It must be a little disappointing for people in both the Assembly electorates of South-West Coast and Polwarth that the Labor Party does not seem to be showing any interest in those communities and is not putting forward candidates for the by-elections. I congratulate Roma Britnell on her preselection. Hopefully in a short period of time she will be with us as a member in this house.

I reiterate some of the points made by the member for Murray Plains with regard to the coalition's record on improving animal welfare. The coalition has a very strong record, despite some of the myths the Labor Party has put out. I point particularly to some of the campaigns that were run last year that cast aspersions on members who were members of the government at that time but are members of the opposition now, suggesting that maybe we did not place animal welfare high on our list of priorities.

In the four short years we were in government we did quite a bit in the animal welfare space. We made significant advances with respect to animal welfare for both domestic animals and livestock. I know this has been discussed by the member for Murray Plains, but I reiterate the point that in the space of domestic animals we provided additional funds to the RSPCA to bolster puppy farm enforcement. If elected, we would have provided an additional \$6 million. I understand that the current government has not fulfilled all of that commitment. It has provided some money but not the amount the coalition had committed to providing had we stayed in government.

We introduced the stringent mandatory code of practice for dog and cat breeders that included 100-plus prescriptions, including mandatory vet checks, retirement plans as well as housing, nutrition, exercise, socialisation and staffing ratio requirements. If you listened to some of the campaigning by members of the Labor Party before the last election, you would have thought we had done no work in this space. Nonetheless, we also imposed litter limits for female breeding dogs, for which there has not been a lot of credit from the government members who were then in opposition.

The code introduced compulsory animal health plans with the requirement that a vet sign off on them. It included compulsory post-birth vet checks, as well as a 'fit and proper person test' for people who wanted to own and manage dog or cat breeding businesses. The Liberal-Nationals coalition government gave the RSPCA the ability to inspect pet shops, and introduced requirements for pet shops to keep detailed records on the source of every dog and cat they have for sale. These records can be used by council and RSPCA officers to investigate and prosecute illegal puppy and kitten farm operators who are doing the wrong thing.

Under the coalition's revised code, breeding businesses were banned from using wire floor caging. We explicitly banned euthanasia by blunt force trauma. It is amazing that anyone would think that euthanasia by blunt force trauma would be acceptable, but we explicitly banned it. It was the coalition that gave RSPCA and council authorised officers the stated power to enter illegal puppy farms and illegal kitten farms and seize animals. It was the coalition's new laws that provided that all dogs and cats advertised for sale must have a microchip number and gave councils and the RSPCA the power to investigate and issue fines for these offences.

As has been stated, the coalition substantially increased fines for cruelty and aggravated cruelty. Under the

coalition government penalties were more than doubled. When we left government aggravated cruelty carried a fine of \$72 624 and up to two years in jail. We increased approximately 12-fold the penalty for running an illegal puppy farm, up to over \$24 000 for an individual or over \$88 000 for a body corporate. Under the previous Labor government the fine for running an illegal puppy farm was \$1195. If you are selling puppies, it does not take an awful lot to get to \$1195, and depending on the breed you can sell some dogs for well over that, so that low penalty was not a disincentive to running a puppy farm. We also increased penalties for failing to adhere to the mandatory code of practice. The fine was also \$1195, and we increased it to \$36 312 for an individual or, once again, \$88 000 for a body corporate.

The coalition gave the courts powers to ban for up to 10 years a person from owning animals. It is sad that we had to introduce laws to ban people from owning pets because they treat them so badly. We tightened the requirements for applicable organisations to ensure that all dogs and cats are bred ethically.

Most people have or would have had pets. In the short time I have left I will pay tribute to the dogs I had when I was a little kid. I had a dog named Sugar, and after Sugar moved on we had Jack and Jill. They are the pets I had as a kid. I cannot imagine that I would have treated my pets in any way that could be construed as cruel. As a child I loved the pets we had, and everybody should treat their pets in a way that is not cruel. I commend the bill to the house.

Ms KNIGHT (Wendouree) — I am pleased to speak on the Prevention of Cruelty to Animals Amendment Bill 2015, which says a lot about our society and the expectations we have of each other. It says clearly that as a society and as a Parliament we do not accept, and will not accept, cruelty towards animals. The bill before the house increases the penalties for cruelty and aggravated cruelty and makes a range of other important changes that go towards ensuring the humane treatment of animals.

Before addressing the detail of the bill I will speak about the importance of animals to us. Whether we are talking about a farmer or a family with a dog running around the backyard, we love our animals. I was fortunate to grow up with a lot of animals around me. We had horses, chooks, dogs and cats. We also had a cow that we could not make friends with because we would end up eating it after a year or so, but we treated that cow very well. We put a photo of our little cow on the freezer so we would always remember it. I miss having animals around me. A friend of mine bought a

lot of chooks, and I was lucky enough to have a foster chook called Beyoncé. The member for Bendigo West will be interested in this story. Beyoncé was bootylicious. She got a bit clucky and stopped laying, so we put a poster of Jay Z in the chook shed, which got the eggs going pretty quickly.

I will also talk about the importance of companion animals, which help people who have disabilities and people who are older. They enhance the lives of those people who need a bit of help with their day-to-day activities, and we should always remember how important those animals are to people's day-to-day lives. It is because of this love that we feel so strongly about the horrendous acts of cruelty against animals that we sometimes see perpetrated. It is the companionship, fun and joy we feel when around our pets that get us, as a community, to demand that animals be treated well. It is these feelings that cause us to take a stand, to demand tough action against perpetrators and to expect that animals be made safe if they have been treated cruelly. These are the things the bill before us does.

Where animals are used in the cruellest and most disgusting ways for so-called entertainment in blood sports like dog and cock fighting, we are rightly outraged. Penalties for these disgusting acts and the management of animals that have been trained for fighting are also dealt with in this bill. The bill also deals with a number of the recommendations, all of which have been accepted by the government, of the inquiries into the treatment of animals by some in the greyhound racing industry.

The explanatory memorandum outlines the purpose of the bill as being:

... to amend the Prevention of Cruelty to Animals Act 1986 ... to provide for further offences, new court orders, increased seizure and disposal powers, enhanced enforcement and monitoring powers, increased penalties, establishment of a trust fund, new requirements for nominees of licence-holders, new requirements for a peer review committee, adverse publicity orders and other related and minor matters.

Essentially these amendments further strengthen laws relating to the prevention of cruelty to animals. The bill before us increases penalties for cruelty and aggravated cruelty, boosts the ability of courts to ban offenders from being in charge of animals and assists authorities to deal with those offenders.

I am sure we have all seen media coverage of the disgusting live baiting by some in the greyhound industry, and I am sure that each of us in this house is disgusted by it. I have received a number of emails and

letters from people who are greatly concerned with and distressed by these practices. I am sure everybody in this chamber joins me in the belief that cruelty is just wrong. I do not know how people can do it. I was pleased that the Minister for Racing and the Minister for Agriculture acted quickly after those practices were revealed, and I am pleased that this bill brings forward legislative change to increase penalties and strengthen the enforcement of baiting and luring offences, as recommended by reports into the greyhound industry.

Financial penalties are being doubled for luring, baiting and blooding offences by bringing them into line with the penalty for aggravated cruelty. The maximum penalty for an individual will be severe, with a fine of up to 500 penalty units, which is currently \$75 835, or up to two years in jail. For a corporation it is a fine of up to 1200 penalty units, which currently stands at \$182 004.

These are some of the toughest penalties in Australia, and I am very proud of that. They send a very strong message that as a community we find the practices of luring and live baiting abhorrent and absolutely unacceptable. To enforce these increased penalties and protect animals, the powers of inspectors are being strengthened so they can enter properties where they reasonably believe animal fighting, baiting, blooding or luring are occurring and those animals can be seized.

As I outlined earlier, this bill not only increases penalties for baiting, blooding and luring but also it introduces new offences for being present without a reasonable excuse when these cruel activities are occurring. A person present during blooding or luring activities will face a maximum fine of 120 penalty units, currently \$18 200. I support these measures. I believe that if a person is treating an animal so terribly — as animals are treated when there is blooding, luring or baiting — that person deserves more than a slap on the wrist. This bill provides for severe penalties, including up to two years in jail. If you are present at these activities, you are part of the problem too. If you are present when these things are happening, I believe you are colluding in these activities. This bill provides for a significant penalty of up to \$18 200. Additionally, it provides the courts with greater scope in applying a disqualification from owning or being in charge of an animal for up to 10 years if a person has been convicted or found guilty of an offence.

I reiterate my support for this bill. We love our animals and expect that all animals are treated properly, and when they are not we are rightly outraged. Nobody wants to see cruelty to animals, and we all expect that

there are severe penalties for those who mistreat animals.

It is pleasing to note that the opposition is supporting this bill. It has been lovely listening to the contributions so far and hearing everyone here talking about their connection to their pets or to their livelihood of farming and how important that is. That connection is not just about a dollar or a presence in a home; that connection is about real relationships, and real relationships are based on respect. It does not matter if it is a relationship with a person, a relationship with a pet or a relationship with a farming animal that is helping you and your family; that respect needs to be in place, and it needs to be protected. We really do have to legislate to protect animals and punish those who do not. This bill achieves those aims by sending a very strong message that cruelty to animals is absolutely unacceptable, and it backs up that strong message with very strong penalties. I commend the bill to the house.

Ms KEALY (Lowan) — It is an honour to contribute to the debate on the Prevention of Cruelty to Animals Amendment Bill 2015. I state from the outset that the National Party, and the coalition, will be supporting this amendment bill. I am quite proud to speak in support of this bill. To set out the structure and reason for the amendments, the bill amends the Prevention of Cruelty to Animals Act 1986, which is Victoria's key piece of animal welfare legislation. Its purpose is to prevent cruelty to animals, encourage the considerate treatment of animals and improve the level of community awareness of the prevention of cruelty to animals. The purpose of this bill is to bring in a number of amendments to really strengthen the administration and enforceability of the act and to ensure that the act continues to be in line with community expectations.

Like many of the members who have spoken before me, I had a very fortunate upbringing in which I was around animals the whole time. There were pets, including some fantastic dogs. I always wanted a kitten, but unfortunately having one was not compatible with my Scottish Highland terrier. We also had a lot of working dogs, of course, on the family farm. We had sheepdogs around all the time. I will speak about our fantastic sheepdog, Wally. Dad was very impressed when we were out on the farm and the dog would finally obey Dad's wishes for him to round up the sheep. He actually went behind when Dad wanted him to go behind — and then a butterfly came along. Wally started to follow this butterfly and leap and bound across the paddock to chase it and round it up too. I can say that my father was not very impressed. Wally was certainly part of the family menagerie of pets, but he

did not win any awards as the best working dog I have ever seen.

Growing up in the country, there was so much wildlife around. We often had echidnas scurrying around in the backyard. I remember always having wild birds nests, and there is still a family of owls that nest in Mum and Dad's garden every year. There were bats, and we would look after baby bats that had fallen out of trees. I must say the snakes, including tiger snakes, that found their way into our backyard were perhaps not treated with as much love as the bats that fell out of the trees.

Having grown up with animals around me, I am very much a passionate supporter of animal welfare and the care of animals in the community. It is not just domestic pets; it is stock. In country Victoria, including in the electorate of Lowan in western Victoria, we manage and look after our stock — whether it be sheep, cattle, pigs, ducks or chickens — in the same way, and we have an expectation within the community that these animals, even if they are bred for consumption, are treated in a humane way.

These amendments will help to strengthen how we administer, manage and enforce the Prevention of Cruelty to Animals Act 1986. A lot of this reform began under the previous coalition government. The really excellent work of the now shadow Minister for Agriculture needs to be noted, particularly the work he did in setting up some significant reforms to strengthen the enforceability of penalties relating to people who commit unspeakable acts on animals. One example is the requirement for greater powers to deal with large-scale animal welfare emergencies.

In 2012 a chicken broiler farm went bankrupt, and a dispute arose around who owned the chickens. The chickens were starving and had to be seized from a number of locations around the state. While the dispute was going on it was costing the state \$80 000 a day to feed the birds until ownership could be determined. This is obviously something that went on too long and cost the state a lot of money, but more importantly there were animals that were not kept in good conditions through that period. This bill should strengthen powers to ensure that animals are looked after in large-scale operations like that.

There is also an amendment that will assist with regard to fighting, baiting, bleeding and luring. That is particularly relevant to the greyhound industry. We all remember the *Four Corners* report in which it was appalling to see the use of live animals to train greyhounds. There have been a number of reforms around that already, but more importantly there has

been greater scrutiny, which has allowed for a clean-up of some of those heinous acts that were ongoing in the greyhound industry. The community was outraged, and I received a number of emails from constituents concerned about those practices. This amendment will address some of the recommendations made by the chief veterinary officer's report into animal welfare in the greyhound racing industry. These amendments also strongly reflect the expectations our community members have.

Similarly, increased powers for courts to impose and monitor animal ownership bans placed on people with animal cruelty convictions are in line with community expectations and with the views of animal welfare stakeholder groups. Amendments to the section of the act that regulates research using animals will result in modernising licence and fee structures, improving cost recovery and reducing the regulatory burden.

I will also refer to the use of animals in our community and particularly our relationship with animals. The health benefits of having a companion animal are very well researched, and I think this builds on the natural emotional link that we as human beings have with animals. They are constant friends and companions as we grow up. We have seen the very successful use of animals as therapy pets, including for children with behavioural issues and for disengaged youth — there are some fantastic documentaries on how trust relationships amongst younger people can be rebuilt through working with horses, for example.

In rural Victoria we have the fantastic Riding for the Disabled Association of Australia in my electorate of Lowan. The association does an incredible amount of work to increase the confidence of people with disabilities and it is great for fostering a sense of inclusion for people with disabilities so that they can enjoy an activity that many people already do. There is also great evidence about how companion pets can assist people who are older — we can see the benefit of this in residential aged-care facilities in particular.

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disabilities so that they can enjoy an activity that many people already do. There is also great evidence about how companion pets can assist people who are older — we can see the benefit of this in residential aged-care facilities in particular.

The bond we naturally have with animals makes it extremely difficult to comprehend what compels an individual to abuse or neglect an animal, but it unfortunately does occur. I am very fortunate to be a parent of a fur baby named Charlie. I adopted Charlie, who was a rescue dog, when I was in Darwin. Charlie is a labradoodle who was given up for dead. When he was found he was totally matted — all his fur came off in one coat — he was full of fleas and he had not been fed properly and was suffering from significant malnutrition. He had an enormous fear of other human beings — he would not let anybody so much as pick up a shopping bag around him or he would run away. He would not chew on a bone — he could not chew anything. I took him to the beach, but even a small lap of the ocean would have him running away in fear. Over a couple of years we had to work with him to rebuild his trust in humans. It was challenging, but it was intensely rewarding to see a dog slowly regain his trust in people. He would allow me to pat him, but it took him a while to trust males again — he obviously had been beaten quite badly by a man in the past. I would like to see that dogs are never treated in such a way that they become so emotionally scarred that it takes years for them to trust human beings again.

Finally, in the lead-up to the Christmas period I want to repeat a message we often hear: if you are considering giving your children a puppy, remember that a dog is for life, not just for Christmas. If you are looking to build your family with fur babies, consider adopting a rescue dog. Horsham Paws does a fantastic job of rescuing pets in the local area, and there are a number of other agencies offering pets for adoption, so I thoroughly recommend you look at those avenues before anything else. I certainly recommend looking at a greyhound — that is something that has been spoken about very positively — as they make fantastic pets. I again state that the coalition supports this bill. It is very pleasing that at this stage the government appears to be committed to continuing to build on the reform agenda initiated by the coalition government. I commend the bill to the house.

Ms GRALEY (Narre Warren South) — It is a pleasure on this very warm afternoon to rise and speak on the Prevention of Cruelty to Animals Amendment Bill 2015. I note that other speakers have referred to it as the POCTA bill, and during my brief contribution I will take the liberty of referring to it in this way as well.

I am very pleased to hear that the opposition is supporting this bill, though I note members opposite have spent quite a bit of time in their contributions patting themselves on the back for all the hard work they say they did in government — they did not do anything in government, and they are certainly not doing much in opposition, that is for sure. What we do know is that the bill is now before the house because the Andrews Labor government has brought it here. One of the reasons the opposition did not get this bill to the house when it was in government — it did not get much to the house — was that it did not do enough hard work to build a strong legislative agenda for animal welfare.

We have heard some lovely stories about pets — and I am sure these will continue throughout the day — but this bill is the culmination of the good work of the minister, her office and department officials to bring legislation to this house that is better and more comprehensive than the dreams of the previous government. It is a stronger bill in many respects but particularly in that it creates more aggressive laws and increases penalties.

The Prevention of Cruelty to Animals Act 1986 — the POCTA act — is Victoria's primary animal welfare legislation. It protects the welfare of animals in Victoria and applies equally to all species and uses of animals. The changes proposed by this bill enhance the government's capacity to deal with animal welfare issues appropriately by guaranteeing that animals are treated humanely, as most people would expect, while being mindful of minimising the cost to the taxpayer. The Andrews Labor government has agreed to implement the recommendations of the chief veterinary officer's report into animal welfare in the greyhound industry, and this bill partly addresses some of those recommendations.

I do not think there are many Victorians who do not love animals. When we as MPs talk about animal welfare in public forums or even on our Facebook pages, we are inundated with feedback about how important people's pets or animals are — whether they are farm animals, working animals or just animals they have met throughout their lives — to who they are as human beings. I think most Victorians have very short fuses when it comes to other Victorians committing acts of cruelty against animals. We have to recognise that most people love animals, so this legislation is targeted at a quite small group of people who are very cruel to animals, some of whom unfortunately work in animal industries.

I think we have all seen pictures in newspapers and on our television screens of animals being mistreated, such as those ghastly pictures of horses with their ribs sticking out. A horse is such a wonderful animal for people to have in their lives. We have seen examples through the *Four Corners* program of live baiting in the greyhound industry. A night out at the dogs is one of the best nights you can have — it is a fun night out at Moonee Valley, Sandown or wherever — and it is really unbelievable for many of us who have had that treat of going to the dogs that there could be people out there using live baits to train dogs. We want to see that practice eradicated.

I know that at the time of the election most members, certainly those on this side of the house, had people telling them they wanted to see puppy farms tightly regulated or eradicated. We have seen awful pictures of dogs with multiple litters who have been worn out through the torture of over-birthing and feeding their young pups. We all go into pet shops and think how cute that little dog looks, but the fact is that they are often the product of a very cruel breeding program.

This bill deals with blood sports in Victoria. I am very glad to see this taking place, because we do not want blood sports in Victoria involving animals. The idea that we have cockfights happening in our neighbourhoods is really abhorrent to most Victorians. I think it was Friedrich Nietzsche who said, 'Man is the cruellest animal'. In these cases I have been talking about, man is often the cruellest animal. The focus of this bill is to stop these people's cruel behaviour and to penalise such behaviour if it happens. I note that penalties have been substantially increased in Victoria, which will make them, I suspect, the highest in the land. We are talking about tens of thousands of dollars in penalties if you are involved in cruelty and 500-plus penalty units or two years in jail for aggravated cruelty. These are significant penalties and punishments and so they should be. This is exactly what the public expects of the government.

I will finish my contribution by referring to just how important animals are to people. I am always pleased when I visit schools to see that many schools now have animals as part of their counselling and education programs. It is a delight to see at Hillsmeade Primary School in my electorate a big Saint Bernard walking around the corridors and children going up to the animals, patting them, talking to them and just having a lot of fun running around the schoolyard with them. This is a terrific program, and it also teaches young children how to learn to care for animals, which is a plus. A lot of children are now living in smaller environments, in smaller houses that have very small

backyards, and they are not able to have dogs as we did when we were growing up. We had a couple of dogs, a couple of cats, a budgerigar and, certainly in my girls' case, horses and those crabs that crawl along everywhere.

Ms Ward — Hermit crabs.

Ms GRALEY — Yes, hermit crabs, that is it. Our backyard was a menagerie, but often, especially in the outer suburbs where the blocks are smaller and the houses are smaller, children do not get that lovely tactile and loving experience of dealing with an animal.

The other side of this is that these dogs in schools are also being used as a form of therapy. I have had reported to me by student welfare coordinators that often kids who come to school who have had some problem at home — they may have had family violence in the household — and who are often reluctant to talk to teachers about the experience will often sit down with the big Saint Bernard, in the case of the school in my electorate, and tell them about their experiences. The teacher has an open ear and a watchful eye on the child and can use the information she gets through listening to her student talking to the animal, and she can also use the animal to teach the child to relearn the experience of being loved and cared for. It is an excellent program. The kids love it, the staff love it and having this dog wandering around the classrooms and down the corridor is a delightful thing to see.

The dog is man's best friend, and this legislation is about making sure that we treat dogs as we would treat any of our friends. They deserve the best possible attention and care. They give so much back to us, and through this legislation we are making sure that in future animals — whether they be working or domestic animals — are treated with kindness and respect, and we hope that the abhorrent and cruel behaviours of the past will be of the past. Without further ado I commend this excellent bill to the house.

Mr McCURDY (Ovens Valley) — I am delighted to rise and make a contribution to debate on the Prevention of Cruelty to Animals Amendment Bill 2015. As you know, we are supporting this bill, and I certainly support a bill that will prevent cruelty to animals. I am very happy to support my colleague the shadow Minister for Agriculture and member for Murray Plains, who made a fine contribution in the house earlier this afternoon. We know this bill makes various amendments to the Prevention of Cruelty to Animals Act 1986 and strengthens the administration and enforceability of the act, ensuring that it continues to be in line with community expectations. It is also a

key piece of animal welfare legislation and its purpose — and let us hope its only purpose — is to prevent cruelty to animals, although I do have my suspicions. The bill also encourages the considerate treatment of animals and seeks to improve the level of community awareness about cruelty to animals.

I need to put on the record that as a former dairy farmer for over 30 years — members of my family were dairy farming for 60-plus years, involving the milking of thousands of cows — I understand animals. I understand dogs, cats, cows, sheep and everything that runs on properties. I have a long history in the farming arena myself, so I understand animals, and I do not condone any type of cruelty to animals at all.

This bill provides greater powers to deal with large-scale animal welfare emergencies and the immediate seizure and disposal of animals. I endorse the good treatment of animals, and I respect the fact that people, particularly dog breeders, need to look after farm animals and pets. However, my concern with this bill is that the minister is using it as a smokescreen — as a forerunner — to embarking on a pathway to undermining the pet industry. The great concern I have is that, although the prevention of cruelty to animals is the way the minister is moving with this bill, she might have an underlying agenda.

It is important for those on the other side who have spoken about puppy farms and dog-breeding establishments to understand that the definition of puppy farm is that it is an illegal establishment. Puppy farms are not registered breeding establishments; they are illegal. The member for Murray Plains spoke about illegal operations at Pyramid Hill, and I have no problem in condemning those businesses, because they are illegal and unregistered. There should be a crackdown on them. On the flip side, there are registered dog breeders in our communities that are good small businesses that provide good services for our communities. We have to be careful that we do not confuse puppy farms with genuine, legal, registered domestic breeding establishments.

The minister has also shown support for Peter Wicks of WixxyLeaks, who has been scathing about registered dog breeders, which is unacceptable. The minister has also been supporting the group Oscar's Law in what it represents. Members of that group are trying to undermine good businesses in Victoria that are legitimate, registered and compliant. Victoria has very strong rules around dog-breeding establishments, which I will go into further in my contribution. For want of a better way of putting it, the stance the minister has taken shows her bloody-minded focus on destroying

dog-breeding establishments, which is reprehensible. We can talk about cruelty to animals, but we have to be careful that we do not go overboard. It is possible that the agenda that appears to be on the horizon could create an environment where there is further cruelty to animals.

One of the changes the minister wants to bring in is the restriction of the number of breeding dogs in a business to 10 by 2020. Clearly that is not sustainable in terms of the supply-and-demand system that exists in Victoria at the moment. It is also intended that pet shops be compelled to sell only rescue dogs. I understand the facts around rescue dogs. Indeed in her contribution to the debate the member for Lowan mentioned rescue dogs. We should be supporting the adoption or purchase of rescue dogs where possible, but we should not be stamping out the ability of genuine registered dog breeders to sell their dogs in pet shops.

If we limit the supply of dogs here in Victoria, they will come from other states because no other state — particularly New South Wales and Queensland — has compliance regulation. They do not have what Victoria has, and all we will do is open the floodgates, and those dogs will literally come over the border. People will still have their way and get the pet of their dreams, but the supply will be driven underground onto the black market. Mark my words, that measure will not work. Cruelty to animals will become prevalent if we do not take our blinkers off and if we go down the path of reducing the number of dog-breeding establishments and the number of dogs that can be bred. As I said, New South Wales has no code of practice and very little regulation, so puppies from New South Wales will come straight into Victoria.

It is no good having a minister in Victoria who is determined to destroy dog-breeding establishments while Queensland and New South Wales go their merry way. It is one thing to bring in these rules and regulations, but it has to be done in harmony with other states. If we do not, then we will be doing all the right things we can do here, but people will still get their way by purchasing dogs and other animals outside Victoria. The industry will be driven underground. If the industry is driven underground, then checks and balances cannot be put in place to make sure that someone who is breeding dogs does so with all of the right vet checks and ensures that the dogs have sufficient space to run around.

We need to have rules and regulations in place. I agree with those rules, but if the industry is driven underground, then we will not have achieved anything. This bill highlights the prevention of cruelty to animals,

but a situation could arise where too many animals are bred in backyard puppy farms. That happened in America, so laws have been in place for some time that allow only rescue dogs to be available for sale at pet shops. There is a quite easy way for a dog to become a rescue dog. If you are clever, you can make sure that the dog is placed in a pet shop and it will be deemed to be a rescue animal, because there is no difference. You cannot identify what a rescue dog looks like compared to one that has been bred in a backyard, because they all look the same.

I return to where I began. Although I fully support the bill in terms of the prevention of cruelty to animals, I have a concern that this bill may be a forerunner to the destruction of a legitimate industry. The dog-breeding industry has plenty of checks and balances in place at the moment, and I certainly hope the minister considers that.

I think it was the member for Macedon who spoke about the minister possibly visiting Mars Petcare in Wodonga when she is in the region. I encourage the minister to visit Murray River Puppies and other dog-breeding establishments — legitimate registered businesses — in our region. I know she has refused to visit them, but I would love to see her go and visit those properties as well to get the balance right so she can completely understand what we are talking about when we talk about registered, legitimate dog-breeding establishments. I wonder why the minister refuses to visit these legitimate properties. Doing so would probably compromise her standing with the Oscar's Law vigilantes.

This bill ensures that farmers care for their sheep, their dairy cows and their beef herds. It provides that poultry farmers who do not look after their birds will face penalties. It will also prevent individuals from being cruel to pets and will crack down on illegal breeders. However, I say again that the bill should not be used to drive an agenda to close down a legitimate dog-breeding industry. Doing so would drive the industry underground.

As a former dairy farmer, I understand and completely agree with this bill; however, I do not want it to be the pathway heading towards an agenda of shutting down dog-breeding businesses. Farmers, whether they are sheep farmers or dairy farmers, should not have their ability to do business compromised. If we continue down this path, we should be afraid that we could end up compromising our own ability to farm using our traditional methods. With that, I commend the bill to the house.

Ms WARD (Eltham) — I rise in support of the Prevention of Cruelty to Animals Amendment Bill 2015 and the amendments it makes, as these amendments will improve the governance and protection of our animals. It is great that we are talking about this bill today. Only a few days ago it was World Animal Day. There were many pictures on social media of people sitting with their animals and talking about how important their animals, especially their pets, are to their lives and about the contribution their pets make to their lives.

How we treat animals is absolutely a reflection of who we are as people, for if we cannot treat our animals with respect, how can we respect ourselves? When we look at each other and talk to each other, it is easy to be kind to each other because there is the chance we might get something back — there might be something in it for us — but when we treat animals with kindness, we do it because we are good people and we are acting in an appropriate and right way. This bill is another step towards ensuring that Victorians look after their animals, whether they are dogs, hermit crabs, cows or greyhounds.

We see terrible incidents of cruelty to animals. Most recently in my own area a kangaroo was found in a park in Warrandyte; it had been shot with an arrow. This kind of behaviour reflects poorly on us as people. I know that the government has consulted with the RSPCA, with local government and with the Victorian Farmers Federation, who all, like the opposition, support this bill.

The government is responding to the recommendations in the chief veterinary officer's report into animal welfare in the greyhound industry, and this is incredibly important, because as we know, we have seen some horrific things come out of live baiting in the greyhound industry. There are financial penalties for luring, baiting and blooding, and they will be doubled under these changes we are putting forward, which increase penalties to fines of up to \$75 000 or up to two years imprisonment, in line with the maximum penalty for aggravated cruelty. Recommendation 1.7 marks the commencement of the Labor government's response to live baiting in the greyhound industry by increasing these penalties and by strengthening the enforcement of baiting and luring offences. I cannot support this measure strongly enough.

Like everybody in this place and in fact everybody around the country, we were absolutely shocked and horrified to see the footage on the ABC's *Four Corners* program. We saw the use of live piglets, possums and rabbits to inflame and enrage animals and to help train

them. There is absolutely no place for this in the greyhound racing industry. There is absolutely no need to use live animals in training your dogs to race. Your dogs can learn how to race without this barbaric practice, and we need to do all we can as a government to eradicate this practice. One clip we saw on the *Four Corners* support showed a possum being flung around a track 26 times at high speed. When the lure stopped 56 minutes later, the possum had been snapped in half and was only attached to the lure by its spinal cord. This is horrific. This is a practice that we absolutely have to stamp out, and we cannot stand by and let people engage in this kind of activity. It is just awful, and it goes back to what I said earlier about how we respond to animals reflecting on who we are as people. For a person to think that it is acceptable to treat a live animal in this way is absolutely appalling.

I am glad that spaying, the desexing of female animals, will be made a prohibitive procedure unless carried out by a veterinary practitioner. I cannot imagine anybody taking their dog to someone other than a vet to engage in this procedure. You certainly would not go to your hairdresser or barber, as we did 200 years ago, to get your appendix out. Why would you take your dog to someone who is not a qualified veterinary surgeon? That is just madness, and I am glad we are taking this choice away from people. The amendments also include doubling the penalty units for those found to be causing an animal to fight or for the baiting or maltreatment of an animal.

As a community we generally respect and love our animals. In my own electorate, just down the road from my house, we have St Margaret's Church, which annually has a blessing of the animals. This event is packed. People love to bring their animals to be blessed. They love to show the church the love they have for and their dependence on their animals.

The Andrews government is strengthening inspector powers to provide entry into properties where it is reasonably believed that animal fighting, baiting, blooding or luring is occurring, and the bill provides for the seizure of animals found at such events. I am really glad that this is happening. It sends a strong message that this practice will not be tolerated by this government or by this community. The changes also allow the courts to impose bans for periods longer than 10 years, which includes lifetime bans. It also allows for banning people who have existing qualification orders or who have previously been subjected to one, which is fantastic. These people need to be stopped. They need to be told that this cannot continue and that they must stop.

The courts currently have the power to impose banning orders for serious offences, and we are removing the reference to serious offences to allow the courts greater discretion to impose control orders and bans. This is important because each circumstance is different, and how it presents to the court may not, under the current guidelines, allow a judge to prohibit or penalise someone who has continually engaged in this activity.

The member before me spoke about rescuing animals. I have one — my dog, Jack, a labrador, who I have mentioned in the house before. He is a gorgeous nine-year-old dog we picked up from the wonderful Animal Aid in Coldstream. This is an incredibly important thing — that we are able to access rescue dogs. I had to trek out to Coldstream, which is not too much of an ask when you live in Eltham, but people in other parts of the community may find it more challenging to get out to animal shelters to find their animals. If they are in every pet shop and if they are in places that are easy to access, people become aware of this practice and of the opportunity to find these dogs. I dispute that it is easy to sort this practice. I cannot see that it is necessarily the case that you can sort it — that you can lump up a bunch of puppies in a puppy farm and say that they are rescue dogs when they are not.

We need to stamp out the backyard breeding of dogs when it is not done properly. We need to stamp out barbaric practices that do not look after the interests of the animal, but instead are there purely as a moneymaking venture to line the pockets of people who are inhumane and do not care in their heart about the ongoing benefits and wellbeing of their animals.

Animals hugely benefit our lives — and this has been said by a number of people here today. It goes beyond entertainment. It goes beyond racing. It goes beyond recreational riding. It goes beyond hunting, eating and so on. We have things like riding for the disabled. We have things like people using dolphins to help children with disabilities. We have seeing-eye dogs. We have companion animals in nursing homes and companion dogs for children with autism. The list goes on. A paper prepared by the US National Library of Medicine and the US National Institutes of Health found that children with autism interact most frequently and for the longest periods with a real dog in comparison to objects or persons. Also, children with pervasive developmental disorders, including autism, are more playful in their interaction with a live dog compared to toys and are also more aware of their social environment in the presence of the dog.

Animals are very important to our lives. They are very important to who we are, and they teach us a number of

things about ourselves. They make us better people. They teach us empathy. They can teach us how to love. They can teach us how to engage. It is important that we respect the gifts these animals give us.

Before I finish, I want to speak about the Diamond Valley Special School in my electorate, which has an excellent program of riding for children who are enrolled at the school. This program operates five days a week, and the benefits the children get out of riding a horse is amazing. Their muscles relax, their bodies relax, they feel rested and relaxed. After they are off the horses they are able to engage in their classes more easily and they feel better about themselves. It also gives the school community a wonderful feeling. The horses are in a paddock at the side of the buildings, and it is a gorgeous thing to look at. You come into the school and there is this lovely rural feel to it, with these beautiful horses that give absolutely so much to these kids. I want to commend the school on this fantastic program. It is just excellent.

Positive interactions with animals, as I have learnt in my research for this speech, release oxytocin. This is a great chemical that teaches us how to bond and helps us love. The more we are able to interact with our animals, the greater respect we are able to give to our animals, the more we are able to love. As I said earlier, we will be better people. In creating legislation that protects animals and their rights, we are in fact protecting ourselves and looking after ourselves. I commend the bill to the house.

Ms EDWARDS (Bendigo West) — It is my pleasure to also speak on the Prevention of Cruelty to Animals Amendment Bill 2015. The majority of dog owners, as we know, and particularly the majority of greyhound trainers, are good people who treat their animals with care and decency. As we know, greyhounds have been revered and raced across many countries for many centuries. Here in Australia greyhound racing has been going on since the 1960s. Recent reports of cruelty in the industry have prompted these changes to the legislation that we are debating today.

Greyhounds are not only considered to be the oldest breed of domesticated dog in the world but they also have an unsurpassed agility and speed that makes them fantastic for racing. They have also been admired over the years as capable hunting companions, and they are also known for their gentle nature, affection and loyalty. In fact greyhounds arrived in Australia on the First Fleet, initially to assist with hunting, and they are now frequently chosen as loved pets and not just for their racing ability.

It is of note that in my electorate, Tarrengower women's prison has run a greyhound retraining and re-education program for a number of years now. Back in 2009, the former Deputy Premier and then Minister for Racing, Rob Hulls, launched the Tarrengower Prison pet partnership program. This program is well known to be not only good for the greyhounds but also to provide the prisoners with a legitimate connection to the world outside the prison walls and help them to prepare for their eventual release and integration back into the community — not unlike the greyhounds. The program has been enormously successful and many greyhounds have been rehabilitated back into society. In fact I was very pleased a couple of years ago to launch the 100th greyhound to go through that program at Tarrengower women's prison. This program is in addition to the greyhound adoption program that has retrained retired and unsuccessful racing dogs as household pets for many years now.

While I am referring to retraining and re-education of retired greyhounds, I would like to mention another great program I was pleased to launch on 26 September at Bendigo Harness Racing Club — that is, the HERO program, which provides harness education and rehoming opportunities for retired standardbred harness racing horses. This program is jointly funded by the Andrews Labor government and Harness Racing Victoria, and it will make a big difference to the quality of life enjoyed by retired harness racing standardbred horses. The government provided \$150 000 through the Victorian Racing Industry Fund, which returns unclaimed wagering dividends and on-course wagering taxes back to the industry. Harness Racing Victoria contributed the remaining \$151 000 to the program. This is a great initiative, and it is the culmination of extensive research and planning by Harness Racing Victoria, which is fantastic because animal welfare is about looking after the horses before, during and after their racing lives — not unlike greyhound racing.

The HERO program is also about giving these horses a chance at a viable career after racing. It retrains retired harness racing horses so they can develop skills away from the track, and that could mean in the pleasure riding environment. Some I know have already gone to Riding for the Disabled, or with a saddle and rider on their backs purely for pleasure riding. It also includes a registration program for retrainers to ensure a professional standard of care and re-education for standardbred horses. Animal cruelty is not just about the industry of greyhound racing. It is also about caring for animals across every industry where animals are used for racing or other purposes. The HERO program hopes to rehome 400 horses within the next 12 months, which is a fantastic initiative.

The bill before us today ensures that increased penalties together with enforcement powers and greater protections for vulnerable animals are brought into law and that as a society we are better able to respond to large-scale animal welfare emergencies. It also marks the start of the Andrews Labor government's response to live baiting in the greyhound racing industry that sickened us all when reports of its existence were made public. Obviously, as other members in this house have said, anyone who owns a pet — a dog, a cat or any other animal whether it be a greyhound or not — could not help but be horrified by what was revealed.

Like many members here, I grew up in a family that had never not had a pet dog, cat, pig, goat, sheep or horse — you name it, we have had them. The menagerie has come and gone over the years.

An honourable member interjected.

Ms EDWARDS — Yes, we have had fish — goldfish. We have definitely had goldfish, as well as chickens, roosters, guinea pigs and rabbits — you name it, we have had it. When you own 28 acres you can afford to have a menagerie; and when you have got four children who want to have a menagerie, you usually do not say no. It has been a great time, and we still have plenty of animals and I still have four children — so there you go. We all know that to love, protect and have respect for your animals is something that young children learn from a very young age. To be brought up around any animals is a great privilege and teaches young children a lot about lifestyle skills. It teaches them to be responsible pet owners, and it also teaches them to care for and respect their animals and pets — and, hopefully, their mother.

On a more serious note, following the revelations about live baiting two independent investigations were conducted: one by the racing integrity commissioner, Mr Sal Perna, and one by the Victorian chief veterinary officer, Dr Charles Milne. Both reports were released in June this year, and the Andrews Labor government has accepted all 68 recommendations produced by the reports. Some of those recommendations include financial penalties for luring, baiting and blooding, which will be doubled from previous legislation. I really dislike the term 'blooding'. It conjures up all sorts of horrific imagery. The bill also strengthens the powers of inspectors to gain entry to properties where animal fighting, baiting, blooding or luring is reasonably believed to be occurring and for the seizure of animals. The bill goes a long way towards implementing the recommendations of those reports. The government will bring further legislation before the

house later in the year so that all of the recommendations can be implemented.

There is an element of animal cruelty that we need to be aware of and that should be condemned. Pets are often used as pawns in escalating games of family violence. They are held as ransom or are threatened — and killed in some situations — as a way of punishing women and children who are victims of family violence. This is a hidden form of animal cruelty which needs to be exposed and addressed. I hope that the Andrews Labor government's royal commission will produce recommendations about the role that pet animals play in the family home when situations of family violence occur, because it is important that we protect not just family members but also animals. It is difficult to estimate the psychological damage caused to children and also adults when an animal is threatened, harmed or even killed.

This legislation was produced in response to revelations about some terrible incidents in the greyhound racing industry, but we should be mindful that animal cruelty occurs in many places and on many occasions — and it is often hidden away. Cockfighting is an example of cruelty about which it is difficult to know when and where it is occurring. Hopefully this legislation will go some way towards addressing these occurrences.

To finish up, we recently raised two lambs, Batman and Robin, by bottle. They continue to reside in a paddock on our property because none of us have the heart to eat them. I commend the bill to the house.

Mr PEARSON (Essendon) — I am delighted to join the debate on the Prevention of Cruelty to Animals Amendment Bill 2015. I have listened with great interest to the contributions on this bill from members on both sides of the house. It is fulfilling to be a legislator in this place on days like today because goodwill exists among all parties and all members. With a bill such as this one, we as legislators can make contributions on the terms of the bill itself and also draw on our own personal experiences. This is uplifting, unlike the feeling that arises during debate on the more tedious or partisan pieces of legislation that come before the house.

At the outset, I would like to acknowledge the role that local animal welfare activists I have got to know during the past 12 months have played in improving the safety of animals. I would particularly like to mention Kae Norman from Rescued with Love and Di McNiff, who works closely with Kae, as well as Tarsha Andrews and Jennifer Durran from the Pound Reform Alliance Australia. I have been impressed with the focus and

dedication that all four activists have brought to these issues.

I got to know Di at a pre-poll station in the Essendon electorate last year. She was weighing up whether to vote Labor or Greens. She asked me, 'What is your policy on animal welfare?'. I said, 'If you want to change things, you need to vote for one of the major parties, as opposed to the Greens, because we can actually effect change'. She told me afterwards that she voted for me, which was nice of her.

After the election Di told me, 'We've got some concerns about the Lost Dogs Home'. She and Kae were worried about the high euthanasia rates occurring at the Lost Dogs Home. This issue produced an adversarial relationship between activists and the then management of the Lost Dogs Home. Kae and Di invited me to a candlelight vigil one Saturday morning. I was quite surprised. As members, we are invited to various community events. I thought there might be 2 people or 10 people or 20 people present, but in this case there were around 250 to 300 people. Television crews were also there. It was a very emotional and passionate meeting in which people expressed their concerns about the relatively high euthanasia rate of animals at the Lost Dogs Home. It was interesting to talk to a number of the people at the vigil who were concerned about what was occurring. Many of the people there did not have children, some because they had chosen not to have children. In many respects, these people's animals were their de facto children, as it were. As a result, many people at the vigil were anxious to ensure that animal welfare was taken very seriously.

Turning to the bill itself, where there is market failure or failure in the system, legislation can be used as a way to respond to such issues. One aspect of this bill relates to the event in 2012 where we had nearly 1 million starving broiler chickens. It was shown that the state was left to foot the bill arising from that event and that the ability of the state to respond in a serious or significant way was considerably compromised by the weaknesses in the existing legislation. This bill is about making sure that the state has the power to intervene where there are those demonstrated instances of failure.

This bill identifies and addresses some of the weaknesses in intensive animal farming. If we look at where our economy is going, and if we look at the way in which Victoria is going to play a role in the Asian century, we will see more instances of intensive animal farming because of the fact that there will be a greater focus and emphasis on larger players trying to service greater levels of demand from the emerging Asian middle class. It logically follows, therefore, that we are

more likely to see instances of market failure in intensive animal farming practices. This bill will ensure that that can be addressed in part by issuing administrative authorisation for the seizure and disposal of animals to alleviate an animal emergency. It is a sensible way in which we as legislators are able to look at developing legislation that reflects the times in which we live. It allows us to deal with the issues that will arise from time to time in a sensible and progressive way as opposed to not doing anything and then having another wide-scale animal emergency where we find we as a state are again left to foot the bill and where there is also significant widespread suffering amongst animals.

As has been mentioned previously, this bill makes a number of amendments to strengthen powers and increase penalties in relation to live baiting. Like many members I saw the *Four Corners* program on the night it aired. I sat there, and I found it quite confronting because I could not imagine that people could do that and think it was an acceptable form of behaviour. You look at it, and you hear the terrified squeals of the animals knowing that they are about to be killed, and you think, 'How can these people not think this is wrong? How can they think that this is in any way appropriate behaviour?'.

As most members of Parliament would attest, these days we often get hit with multiple emails on issues. As a responsible and active member of your community, you try to work out whether the 100 emails you have just been hit with are from 100 people airing a legitimate concern or whether they are from 2 people who do not live in the electorate — they are from God knows where — who are firing off spam emails to you. When I dug a bit further and started to email back and engage with people, I found that a lot of those people were constituents in my electorate who were genuinely concerned and aggrieved by what they had seen on *Four Corners*. They were looking to me, as I am sure other constituents were looking to other members, to take some action.

This bill is important because it is about making sure that we can take those actions through doubling the penalties for live baiting as well as by introducing penalties for those who are present when such activities take place. This is about making sure that people as individuals have to take some level of responsibility for the way in which they conduct themselves. We are not living in an age where you can say, 'Look, I was there, but it wasn't me. I didn't really want to speak up because I didn't think it was my place. I'll just go along with the flow, but don't blame me. I didn't do it'. Bills like this reflect changing community sentiments. I think

we take the view now as a society and as a community that we are individuals and that important rights and responsibilities come with being members of a progressive, affluent and learned society. The community expects that those obligations are appropriately discharged. The notion that you can turn around and say, 'I was there when it happened, but I didn't do anything about it. Don't blame me', might have cut it 30 years ago or 50 years ago, but it does not work today, and nor should it.

The bill also provides greater discretion for the courts to impose controls where they believe they are appropriate in cases where low-level offending has occurred. Giving the judiciary the ability to call it as it sees it based upon the evidence before it is very good. Many members on this side of the house have always felt that we should allow for special circumstances to be taken into consideration by the judiciary as opposed to having a blanket, one-size-fits-all approach to these initiatives.

Like you, Acting Speaker, I was quite surprised that there could be a set of circumstances where animals could be spayed by someone who was not a registered veterinary practitioner. I found that quite confronting. This bill is a great piece of legislation, and I commend it to the house.

Mr J. BULL (Sunbury) — I want to start my contribution to the debate on the Prevention of Cruelty to Animals Amendment Bill 2015 by reflecting on the comments of the previous speaker, the member for Essendon. He mentioned how uplifting it was to hear the contributions this afternoon on the bill, and I certainly agree with him. We have heard many stories of pets within families — dogs, cats, roosters, chickens and foster chooks — and some of these stories are incredibly heartwarming and wonderful to hear. I particularly want to acknowledge the member for Eltham. She spoke about how it is her belief that the pets we have in our lives can make us better people and that we can learn a lot from animals. I thought they were wonderful comments.

This is a bill I feel extremely passionate about. While all bills that come through this house are important, there are some bills that members are very passionate about, and this is one of those bills. It is fair to say that in past months we have seen legislation come through that we would rather not be discussing, because we would rather many of these problems in the community had not happened in the first place — for example, the Crimes Amendment (Child Pornography and Other Matters) Bill 2015, which aims to toughen up laws on the distribution of and access to child pornography images.

These are bills that the Parliament must deal with, but ones which members would hope, in a perfect world, did not exist. Nonetheless they are before the house because we need to educate more people in order to

become a more tolerant and fairer society. This bill is one of those pieces of legislation. It is fair to say it is only a minority of people who do these very nasty, cruel and wrong things; however, it is not common sense for all, and the Parliament must deal with these things as they arise.

It is often said that the mark of a good community is how it treats its most vulnerable citizens, and I certainly agree with that, but if we extend that to how animals can be and are treated, it must be said that animals by their very nature are extremely vulnerable. Like many members in this house, I grew up with a number of fantastic household pets — dogs, cats and birds — which were all cared for well and were very much loved. We were taught from a young age that taking care of an animal is an important responsibility, and I think that is a wonderful lesson in life. It is important for children to grow and learn and to have a pet to be responsible for.

The member for Narre Warren South mentioned programs within schools. I have to say one of the highlights of this year was representing the Minister for Agriculture at the 15th anniversary of the responsible pet ownership program. In the last 15 years the program has done some wonderful work looking at the importance of dog safety within primary schools, kindergartens, mental health centres and maternity hospitals. It was a fantastic celebration. Among the figures presented at the celebration was that the program had made 32 473 visits and 56 370 presentations to just over 2 million children over 15 years. It is fantastic when you think about each and every one of these programs and the way they have been run in schools.

I am not as yet a parent, but when I look at the children of friends and relatives and see the joy on their faces when there is a dog, cat or chicken in the classroom — —

Mr T. Bull interjected.

Mr J. BULL — A stud bull, thanks Bully. There are two Bulls in the house — enough bull!

On one of my teaching round days, a box of chickens was brought into the classroom, and the preps sat around the box. I remember the excitement in the room about what was in the box and when the chickens came out. It was not a bull; it was chickens. These are really important lessons for young people, and they go to the heart of taking care of animals and being somebody who cares about and loves animals.

The Prevention of Cruelty to Animals Act 1986 — or as many have referred to it, the POCTA act — is Victoria's primary animal welfare legislation. This act protects the welfare of animals in Victoria and applies equally to all species and all uses of animals. The bill, as many members have already mentioned, addresses one of the first matters that this government dealt with — that is, live baiting in the greyhound industry. There is no place for live baiting in Victoria. It is sickening, barbaric and illegal. The government has agreed to implement the recommendations of the chief veterinary officer's report into animal welfare in the greyhound industry, and the bill partially addresses those recommendations.

As many members have already mentioned in relation to the live baiting scandal, the ministers' timely, proactive, passionate and speedy reaction to these sickening actions is to be commended. Through this the Andrews Labor government has once again demonstrated that horrific behaviour will not be tolerated. It is about education and about sending a message not only to those who do the wrong thing but also to the community as a whole — the wider community — to say that we live in a state and a nation that will not accept these types of behaviours.

It is important to get onto these things early to ensure that we protect those animals that are at risk as best we can, that this behaviour is punished and that those who carry out this behaviour are dealt with in the appropriate way and are no longer allowed to practice in the industry. Both reports into this matter were released on 11 June, as we have previously heard. In total 68 recommendations were made. The government has accepted all recommendations and through this bill is taking significant action on this matter.

It is worth noting that the legislation before us also does a number of things in terms of emergency seizure powers to enable the immediate seizure and disposal of animals where there is a large-scale animal welfare emergency. This is, once again, about that timely response that the government is aiming to achieve through this legislation. The bill also provides for sufficient powers to deal with animal fights — for example, dogfighting and cockfighting — and the use of animals for bleeding and luring, such as in the greyhound industry. Amendments will be made regarding participation, the keeping of animals for use in bleeding and luring, and seizure and disposal powers.

As I mentioned at the start of my contribution, we have heard a number of members express heartfelt words about the animals they have seen. It is worth noting the

wonderful work that the agencies right across a number of sectors in hundreds of communities across Victoria carry out day in, day out. This is important but often thankless work. We as a Parliament and certainly as a government thank them for that work. I commend the bill to the house.

Mr STAIKOS (Bentleigh) — It is a pleasure to speak on the Prevention of Cruelty to Animals Amendment Bill 2015. I have listened to a number of contributions from members of both sides of the house and certainly welcome the bipartisanship with which members have approached this issue, because the Victorian community that we represent in this place expects nothing less of us on an issue as important as this.

Earlier this year we were all horrified by what we saw on that *Four Corners* program. I remember that when I watched that program I thought of all the pets my family and I have owned over the years. A number of members have mentioned their pets. I thought of Lyla, Harold, Ruben, Caterina, Rusty and various others. Caterina is a cat. We have had a few human names as well. When you think of your own pets and then watch something as horrific as what was shown on *Four Corners*, it is difficult to reconcile the two. It is difficult to understand how people can be so cruel to animals. As the member for Narre Warren South pointed out, often man can be the cruellest animal.

What we saw on *Four Corners* was the barbaric and abhorrent practice of live baiting in the greyhound industry. We saw live piglets, possums and rabbits being fixed to mechanical lures and catapulted around tracks while being chased and eventually killed by dogs. The image that will forever be etched in my memory and in all of our memories was that which showed a possum being flung around the track 26 times at high speed and then, when the lure stopped 56 minutes later, the possum had been snapped in half and was only attached to the lure by its spinal cord.

I think Hayley Cotton from Animal Liberation Queensland put it best and really said what we were all thinking when she said:

The screaming of terrified piglets and rabbits as they were flung around the track was spine-chilling, but equally so was seeing trainers completely unmoved by the suffering of these animals ...

Those involved don't even put suffering animals out of their agony, they just use them again and again while they remain alive.

I was proud that the very same day these allegations aired this government took very swift action. The

Minister for Racing is in the house; I congratulate him and the Minister for Agriculture on the immediate action they took by allocating up to \$3 million from the Victorian Racing Industry Fund towards bolstering the animal welfare and integrity measures of Greyhound Racing Victoria (GRV), which included four extra greyhound welfare compliance and education officers; increased resources for GRV's investigations unit, including an additional full-time investigator; a dedicated trial track steward to inspect and monitor the 15 private trial tracks registered with GRV; and the introduction of the latest surveillance technology to assist with detection and prosecution.

There was the announcement that very same day of two independent inquiries, one by Dr Charles Milne, the chief veterinary officer for Victoria, and another by Sal Perna, the racing integrity commissioner. That really has brought us to what we are debating in this legislation. The reports from those inquiries made 68 recommendations, and the government is committed to implementing each and every one of those 68 recommendations, a number of which are fulfilled as part of this legislation.

The bill includes powers to better respond to large-scale animal welfare emergencies. Existing powers have proven to be inadequate where an animal welfare emergency occurs on a large scale or where there are complex ownership arrangements that make it difficult to identify and locate owners. A ministerial authorisation for the seizure and disposal of animals, either immediately or after a specified period, will assist in alleviating any future animal welfare emergencies.

The bill boosts the capacity of courts to ban offenders from being in charge of animals. It clarifies the intent of Victoria's animal cruelty prevention legislation where it refers to the risk to the welfare of animals to make it clear that this refers to the welfare risk if an animal is returned to an owner or person in charge. Courts currently have the power to impose banning orders for serious offences. Labor is removing the reference to 'serious offences' to allow courts greater discretion to impose control orders and bans. The changes will also allow courts to impose lifetime bans, something the RSPCA has been calling for.

The bill increases the power of authorities to deal with offences. It strengthens inspector powers to provide entry to properties where it is reasonably believed that animal fighting, baiting, blooding or luring is occurring and for the seizure of animals found at such events. The bill increases penalties for cruelty and aggravated cruelty offences and increases penalties and strengthens enforceability for baiting and luring offences. Under the

changes, financial penalties for luring, baiting and bleeding will be doubled, with fines increasing to up to \$75 835 or up to two years' imprisonment in line with the maximum penalty for aggravated cruelty. The bill introduces a new offence under the act of being at a place where live baiting is occurring.

The government is also mandating the appointment of a veterinarian to the board of Greyhound Racing Victoria to prioritise animal welfare. The Minister for Racing has announced just today that Mr Robert Greenall has been appointed to the board. Mr Greenall has more than 25 years of veterinary experience, during which time he has overseen a number of projects to improve animal health and animal welfare.

This is a massive step forward in improving animal welfare in this state, but there is a lot more to do. The Victorian community can expect a lot more from this government, particularly in the area of puppy farms. Last year during the election campaign it was a huge issue. It was one of the biggest issues. People hate seeing images of malnourished dogs in terrible, squalid conditions, dogs that are sentenced to a life of breeding and properties with 200 or 300 dogs that are all being mistreated. This government has a plan to break the business model of these terrible places — these puppy farms. I wholeheartedly support that plan.

If man can be the cruellest animal, there is certainly a lot of innocence and purity in children. Yesterday I was at St Peter's Primary School, my old school, with the entire grade 6 year level — nearly 100 students. I spent a good 2 hours with them discussing the three levels of government and taking some questions. Most of the questions were on animal welfare. It is something that the Victorian community is interested in and cares a great deal about, and it is certainly something that children are interested in and care a great deal about.

I told them I would mention the visit in Parliament because we would be debating the Prevention of Cruelty to Animals Amendment Bill 2015. I congratulate them on all the knowledge they showed in the area of animal welfare. I congratulate the Victorian community, many of whom campaigned for better laws and better practices when it came to looking after animals. I thank the Minister for Racing, the Minister for Agriculture and many members on both sides of the house who over many years have fought for better, stronger laws to protect vulnerable animals in this state. I commend this legislation to the house.

Mr DIMOPOULOS (Oakleigh) — It is my pleasure to speak in the debate on the Prevention of Cruelty to Animals Amendment Bill 2015. I am very

pleased that we have introduced this bill. This is a government that takes issues of animal welfare seriously. We have seen that previously with the action taken on puppy farms, a matter that has already been raised and which I will refer to later, but I know that the bill before us today will not be the last action we take on welfare issues for animals.

As others have noted, the bill provides increased penalties, more enforcement powers and better protection for vulnerable animals. It also gives us the opportunity to commence dealing with the recommendations provided by the inquiries into the greyhound racing industry this year. Specifically, the bill provides more power for the seizure and disposal of animals immediately where there is a large-scale emergency, instead of the current seven-day notice time frame.

The bill gives more power to authorities to deal with animal fights — for example, where dogs and cocks are being trained to fight — and to deal more effectively with bleeding and luring activities in the greyhound racing industry. The bill increases the court's capacity to make control orders that place conditions on individuals or disqualify them from owning or being in charge of animals. The bill increases penalties for offences of cruelty and aggravated cruelty. It enhances the powers of cruelty inspectors and improves licensing and cost recovery mechanisms for animal research purposes. The bill does a significant number of other things.

The welfare of animals is something that requires much more attention from government. I am proud that this government has taken this matter seriously. It is not only responding but also positioning itself as a national leader in this domain. While the majority of individuals and businesses do the right thing — obviously the stories that will be referred to in parliamentary debate will be horror stories, but most businesses do the right thing — there are those that do not. When those stories come out, they are absolutely awful.

The ownership of animals requires a large degree of responsibility. This is particularly the case where businesses or farmers have significant stock levels. Animals are not machines in a factory. Neglect of a machine will inevitably lead to a breakdown and the need for repair. Neglect of an animal leads to significant pain and suffering, and repair is often not an option. It comes too late — and it diminishes us all.

We have seen the examples of large-scale neglect and abuse of animals that have led to the government needing to take a significant role in caring for or

humanely disposing of animals. Some examples have been raised by my colleagues. The bill allows for more timely powers to deal with large-scale emergencies. In response to the greyhound industry inquiries, this bill provides for the doubling of penalties for luring, baiting and blooding, and it increases powers for inspectors where there is a reasonable belief that such illegal activity is occurring.

I am confident that further changes to animal welfare will be introduced during this term of Parliament. I also congratulate and commend the Minister for Agriculture — and the Minister for Racing, who is in this chamber for the debate — whose passion and work in this area while in opposition, which has continued in government, was unprecedented. In my electorate during the election campaign I had the pleasure of promoting the Labor policy on puppy farms with the current minister.

Mr Pakula interjected.

Mr DIMOPOULOS — That is right — there is no better champion. Most recently we were together at a local school talking about a program that teaches kids responsible pet ownership. She is a passionate advocate in this area.

The member for Pascoe Vale and I have had conversations with the minister in relation to what else can be done in the animal welfare space, because there is a lot more work to be done, as the member for Bentleigh just said during his contribution to the debate. I have spoken to countless people in my community on how we as a society treat animals, and I have strong views in this regard. Time and again local residents in my electorate advocate strongly for a more compassionate approach to the treatment of animals. I do not think the electorate of Oakleigh is unique in that regard; it is unique in many other regards but not in this one. This is an issue which many people in Australia and Victoria are concerned about.

Australia is behind the world — for example, the United Kingdom and more broadly the European Union — on some of these issues. I am confident that animal welfare will be discussed and debated vigorously in the years ahead. From the care of domestic animals to the chickens kept in battery cages, from things like debeaking to intensive animal farming for meat, these are matters that need to be brought into the open. We are sometimes rightly critical of the way other nations around the world treat animals. Whilst we do not have all the answers in Victoria, I think we have the commitment and a unique opportunity to go further.

While we are amending the principal act, there are other elements to the regulatory framework that govern our relationship with animals in whatever context. There are regulations, codes and standards, including commonwealth or national standards. One that caught my attention was the Prevention of Cruelty to Animals (Domestic Fowl) Regulations 2006. I understand those regulations sunset next year. I am not sure of the intention in relation to the sunset of those regulations, but the member for Pascoe Vale and I have raised with the minister our interest in making a contribution to what will follow them. There is further work to do.

There needs to be a balance — and that has been the tenor of some of the debate — between the rights of animals and the use of animals by human beings, whether for food production, recreational activities like racing, the work of farm animals or the presence of animals in family settings. In some senses I am not sure that we have the balance right. There are great opportunities to get a better outcome, particularly in the food area. While there is a whole range of engaged and interested stakeholders with legitimate views, including the workforce involved in the production of animals for food, I think there is also an opportunity to continue to build on Victoria's clean food source reputation in the way we manage our food production line and the animal welfare considerations in that.

I had the pleasure of visiting Guide Dogs Victoria and met its absolutely high-energy, wonderful CEO, Karen Hayes, a few months ago. That is just one example — but it is a pretty decent example — of dogs being man's best friend, as the member for Narre Warren South said. There is no better way of seeing that than looking at the advantage those labradors at Guide Dogs Victoria give human beings. If we remember the authenticity and the unconditional love given by an animal, whether it be a dog, a farm animal or a range of others, it will touch our humanity in a way that reminds us that we need to treat animals respectfully as well.

As the member for Sunbury said, laws help set behaviour and standards. What we accepted 50 years ago in a whole range of areas of life, we do not accept now. This bill is another significant step in setting the community standards and expectations that another generation will take for granted. I am keenly interested in getting involved in other areas and in other reforms in this context. This bill is significant, and I am confident that there will be many other opportunities to add to it. I strongly commend the work of both the Minister for Racing and the Minister for Agriculture and their passionate advocacy in this area, and I commend the bill to the house.

Ms BLANDTHORN (Pascoe Vale) — It is great to rise as the final speaker on behalf of the government in relation to this bill. As the member for Oakleigh has just said, this is a policy and rights area he, I and the relevant ministers are very committed to. As a renowned American journalist once said, ‘dogs are voiceless’ and a key part of having dogs:

... is emotional responsibility: learning how to understand them and, when necessary, to speak and act on their behalf.

This is one of those times — and it is not on behalf of only dogs, but on behalf of all animals. As Pope Francis said, and it should be noted that Pope Francis took the name of St Francis of Assisi, the patron saint of animals:

... it is man who has slapped nature in the face.

...

I think we have exploited nature too much ... Thanks be to God that today there are voices, so many people who are speaking out about it.

It was considered that in making this statement he was referring not only to our natural landscape but to all its inhabitants and creatures.

The Prevention of Cruelty to Animals Amendment Bill 2015 speaks for animals and applies equally to all species and uses of animals. The changes proposed by this bill enhance the government’s capacity to deal with animal welfare issues appropriately. Unquestionably there is still a lot more to do and there is a lot more to come from the government in this space, but this bill strengthens the enforceability and administration of the act and serves as our opening remarks in the protection and promotion of all creatures, great and small.

It was Napoleon Bonaparte who said after slipping from his ship and falling overboard only for a dog to jump into the water to keep him afloat until he could be rescued:

Here, gentlemen, a dog teaches us a lesson in humanity.

When I think of the wonderful animals I have had in my own life and indeed as part of my family — and there have been many over the years, as many have also said of themselves today, including my family dogs Frisky, Darby, Banjo and most recently Charles and Bono; lovebirds Gilby and Annie, the latter named after *Anne of Green Gables*; and Hopsy the albino rabbit, who had teeth that continued to grow so had to be continually cut — and their capacity to trust and love us unconditionally, particularly thinking of my cavaliers Charles and Bono, who are always waiting for me faithfully, it is almost inconceivable that people could

neglect or harm an animal in their care. But, sadly, they do.

In an article in the *Age* of December 2014 it was reported that the number of incidents of animal cruelty increased from around 15 000 to 18 000 — and that was two years ago.

If we consider the statistics from the RSPCA for general levels of animal cruelty, if we want to term it that way — when I say general I mean the way people might neglect or harm their own pets — abandonments have risen from 736 to over 1300; cases of abused animals have gone from 1116 to over 1200; the number of animals left in a hot vehicle has doubled from 200 to over 400; animals with insufficient food, water and shelter are up by almost 1000; incidents of insufficient treatment of a sick animal rose from 1800 to over 2200; and the carrying out of prohibited procedures, such as debarking, ear cropping and tail docking, rose from 27 to 32. These statistics are damning when we consider the general neglect and harm of animals in our care.

What is also alarming is the impact that some mental health conditions — particularly those brought on by drug use — can have on animal welfare. One of those mental health conditions is hoarding, which leads to a large number of animals being kept in very small spaces in homes — people who keep too many cats or dogs, for example. Incidents of hoarding were up from 85 to 97. What is also interesting is the effect the ice epidemic is having on animals in our care. As was reported in the *Age*:

The ice epidemic is claiming a new type of victim, with an animal welfare group reporting a spike in the number of animals abused or killed by their drug-addled owners.

...

RSPCA Victoria inspectorate manager Allie Jalbert told Fairfax Media some of the most brutal cases reported involved animals being stabbed by owners ‘high’ on the drug.

‘We’re starting to see that irrational behaviour of people who are drug-affected is resulting in some much more vicious attacks on animals.’

She said they received ‘frightening’ reports every fortnight of drug-affected owners abusing their animals.

...

Recent cases had included an ice-fuelled man who killed his ex-girlfriend’s rabbit by smashing it against a wall and repeatedly running over it with his car. He was jailed for the crime.

Another concerning aspect is the link between domestic violence and animals. We know about this from the work of Lyn White of Animals Australia, who was

previously a member of the police force. There was an article written about Lyn in *Good Weekend* a little while ago in which she talked about being a policewoman and inspector in South Australia and often attending cases where there was violence in the home carried out by people who worked in abattoirs. She attributed her decision to move into the animal welfare space to some of the time she spent in South Australia and the link she saw between domestic violence and animal abuse — indeed it was reading this piece that recently cemented my decision to become a vegetarian. We must commend the work of people like Lyn White and organisations like Animals Australia.

The Prevention of Cruelty to Animals Amendment Bill 2015 strengthens the law to better protect animals, empowers those involved in policing the law to protect animals and makes offenders more accountable for being party to the neglect or harm of animals, whether they partake in it or carry it out. When we say the bill strengthens the law to better protect animals, it ensures that animals are protected from being used in fights, such as in dogfights and cockfights. The offence of allowing or encouraging an animal to fight with another animal is recorded in this bill.

Strengthening the law to ensure that animals cannot be used for blooding and luring, such as in the greyhound racing industry, is also achieved through this bill. The revelations aired on *Four Corners*, which many speakers before me have referred to, obviously stunned the community. And as many members have said today, there have been representations made to us by our constituents in relation to this issue; they certainly came flying into the inbox. There is one I would like to read out in the house. It says:

I am a citizen of your electorate and I beg you to look at the horror images highlighted by *Four Corners* about 'live baiting' that is systemic and rampant in the greyhound industry in Victoria. Piglets, kittens, possums, rabbits are strapped alive to a lure and go around and around the track, mauled, skinned alive, terrified, trying to free themselves and finally — after a long period — dead. This is not an isolated incident — this is part of Victorian greyhound racing.

The Victorian government must stop giving money to this industry ...

The letter goes on.

Obviously part of what we are doing through this bill is starting to implement the recommendations of the chief veterinary officer's report, and like those who spoke before me, I also commend the Minister for Racing and the Minister for Agriculture, who were very quick in responding to this issue. However, this is not just about meeting community expectations; it is about doing

what is right and just. The offence of attending an event or place where live baiting is taking place is obviously a key part of this bill.

The bill also strengthens the law in relation to animals used in testing. Whilst I am an advocate of going cruelty free and for the limitation of testing on animals in the first place, the unfortunate reality is that the testing on animals continues. This bill will ensure the establishment of the Animals in Research and Teaching Welfare Fund into which fees will be paid for the monitoring of and reporting on compliance for animal research and teaching establishments, provide improved enforcement powers for the regulation of scientific procedures under part 3 of the act and provide for adverse publicity orders to be made in relation to animal research and teaching establishments.

The bill empowers those involved in policing the law to protect animals. There will be improved seizure and disposal powers and monitoring powers of court orders. The bill will also ensure that offenders are more accountable for the neglect of and harm to animals. Our community expects that those who offend will be held to account, and this bill will ensure that that will happen and will put in place a reverse onus of proof. It will ensure there are discretionary control court orders which can allow disqualification from owning or being in charge of an animal for more than 10 years.

In conclusion, I repeat what I said in my inaugural speech:

The measure of a civil society should be how we treat that which is most vulnerable. This extends to all creatures great and small.

Labor's commitment in relation to puppy farms and greyhounds, which is evidenced in this bill, is a very important step forward, but we need to do more to protect all our finned, feathered and furry friends.

Mr LIM (Clarinda) — I rise today to speak on the Prevention of Cruelty to Animals Amendment Bill 2015. The bill amends the Prevention of Cruelty to Animals Act 1986 in several ways. It would be an understatement to suggest that the bill allows this government to walk tall and proud as being one of the most progressive jurisdictions in Australia, if not in the world, when it comes to animal welfare and how to treat animals in a compassionate and humane way.

This bill improves the powers for dealing with large animal welfare emergencies. Current powers have proven to be adequate in dealing with emergencies; however, in some situations it has been revealed that new amendments are required. One situation in

particular is when a major emergency occurs and there are complex ownership arrangements that make it difficult to locate owners. The bill also allows for ministerial authorisation for the seizure or disposal of animals in order to alleviate an animal welfare emergency. The bill also strengthens the laws relating to baiting, blooding and luring, particularly with regard to greyhound training. Additional powers will also be introduced in order to enable entry to properties where it is reasonably believed that animal fighting, baiting or luring is occurring on the premises — as was seen earlier this year on television, which reflected the ugly side of some human beings.

With this bill the financial penalties for offences relating to baiting, blooding and luring will be doubled in order to bring them into line with similar aggravated cruelty offences. In addition this bill provides courts with greater discretion to impose orders on a person in relation to their care or ownership of an animal. Alternatively courts may make orders with the intention of discouraging reoffending, such as through educational measures. The bill will also enable inspectors to order an owner to ensure the safe and efficient handling of an animal where required. The bill also amends the act in relation to the use of animals for research and teaching. The current structure requires entities to hold a licence granted under part 3 of the act; however, there has been an increase in biomedical research to the extent that amendments to the law are required in order to modernise the fee structure and licensing rules.

The new rules will ensure that fees are better proportioned to the administrative costs typically encountered for the activity being undertaken. This bill also improves the monitoring and accountability across all licence types. This in part is achieved via an appointed peer review committee to review procedures under a licence. It is also achieved by introducing a fit and proper person test for licence applicants.

The bill also addresses compliance monitoring and enforcement. Authorised officers will be able to enter and inspect a premises to investigate suspected unlicensed research. This may arise via a search warrant if necessary. If an authorised officer has found a premises to be in breach of its licence conditions, an order may be made for a licence-holder to comply with the terms of their licence. The bill enables authorised officers to take necessary steps to alleviate animal suffering and recover the costs of doing so. A power to make an adverse publicity order is also introduced, which is an order to enable a non-compliant entity to experience the impact of adverse publicity.

The bill provides for the introduction of a compliance monitoring fee to be disbursed to the Animals in Research and Teaching Welfare Fund. This fee is intended to fund compliance inspections and reports. The fee will be beneficial to the industry in that it will improve the ability to ensure compliance and provide the community with assurance. In addition, departmental monitoring will meet the requirement of licence-holders to inspect and remove the burden of having to carry out a separate inspection at the licence-holder's cost in order to ensure that they meet their funding agreements. Ultimately this fee will reduce red tape for licence-holders.

It is pleasing to see that the opposition also supports the bill. I have enormous regard and respect for the minister who has brought this bill to the Parliament. I commend the bill to the house.

Mr EDBROOKE (Frankston) — I rise to speak on the Prevention of Cruelty to Animals Amendment Bill 2015. This legislation is yet another great example of a good government getting it done. I am so pleased to be able to speak on this bill. I am a passionate supporter of improved animal welfare laws, and I am proud to be a member of a government that is strongly committed to ensuring the safety of all animals, from household pets to livestock.

I have heard quite a few speakers use a common phrase — that is, the measure of a civil society is how it treats its most vulnerable. I believe that in a lot of cases our most vulnerable are our animals. Over the past few years we have all seen media reports of behaviour that is very disturbing. This bill is a great start in preventing cruelty to animals, but I know we can do more.

My electorate is home to many pet-owning families, and my family is one of them. At last count we had two dogs, three rabbits and two aquariums full of fish, and I believe that as the hours pass we are being edged closer towards Little Miss 10 gaining her wish of owning chickens. I am not sure how the dogs are going to get along with them, but we will see.

This important bill will strengthen the government's ability to deal appropriately with animal welfare issues and ensure that community expectations are met when it comes to the treatment of animals. People in the community showed us what their expectations were during our election campaign, and those people also made their feelings known when they saw what was happening in the greyhound industry. This bill will enhance emergency seizure powers to deal with large-scale animal welfare emergencies, provide sufficient powers to deal with animal fights and the use

of animals for blooding and luring, and improve the monitoring and reporting provisions related to animal research and teaching establishments.

As far as animal welfare goes, I recall my experiences as a firefighter. I must admit that it did not take me long to smash the window of a car when an animal or a kid was inside. On a fairly warm day it takes only 15 minutes for a car to reach 43 degrees Celsius, a lethal temperature for animals and kids. Some situations involved a whole squad of fireys and a car owner who was disappointed that their window was smashed. Their disappointment soon turned around once we had pulled the dog out and given the owner a mouthful. I am definitely an animal person, mostly a dog person. In my role as a firefighter I rocked up to many accidents and never had a problem with what I saw, but the involvement of an animal spoke to me in a different way.

Specifically this bill addresses some of the recommendations of the chief veterinary officer's report entitled *Investigation into Animal Welfare and Cruelty in the Victorian Greyhound Industry*. I am sure that every member of this place who had the opportunity to view the *Four Corners* report on the greyhound industry was absolutely disgusted and horrified by the brutality that was uncovered. It was abhorrent. There is no doubt that this barbaric treatment of small animals is morally repugnant, and I think no member of this place or the other place would disagree. This mistreatment is in direct contravention of the existing legislative regime, but, as with any piece of legislation, improvements, enhancements and refinements can always be made. I note the inclusion in this bill of specific detail around the use of live bait, including the keeping of an animal for such a purpose and being in attendance when baiting occurs.

This legislation is in keeping with community expectations and is part of a broader suite of changes that will hold those who engage in cruelty towards animals fully accountable for their actions, which is most important. I think this is one of the best ways we can prevent this type of behaviour. Community expectations were made clear at the last state election, when the Labor Party took a clear suite of animal welfare and protection measures to the election. Clause 6 of the bill addresses such protections and provides for an offence of aggravated cruelty to apply to an act of cruelty that may consist of more than one act or the cumulative effect of more than act. Importantly the penalty for such acts will increase from 492 penalty units to 500 penalty units in addition to possible imprisonment.

Many people who have spoken on this bill have spoken of their own pets. One of my dogs is a rescue dog. I adopted him about 18 months ago. His name was Roger when I got him, and we kept that name. He is a kelpie-whippet cross. Unfortunately Roger, who is now my best mate, was abused to the point where the vet had written him off, such was his malnutrition and the extent of the abuse he had received. For some reason the vet decided to give Roger a few more days in the lead-up to Christmas. Roger has a massive kink in his tail where, through an act of absolute bastardry, some person had smashed his tail in a car door. Roger is my best mate. He is healthy, and I find it very hard not to have him by my side for more than a day at a time. It is vital that people who are found to have committed these sorts of heinous crimes are held fully accountable. That is the way we are going to prevent such abuse from happening.

Importantly, clause 8 of the bill extends the period for which a disqualification order preventing ownership or supervision of animals can apply. In imposing a disqualification order and penalty on a sheep farmer who was found to have engaged in cruelty, magistrate John O'Callaghan recently stated:

A strong message must be sent to those who have the privilege to keep animals and to those who seek to make a business of owning animals.

Either way, whether owned as part of a business or as pets, the ownership of animals is a privilege. Previously orders that have disqualified people convicted of an offence from owning or being in charge of an animal for up to 10 years have been limited to serious offences. This is an important element of the bill. People who are found to have brought harm to animals ought to be prevented from being in a situation where they can do the same thing again, at least for an extended period of time. That is just common sense and will help us meet the core purpose of this bill, which is matching legislation with community expectations.

Further, there are significant limitations to the monitoring of compliance with these orders. The present situation is that if a control order is made against a person, then there is no practical means through which it can be monitored or enforced. Clause 11 of this bill creates a range of provisions to effectively monitor offenders and issue control orders. If community expectations are to be met, in circumstances where a court believes it is necessary to impose a control order, that control order must be monitored and enforced. I think that closes a very large gap in this legislation. There is little point in asking a court to impose a particular condition on a person and then sending that person off and hoping for the best.

That is just wasting time and is clearly unacceptable. This bill addresses that issue directly by creating a strong set of new powers that are designed to ensure that control orders have the full force of the law.

This bill ensures that cases involving cruelty to animals will not occur again, and this is an important consideration. When acts of cruelty are brought to our attention, we have an obligation to ensure that we do everything in our power to ensure that they do not happen again. This is exactly what the community expects of us and what people in the Frankston community have told me.

As noted in the second-reading speech, in 2012 nearly 1 million starving broiler chickens were seized by the state government. The situation was of such urgency that the birds would have died within the seven-day notice period required under the current seizure and disposal powers. Animals are entitled to a level of dignity and respect, and that of course fundamentally includes not being left to die in a cruel and torturous manner. Animals that are faced with cruelty or even torture are unable to help themselves or prevent those acts from occurring. There is nothing that Roger, my little furry mate I mentioned earlier, could have done that would have stopped the extremely heinous act that was committed against him. That is why these animals rely on us to look after them, to care for them and, above all, to ensure that they are safe and free from harm. That is our basic moral obligation.

I would like to make a shout out to a labrador called Jaffa, who is the assistance dog of my friend Naomi, who came in and visited us at Parliament the other day. Jaffa even got his own visitors pass, which is pretty cool, and he showed great restraint at the cafe upstairs as well.

I would like to finish by saying that a measure of a person is how they keep their animals and pets, and we know that there is a clear link between how people treat animals and how they treat people. This bill goes a long way to meeting community expectations, but we can do more, and we will do more. I commend this bill to the house.

Mr CRISP (Mildura) — I rise to make a contribution to the debate on the Prevention of Cruelty to Animals Amendment Bill 2015. The bill amends the original Prevention of Cruelty to Animals Act 1986. The provisions of the bill are wide and include the offences of cruelty to animals and aggravated cruelty to animals; the offences of baiting, luring and fighting animals and related evidentiary provisions; further provision for orders prohibiting or placing conditions

on the ownership of animals; powers to monitor compliance; and provision for increased seizure and disposal powers in respect of distressed animals and animals used in contravention of the act.

The bill also increases penalties and makes some other amendments. I will say quickly what this means. It has to do with the provision of greater powers to deal with large-scale animal emergencies. That is certainly important in relation to what was just mentioned by the member for Frankston, which is something I have some notes on. It was the issue dealing with some large-scale problems in 2012, when nearly 1 million starving broiler chickens were seized from six properties across Victoria. It cost the state around \$80 000 a day to feed the birds. The eventual sale of the birds did not cover that expense, which left the state bearing an outstanding cost of \$1 million. The enhanced emergency seizure powers will enable immediate seizure and disposal of animals where there are large-scale animal emergencies.

There are a lot of animals in my electorate, and they are in general all cared for, particularly by the professional farmers. However, if something does occur, we certainly need to be able to act quickly to remove those animals from the situation they are in and get them back with professionals — which in my case would be the farmers or other people — to manage their care. To leave them in the care of the state is a very expensive exercise and one that is probably not the best fit. These are important powers. I note from the 2012 experience that this issue was being addressed by the previous government, and I am pleased to see that the current government has built on that in bringing this bill to the house to take care of that issue.

There are a couple of other issues that are out there. Fighting, baiting, blooding and luring have had pretty solid coverage in this debate as well. To my knowledge there is no greyhound track in my electorate, so that relieves me of concern about some of those issues. There are also those greater powers to deal with animal cruelty offenders, particularly for the courts. This is also welcome. Another sensitive issue is the animal research debate and the modernisation of the structure around the use of animals for research and teaching and the establishment of the Animals in Research and Teaching Welfare Fund to pay the fees for monitoring, reporting and compliance, as well as the improved powers for the regulation of scientific procedures. This is basically a modernisation exercise, building on another experience.

I pay tribute to the various groups in my electorate that deal mostly with domestic animals. They rehouse and recover animals that have been mistreated or are no

longer required. The people involved with these groups are marvellous people who have generosity in their hearts in undertaking the work they do. There are two groups that come to mind. One is the Mildura Rural City Council, with its pound and education facility and its cooperation with TAFE to operate that facility in a way that turns what was a classic pound into an education facility. The other group is the Sunraysia Animal Rehousing Group, known as SARG, which works very hard on a day-to-day basis. All of this builds a strong community, and this bill further supports that. The Nationals in coalition are supporting the bill.

Debate adjourned on motion of Ms HUTCHINS (Minister for Local Government).

Debate adjourned until later this day.

**PUBLIC HEALTH AND WELLBEING
AMENDMENT (NO JAB, NO PLAY) BILL
2015**

Second reading

Debate resumed from 16 September; motion of Ms HENNESSY (Minister for Health).

Mr WAKELING (Ferntree Gully) — It gives me pleasure to rise to contribute to the debate on the Public Health and Wellbeing Amendment (No Jab, No Play) Bill 2015. As the lead speaker on this bill on behalf of the coalition I state at the outset that the coalition will not be opposing the legislation that is currently before the house. The purpose of this bill is to require all parents or guardians who are seeking to enrol their child at an early childhood service in Victoria to provide evidence that their child has been fully immunised for their age, is on a vaccination catch-up program, is unable to be fully immunised for medical reasons or is within an exclusion category.

As many in this house and many Victorians would be aware, vaccines can prevent outbreaks of disease and save lives. When a critical portion of the community is immunised against a contagious disease, most members of the community are protected against the disease because there is little opportunity for an outbreak. Even those who are not able to be vaccinated, such as infants, pregnant women and medically contraindicated individuals, get a level of protection because the spread of the contagious disease is contained. This is commonly known as herd immunity, and it is believed that a contagious disease will gradually be eliminated when between 90 and 95 per cent — the threshold for herd immunity — of the community is vaccinated.

There is clear support for vaccines from many in the Victorian community. I am sure many in this house who are parents will have had their own children vaccinated, me being one, and we all understand the benefits of having children vaccinated. The legislation before the house requires that from 1 January 2016 the laws will apply to all early childhood education and care services in Victoria providing child care, kindergarten, occasional care or family day care services and that a child cannot be enrolled unless they are immunised. A child can be enrolled if they have a medical exemption. Fines of up to \$20 000 can apply for services that are non-compliant with record-keeping requirements.

The proposed legislation will not apply to enrolments in primary school or secondary school settings. It will not apply to outside-of-school-hours care, after care, before care or vacation care, and it will not apply to playgroups or to casual occasional care services that offer care of less than 2 hours per day and less than 6 hours per week. Nothing is going to change for the parents of children who are fully immunised, because existing legislation already requires that immunisation information is provided on enrolment in early childhood education and care services.

New section 143C(1) provides exemptions for certain disadvantaged and vulnerable cohorts of children, and new section 143C(2) places an obligation on a person in charge of an early childhood service to take what are known as reasonable steps within a 16-week period after the date on which an exempted child first attends the early childhood service to ensure that the parents of the exempted child provide an immunisation status certificate. Reasonable steps under that section may include providing immunisation information and referring the parents to a recognised immunisation provider. This requires an exempted unvaccinated child to be excluded or removed from a childcare facility or early childhood service on the grounds of not having been appropriately immunised.

Conscientious objection will not be an exemption under the bill, and I wish to deal with that provision a little later. A parent claiming conscientious objection will not be able to gain enrolment for their child in an early childhood education and care service in the state. According to the government, the purpose of removing this exemption is to ensure that as many children as possible are vaccinated against serious and potentially life-threatening vaccine-preventable diseases.

In terms of immunisation rates, we note from National Health Performance Authority records for the years 2012 to 2013 that the state immunisation rate for

children under the age of one was an average of 91.9 per cent. For children under the age of two it was 93.5 per cent, and for children aged five it was 92.7 per cent. By way of comparison, this is largely reflected in the immunisation rates in my own community in the City of Knox, where children aged one were immunised at a rate of 92 per cent, children aged two were immunised at a rate of 93.3 per cent and children aged five were immunised at a rate of 93 per cent. Those figures are largely consistent with figures across the state, and parents should be encouraged at all stages to take whatever action possible to ensure that their child is appropriately vaccinated. I am aware that there are people throughout the community who have differing views, but my personal view is that it is imperative that my children are vaccinated and obviously that other children are as well.

However, the bill before the house is not what the now government promised in opposition. On 3 February 2014 the Labor Party, then in opposition, announced that it would be implementing this policy and that there would be two exemptions. The two exemptions would be children who are medically contraindicated and parents who have a conscientious objection. Yet when this bill was announced on 16 August of this year the provision for conscientious objection, which was one of the two exemptions that the then opposition advised Victorians would apply, had disappeared.

The government announced that conscientious objectors would no longer be able to seek exemption as they were promised by the Labor Party in opposition. We have now seen this in the bill. As I indicated before, in opposition the now government indicated that there would be two exemptions — one on the grounds of health and the other on the grounds of conscientious objection. The conscientious objection provision has been removed, but we now have seven other categories that have been included for exemption. These are provisions that were not indicated by the government while in opposition.

New section 143C(1) creates seven new categories of exemption, which include: children evacuated from their usual place of residence; children who are in emergency care; children who are in the care of an adult other than their parent, due to illness or incapacity; children who are descended from, identify as or are accepted as Aborigine or Torres Strait Islander; children in the care of a parent who is the holder of a healthcare card, pensioner concession card, veterans gold card or veterans white card; children who were one child of a multiple birth; and children in further circumstances determined by the secretary as warranting exemption. Whilst there may well be

arguments about the benefits of each of those exemptions, one thing is clear: those exemptions were not indicated by this government when it was in opposition. The government said that the no jab, no play policy would effectively corner the market in ensuring that every Victorian child would be able to enter an educational facility under their no jab, no play policy, but we now see that potentially there will be a significant number of Victorian children who this will not apply to.

If a child is exempt and not immunised, there is no requirement for the child to be subsequently immunised. Section 143C(2) obliges a person in charge of an early childhood service to take 'reasonable steps' within 16 weeks to encourage a parent to have their child vaccinated and to undertake to have their immunisation status certificate achieved. However, there is no requirement for the early childhood service to exclude or remove a child from that facility on the grounds that they do not meet that criterion. This effectively means that if, after a 16-week period, any child who falls within any of those exempted categories does not achieve the status of being immunised, they will effectively be allowed to remain in that educational setting.

As I said, there will be a range of views on each of those exemptions, but the simple fact is that what the government promised while in opposition is not what it is delivering in this piece of legislation. While in opposition the government made it very clear that every child in the state, albeit those who are seeking an exemption on medical grounds or on conscientious objection grounds, will not be in an educational setting if they do not comply with the no jab, no play policy. That was the wording of the then Labor Party. What we are seeing now it is in government is something that is very different. A child who falls into any of the categories is effectively now exempted. It behoves the government to explain to Victorians why it has moved away from its own policy and created these exemptions despite the fact that when it was in opposition it was not seeking to implement any of those exemptions, apart from a specific health exemption.

We know that, as a consequence of the government's policy while it was in opposition, there are approximately 1000 children in every school year whose parents have registered as conscientious objectors to immunisation. People have different views as to whether children should or should not be immunised and whether parents have the right to register as conscientious objectors. However, that category of Victorians were of the view that the Victorian legislation would provide protection for them,

because they were advised by the then opposition that there would be exemptions in place for them. We now see that the government has changed its view, and it behoves the government to provide an explanation to those parents as to why it now seeks to overturn its own policy with regard to conscientious objectors.

The bill is also not consistent with New South Wales law, as the Victorian Labor Party said it would be. The New South Wales legislation provides for two exemptions: those who are medically contraindicated and those who are conscientious objectors. We have just dealt with that issue in terms of the differences between what was said by the Labor Party in opposition and what we now see in legislation.

Further, the regulation provides exemptions if a child is already enrolled in a primary school or placed in out-of-home care in an emergency or is being cared for by an adult, not the parent, due to exceptional circumstances or because of a state of emergency. The principal of the facility where the education is taking place must take all reasonable steps within a 16-week period from the date on which the exempted child first attends the facility to encourage the parents or guardian of the exempted child to provide an immunisation status certificate.

In conclusion, the opposition will not be opposing this legislation. We understand and support the importance of ensuring that children have the opportunity to be vaccinated, because of the inherent benefits of vaccination. However, we know that the legislation before the house is not what the then opposition promised. This is similar to so many other things the now government said while in opposition. It said one thing in opposition, and in government it has done something very different. To be fair to the legislation, government members need to be clear in their explanation that whilst they promote this bill as being a no jab, no play bill, for many children in this state that will not be the case. That is not what Victorians were told before the last election. It is imperative that the government provides a very clear explanation to Victorians as to why that is not the case and why Victorian families are being provided with an exemption and will continue to be allowed to have their children educated whilst not undertaking an immunisation. Education is imperative, and we should do everything in our power to ensure that a child is provided with educational opportunities. However, again, it behoves this government to provide an explanation of these important points about this bill.

Ms THOMAS (Macedon) — I am proud to stand today to speak on the Public Health and Wellbeing

Amendment (No Jab, No Play) Bill 2015. This is an important bill. It is a bill that we took to the Victorian community before the election and one that we subsequently strengthened on assuming government late last year. On behalf of all my colleagues, some of whom will be speaking on the bill, I want to tell members of the house exactly why this is such an important bill.

This bill is important because 1 in every 200 babies who contract whooping cough will die. These are statistics that we sometimes forget. We know that immunisation is the best way to reduce the risk of whooping cough. Measles is a contagious viral illness that causes a skin rash and fever. Serious and sometimes fatal complications of measles include pneumonia and encephalitis. Worldwide measles is the fifth-highest cause of illness and death in children. These are two exceedingly good reasons why we have introduced this bill and why it will be well supported. I note that the member for Ferntree Gully has indicated that the opposition does not oppose this bill. I wonder why those opposite cannot find their way to support it, but I welcome the fact that they will not be opposing it.

With this bill the Andrews Labor government is delivering on its election commitment to enshrine our no jab, no play policy in law. We took this policy to the election because we know vaccinations save lives. This bill has been overwhelmingly embraced by Victorians. While Victoria's vaccination rates at 92 per cent are high by international standards, they have stalled over recent years. We can and should do much more to boost them further. Not only are we delivering on our election commitment, we are also strengthening it and expanding it in the bill before the Parliament. We want to ensure that as many children as possible benefit from the policy and are protected from these preventable virulent diseases. That is why we have expanded the policy beyond childcare centres to include kindergartens. This improvement will make the policy more workable in practice, given that so many kindergarten programs take place within childcare centres.

In all some 3254 early childhood education and care services that support more than 260 000 children will benefit from this policy. We are strengthening the policy to remove conscientious objection as an allowable exemption category, bringing it in line with a similar move recently announced by the federal government as part of its no jab, no play policy. Removing conscientious objection is an important measure because immunisation does not just protect individuals, it also protects others in the community. Wide protection across the community occurs when

what is called ‘herd immunity’ is achieved. In the case of measles, for example, this is when a 95 per cent immunisation rate is met.

It is important that we continue to do everything we can to grow our immunisation rates. This is important because there are some children who cannot be immunised for medical reasons. That is the one exemption that is allowed under the legislation. However, if we can grow the number of children who are immunised, those children who cannot be immunised for medical reasons will be protected by the herd immunity.

All parents want what is best for their children. That is something we can all agree on. Therefore it is important that we take the necessary steps to ensure that all parents have opportunities to access information about what is best for their children. What we know is that there are two mechanisms that we need to have in play here. This is a regulatory mechanism to support increased immunisation to save children’s lives. There is also a very important role for educative measures to play.

Despite some media beat-ups from time to time, we know that the vast majority of parents whose children are not immunised are not actively making a decision not to immunise their children. They may have some concerns, be unsure or not have clear information in front of them. There is a small number of people who are opposed to vaccination, but I will talk a bit more about them in a moment. The vast majority of parents of children who are not fully immunised may have some concerns but often they have not had an opportunity to talk them through with someone they trust, or access may be an issue. These are definitely challenges for us. We need to ensure that access to immunisation is readily available for parents so that their children can be fully immunised.

I am pleased that the health workforce takes this on board. I have seen and read work from the Royal Australian College of General Practitioners that shows that it is really engaging with some of the concerns that parents have expressed about vaccination and is taking time to talk parents through and overcome some of their fears.

We know that regulation is effective at raising immunisation rates. After the commonwealth introduced laws that made vaccination a requirement for eligibility for government payments and subsidies, immunisation increased. You might say that it provides that little nudge that parents sometimes require to do what is best for their children. The laws were

introduced in 1999, and the immunisation rate for 12-month-olds increased from 75 per cent in 1997 to 94 per cent in 2001. There is evidence that when immunisation rates do not rise, there is a risk to individual and public health. This is something that we know. Evidence from the United States indicates that children who are exempt from regular immunisation requirements are at a higher risk of vaccine-preventable diseases, and there are associated risks to the community.

There are many reasons that this is an important bill. I want to touch on some of the other initiatives we are implementing. The bill builds on our government’s commitment to reintroduce free whooping cough vaccines for expectant and new parents — a program, I might say, that was savagely cut by the former government back in 2012. That a government would single this program out for budget cuts — a program that protects our public health and those who are most vulnerable in our community — beggars belief.

The government has brought forward the implementation of the whooping cough vaccine program to deal with the growing spike in cases of this deadly disease — let us remind ourselves that this is a deadly disease — and has invested \$8.4 million over four years to ensure that more than 80 000 doses are available for free for parents of newborns and expectant parents. Indeed we have expanded eligibility for the program beyond that which previously applied under the program before the Liberals axed it.

Under the expanded program parents are eligible for the free vaccine from as soon as the expectant mother enters the third trimester until the baby is six months old. This expanded eligibility is based on new international evidence which shows that the whooping cough vaccine is safe and effective when administered to pregnant women in the third trimester up to at least two weeks before birth. An expectant mother transfers protective antibodies to the unborn child and is protected when her child is born. This program is so important, because children under six months in our community are absolutely vulnerable to whooping cough.

I have so much more that I could say. Unfortunately I have run out of time. I know that my colleagues will add to the debate. I commend the bill to the house.

Ms KEALY (Lowan) — I rise today to speak on the Public Health and Wellbeing Amendment (No Jab, No Play) Bill 2015. At the outset I state that The Nationals and the coalition will not oppose the bill.

Ms Thomas interjected.

Ms KEALY — Personally, I am a strong supporter of vaccination and immunisation programs. I am a biomedical scientist, and we obviously study a lot about how vaccines work and in particular the great impact that immunisation programs have had in eliminating some diseases. At the outset I absolutely want to clarify that I am a strong supporter of vaccination and immunisation programs. However, there are a number of areas of concern that The Nationals have in relation to the bill before us today, and I will go through them in greater detail later in my contribution to the debate.

Vaccines are a fantastic step forward in how we deliver health care right around the world, but particularly here in Victoria. Vaccination is a mechanism where we expose the body to a weakened or killed bacteria or virus so that the body can create antibodies without the person actually getting sick. It is fantastic that we have a healthcare option to prevent disease rather than treat it. Some of the most successful vaccination programs that we have seen around the world are those for whooping cough, measles, polio and diphtheria. If we just take a moment to think about polio, we see those images of crippled children and we think of the significant disability and death arising from polio.

If we look at the rates of incidence of the disease, we see that when the vaccine was introduced in the 1970s, the frequency of polio completely dropped off. That shows that vaccines can be very effective. However, we need to make sure we have herd immunity, which requires a compliance rate of greater than 95 per cent immunisation across the population. We need to take steps to increase our compliance with the immunisation schedule. In some areas across Victoria we are seeing the rate drop to even below 90 per cent. Last year we had an outbreak of measles in Australia, with 340 cases, which is just too high, particularly for a disease that causes such devastating outcomes for babies in particular.

I had a look over the immunisation rates for the local government areas across the Lowan electorate. I am proud that two councils — Hindmarsh and West Wimmera — have achieved 100 per cent two-year-old compliance with the immunisation program. I am particularly proud of that because my little boy, Harvey, is part of the West Wimmera cohort and would be part of the two-year-old grouping. Monica Feder does an outstanding job in Kaniva and Edenhope through her promotion of vaccination and explanation of why vaccination is so important. Monica works with the ambulance service there but also with West Wimmera

Health Service. She is a fantastic maternal and child health nurse.

Other rates across the region are something else we can be proud of. Horsham Rural City Council achieved 99 per cent compliance; Yarriambiack, 95 per cent; Southern Grampians, 94 per cent; Glenelg, 92 per cent; Northern Grampians, 91; and Ararat, 90 per cent. We are doing quite well in most of the local government areas in Lowan. We probably just need to do a little bit of work in some of them, but I am certain we will get there with good promotion and education in the community.

Why do we need to vaccinate? If we did not vaccinate, we would not have had only 340 cases of measles last year — we would have an estimated 250 000 cases of measles each year. Measles is a serious disease. Of the 250 000 cases I mentioned, 1 in 500 people would die and 1 in 500 people would get a nasty brain infection. These diseases have significant consequences. I know there is debate over whether vaccines are safe or not, but when you look at the outcome if you do not get vaccinated, you realise that that far outweighs any risk associated with a vaccine for somebody who has a normal immune system.

We do need to achieve that herd immunity so that our most vulnerable people are protected — our babies, pregnant women, the immunocompromised and those who just cannot be immunised due to allergy to vaccines or other medical reasons. Without the herd immunity these people will be at really high risk of getting diseases which may result in significant clinical outcomes involving illness, or even death, which we certainly want to avoid where we possibly can.

The main provisions of this bill are, firstly, that a child cannot be enrolled in early years learning centres including child care, kindergarten, occasional care or family day care unless they have an up-to-date immunisation schedule and can provide evidence of that and, secondly, that that does not apply to enrolments in primary or secondary school. I have received a couple of emails about this bill, and there is a concern in the community that it would preclude enrolment in schooling systems in Victoria. That is not the case.

The bill also removes the conscientious objection exemption under the act so that parents who do have a conscientious objection to vaccines will not be able to enrol their children in early years learning centres. It introduces exemptions for disadvantaged and vulnerable children and for medical contraindications such as a suppressed immune system or a vaccine

allergy. There are conditions in the bill that will exempt people with a high likelihood of getting sick if they had the vaccine. There is also an obligation on a person in charge of an early years learning centre to obtain a copy of the immunisation certificate within 16 weeks. Fines of up to \$20 000 can apply for non-compliance with the record-keeping elements of the bill.

I want to go through the areas of concern. Something the coalition lead speaker outlined is that this bill is different to what was promised before the election. I do not know how many times I have heard called out across the chamber that this government is one that keeps its promises. However, this is clearly a broken promise. It made a commitment that this bill would be consistent with the New South Wales laws. It is not consistent. The New South Wales legislation provides for two exemptions: the medical contraindication and the conscientious objection. This bill does not do that.

Further, the regulations provide exemptions if a child is already enrolled in a primary school or placed in out-of-home care as a matter of urgency, or being cared for by an adult not the parent due to exceptional circumstances or because of a state of emergency. There are some inconsistencies with what Labor says and what it does. We are seeing this as a consistent theme throughout the term of this government. This bill is different to what was promised before the election. Labor stated that there would be two exemptions including the conscientious objection. On 16 August it announced it would not support a conscientious objection as a reason to not become vaccinated.

When the bill was tabled there were seven other categories of exemption within it. I can go through those seven exemptions. Of course any exemption there is when we are looking at achieving 95 per cent of herd immunity means that we are less likely to achieve it. While the government has talked up how tough this new bill is, it is full of holes. It looks at exemptions for children with parents who have a concession card. There are a lot of parents out there who do have a concession card. In this country free vaccinations are offered for them, and we are very fortunate that is offered. There really need to be incentives for people to achieve vaccination for their children, rather than the penalty system the government is imposing which says, 'Your children can't have access to early years learning', which are arguably the most important years of learning, the 0 to 4 years. It is blocking from that kids who do not have a choice.

That is another point I want to raise. The government is looking at excluding children from early childhood education based on the beliefs of their parents. Each

year there are about 1000 children whose parents have registered a conscientious objection to immunisation, and now they will be excluded from being able to be enrolled in an early childhood learning service. The passage of this bill will remove the right of equitable access to early learning services for a significant number of Victorian children on the basis that the actions or beliefs of their parents are contrary to those of the majority of the population. How is that fair for those children growing up? Why is the government penalising them when they have had no choice in whether or not they have been vaccinated? It is depriving them of their right to achieve early childhood education. That is a really significant point which the government must address.

In summary I say that the coalition will not be opposing this bill. We obviously support vaccination, and it is essential that a herd immunity of 95 per cent be achieved across the community. I hope that Labor will address these areas of concern.

Mr McGUIRE (Broadmeadows) — Knowledge is power, and we as a community have to decide whether we support enlightenment — evidence-based science, rigorously tested, independently reviewed by experts — or we will be captured by fear and prejudice. These are the core issues at the heart of the introduction by the Andrews government of the no jab, no play bill, because it is intended to boost immunisation rates right across the Victorian community.

I refer to the way that Nobel laureate Peter Doherty, one of the world's most eminent scientists, described this. He has put up a passionate case for citizens to become informed so they are able to evaluate the facts of any scientific debate and has provided practical advice on how to analyse research and take meaningful action in his recently published book *The Knowledge Wars*. It is worth putting on the record the way he has analysed how this should be assessed. He said:

How do we sort the life-sustaining wheat from the chaff that's just blowing in the wind? Overloaded and busy as we are, we may just take the path of least resistance, tune out much of this noise and simply identify with a particular interpretation that fits our overall political and social views.

Part of the challenge for us is to distinguish genuine disagreements based in sound, but perhaps conflicting, information from propaganda intended to support the bottom line of powerful businesses and established economic models. There is no more stark or alarming example of this than the denial of the scientific proof of human-caused climate change. And the power of money isn't the only influence on our perceptions. Embracing a shared vision that natural is better than man-made, or that (even if other kids are put at risk) parents are 'empowered' to say whether or not their children should be vaccinated, can immediately distance us

from any desire to understand where the risks really lie. All these reactions are very human.

The problem is, though, that real advances in human wellbeing are based in discovery and innovation, not in the dogmatic pronouncements of dubious 'leaders' or in widely shared but uninformed views. If you want to engage with a world where authority, belief, fear, prejudice and 'natural' remedies ruled, take a look at life as it was in the 13th century! Then think again how the culture of reason, rigorous inquiry and innovation that defines 'western' values since the time of the Enlightenment has so transformed human existence. Ultimately, the abandonment of reason and intellectual integrity is not in the best interests of any of us.

I think that elegantly sums up the understanding at the heart of this bill, why the government has brought this on and what it can mean for the state of Victoria and for our children. If we are evidence based, the science is in; it has been defined. That is why we have now come to this conclusion on what needs to happen.

While Victoria's immunisation rates are high by international standards, we can improve. Vaccine-preventable diseases continue to be prevalent. In 2014 about 92 per cent of Victorian children under the age of seven were fully immunised, although some geographic areas have lower rates of coverage. The current rate of immunisation has remained stable at between 91 per cent and 92 per cent for the past five years. An immunisation rate at this level does not provide the protection needed for those who cannot be vaccinated for medical reasons. Immunisation does not protect just immunised individuals; it also protects others in the community by increasing the rate of herd immunity and reducing the spread of disease. Herd immunity for measles is achieved when there is 95 per cent immunisation coverage.

In the first half of this year there were 27 reported cases of measles, with 8 of those being children aged between 0 and 5 years. In 3 of those cases the children were under one and were too young for their first dose of the vaccine; in 3 cases they were old enough to have had at least one dose of the vaccine but were not vaccinated; and in 2 cases they had had the first dose of vaccine but were not old enough for the second dose. Measles can lead to severe complications such as pneumonia, encephalitis, low birth weight and stillbirths in pregnant women, and even death. For every 1000 children who contract measles, one or two will die from it.

Then there is the issue of whooping cough. Opposition members might want us to forget that it was their government that cut the free whooping cough vaccine for parents of newborns. One of the first changes made by the Andrews Labor government was to reinstate the whooping cough vaccine for expectant and new parents, which was a program savagely cut by the

Liberal government. This goes to the heart of it. Are we going to be an enlightened society where we have the science, where we have the proof and where we act on that? This goes not just to political and social views but to the provable facts. Between 2006 and 2012 across Australia 10 infants died from whooping cough, including a four-week-old from Western Australia who passed away earlier this year. The baby was too young to be vaccinated and was relying on the immunity of those around him.

The policy we are dealing with today was an election commitment, and the government is delivering on that promise. It is science based, practical and will help vulnerable children. We are also committed to ensuring that the commitments are implemented in a meaningful way, which is why the policy has been expanded to include kindergartens. By doing this we ensure a consistent approach across education and care services. Under the bill an early childhood service will only be able to confirm the enrolment of a child when it has obtained an immunisation status certificate. To confirm enrolment the certificate will need to show that the child is up to date with vaccinations or the child has a medical exemption. 'Up to date' means that the child has received the appropriate vaccinations according to age under the standard commonwealth schedule or that the child has been vaccinated in accordance with an approved vaccination catch-up schedule. Immunisation history statements from the Australian childhood immunisation register are sent in hard copy to parents and guardians and are available online. This is about using technology to harness knowledge, keep records and provide safety for the maximum number of children.

Medical exemptions apply when a child has a contraindication to the relevant vaccine. This might be the case if a child has an allergy to the vaccine or a component of the vaccine or has a suppressed immune system. This will be determined on a case-by-case basis by qualified immunisation experts such as general practitioners and local council immunisation services. This is a way to get maximum reach and take care of the occasional exemption on medical grounds. A range of eligibility criteria for an exemption for medical reasons are included in the schedule, and I will not put them on the record in this contribution. They are clearly defined, and people can see them.

For a Labor government the proposition is to ensure that children and families are not left behind. This is the strategy at the heart of the bill. Some families have trouble accessing immunisation services for a range of reasons, and we want to ensure that we support those families to catch up with immunisation. The science is

in. It is decided. It works. It is practical, and it can help children throughout the community. To be rational and have an enlightened approach is the only way to address these issues. There will always be people who take a contrary view, but to act in a way that does the greatest good for the greatest number of people is our duty as legislators and MPs. I commend this initiative and the bill to the house.

Mrs FYFFE (Evelyn) — I am pleased to speak on the Public Health and Wellbeing Amendment (No Jab, No Play) Bill 2015. The average life expectancy at the beginning of the 20th century was 47.3 years. A century later that number has increased to 77.8 years, due largely to cleaner drinking water and the development of vaccinations and other treatments for deadly diseases. These statistics are compelling. In Victoria the current rate of immunisation for children under five years of age is around 92 per cent, but as we have heard, the target is 95 per cent to provide protection for everyone in the community.

Of course not all parents are convinced. Those opposing the government's no jab, no play policy hold their views strongly and passionately, and I am sure that all mothers in this place are able to identify with them to some extent. Upon becoming a parent for the first time, we know the strong protective instincts that kick in and make us want to wrap our children in cottonwool to ward off all the nasties in the world. We do not want any harm to come to our little ones. Then time goes by, you have more children and you become an old hand. You have a better sense of what is truly harmful as opposed to what is exaggerated harm or alarmism perpetuated by those with an agenda. I do not want to diminish the concerns of parents who oppose the no jab, no play policy or to paint them as hypochondriacs. However, with age comes the benefit of wisdom, so I offer my contribution as an assurance to mothers.

We are all united in our concern for the welfare of our children. No rational person wants to see a child suffer in pain. Unfortunately many mothers whose children contracted some of the diseases that with medical advancement we now vaccinate against had to witness their child's agonised torment. It is important to reflect on what was once our reality to gain some perspective.

Whooping cough, a serious and contagious respiratory infection caused by bacteria, lasts up to several months even after an antibiotic treatment is administered. It is called whooping cough because of the gasping for air that occurs after fits of coughing. These fits often also induce vomiting. The infected child is also at risk of developing apnoea, causing them to stop breathing and turn blue. Can members imagine how frightening that

would be not only for the mother but also, more importantly, for the child? I have witnessed a child with whooping cough. It is a horrible sight, and you feel absolutely helpless in trying to alleviate the suffering and fright of the child and their parents. Whooping cough is preventable with vaccination.

Smallpox is caused by a virus and was highly feared for a long time. An aggressive immunisation campaign eradicated smallpox in 1977. The main characteristic of the disease is a rash of blisters or pustules on the skin that leave permanent scars. It can be deadly if it attacks the circulatory system, bone marrow or respiratory system. The World Health Organisation has been behind a massive campaign to see populations vaccinated for the purposes of eradication. So hideous is this disease that some despotic dictators are looking at it as a biological weapon that could be used in non-conventional warfare or terrorism. Smallpox is preventable with vaccination.

People are probably most familiar with the success of vaccines controlling polio. This disease is also caused by a virus, which is transmitted by hand contact after contamination with the stool of an infected person. Polio produces symptoms we are most familiar with, causing the permanent loss of control of limbs, reflexes and the muscles that control breathing. One of the most famous sufferers of paralytic polio was Franklin Roosevelt, who contracted the disease after a vacation at the age of 39. As a result of his paralysis he had to be carried or propped up when he was President of the United States, always afraid people would treat him as an invalid and lose respect for the presidency. Polio is preventable with vaccination.

Tetanus is something I have personal concern about. My husband was vaccinated against tetanus as a young child, but he did not have the boosters at the right time. He became a victim of tetanus at the age of 36 and spent a substantial amount of time in hospital. It was touch and go as to whether he would survive. He contracted tetanus from a piece of barbed wire in the sand on the Portsea front beach. Again, it is a disease that is preventable with vaccination, and it is important that people remember to have boosters.

Only a handful of parents in my electorate of Evelyn have contacted me to express their strong objection. They are concerned about the removal of their medical autonomy and the perceived removal of informed consent. They hold the view that any form of coercion or duress, such as withholding kindergarten and childcare services, does not constitute informed consent.

They cite legal requirements of consent established in the government's *Australian Immunisation Handbook*, and they give many other reasons. I can only respond by saying that while we do what we can to preserve the rights and freedoms of all Victorians, rights are seldom absolute because to bestow a right upon one person in some way limits the rights of others. The right of where we drive on the road is controlled by laws to save the lives of others. I do not see this as very much different. When the rules of the road are such that they protect the lives of other people using that road, we follow them. In the same way, vaccinating people to stop preventable diseases is very important to me. Those who have severe allergic reactions or a suppressed immune system disorder are protected under this bill. They do not have to have the vaccination.

I thought that the pro forma emails I received were more focused on a parent's right to control their child's health destiny than on any harm caused by immunisation. That surprised me. They were about the parents wanting to control what the children had rather than being about harm. I thought the letters I would receive would highlight a link between measles immunisation and the onset of autism. That link, of course, has been totally disproved. I believe it started when a woman made a comment on *The Oprah Winfrey Show* which triggered a panic that self-perpetuated and travelled around the world. There is no link to autism.

Confusion tends to stem from the emergence of certain developmental conditions at about the same time as scheduling for certain immunisations. For example, measles is typically vaccinated against at 12 months. It is unrelated but coincidental that autism typically presents symptoms at 12 months. I can understand how devastated a parent who suddenly finds their child diagnosed with autism might be. They would be looking for answers and perhaps arrive at the conclusion that the vaccination is the culprit. However, the development of vaccines takes years of careful and rigorous research to prove their benefits and ensure they have minimal side effects. They are tested and tested before they are released into the community.

With the number of disasters happening around our world at the moment and with taking refugees from Third World countries, there is a risk that our children will be exposed to diseases that have been eradicated or reduced to almost nil. When we have so many people coming in who have not been vaccinated — not because it is their fault or their parents' choice but just because there was no opportunity — it is more important that children here are protected against these diseases in case they are brought here, and I am not

saying that they will be. I have pleasure in supporting the bill before the house. I think it is eminently sensible, and I wish it a speedy passage.

Mr BROOKS (Bundoora) — It is a pleasure to join the debate on this very important piece of legislation, the Public Health and Wellbeing Amendment (No Jab, No Play) Bill 2015. At the outset it needs to be made clear that this legislation seeks to ensure that all children enrolling in children's services have been immunised and are up to date with their immunisation. This applies to long day care centres, kindergartens, occasional care and family day care. As other speakers have identified, it is important to reinforce to the community that this does not apply to enrolment at primary and secondary schools or the outside school hours care that applies to schools or playgroups.

I will address a couple of points raised by members opposite in their contributions. The member for Lowan indicated that she did not oppose the bill and she supported vaccination but she finished her contribution by saying she did not support the exclusion of children from children's services on the basis that they were not immunised. I want to clarify for her that that is exactly what this bill does. It excludes kids from children's services if they have not been immunised. She made a fairly confused contribution and it needs to be made clear that she cannot have a bet both ways — she needs to support the bill, which excludes kids who have not been immunised for reasons I will talk about in a moment, or say why she does not.

The other point I wish to raise was mentioned by both the member for Lowan and the lead speaker for the opposition regarding their concerns that the Labor Party did not highlight prior to the election that there were exemptions to this legislation for some children. It is important to note there are exemptions to the application of this bill. There are children who are in emergency residential care; children in the care of an adult who is not the child's parent due to exceptional circumstances, such as illness or incapacity; children from Aboriginal and Torres Strait Islander communities; a range of children whose parents are healthcare or veterans card holders; multiple birth children and so on. This is where the lead speaker for the opposition and the member for Lowan stopped, but it is important to recognise that the bill goes on to say at new section 143C(2):

Within 16 weeks after the date on which the child first attends the early childhood service, the person in charge of the early childhood service must take reasonable steps to ensure that an immunisation status certificate in relation to the child is provided by a parent of the child.

The government is saying, 'We understand there are certain groups in society that, for whatever reason, may face more challenges than others in terms of getting their children immunised. When they turn up for preschool or child care, we're going to give those parents 16 weeks to get their child immunised or for the childcare service or preschool to work with the family, the parents of those children, to get their immunisation plan up to date'. I think that is a fair and reasonable thing.

It is difficult to sit on this side of the house and take lectures from those opposite on immunisation. I was here for the last four years of the coalition government and I cannot remember it bringing into this place legislation that sought to improve the rates of immunisation for our children and protect the community. I cannot remember it taking any action to improve rates of immunisation. The only thing I can remember is it cutting the whooping cough vaccine for parents of young babies, which I think was a great shame and probably indicates the difference between the approach taken to this very important issue by those on this side of the house and that taken by those on the other.

It is important, though, for a sensible discussion to be had when a government effectively says through the provision of very important services, being preschool and childcare services, 'We want parents to have their child immunised'. I think under most definitions immunisation would be clearly described as a form of medical treatment, so this is an important issue for us to discuss. It is one that we should not rush through quickly. It is one that we need to consider carefully, with all of the different arguments on this matter. But it is very clear to me personally that this is a piece of legislation moved by the government that should be supported.

I commend the Scrutiny of Acts and Regulations Committee for its *Alert Digest* on this bill, which discusses the statement of compatibility that has been provided by the minister on these key issues. There is good discussion around the issue of whether or not people should be subjected to medical treatment without their full, free and informed consent, and I think that is an important discussion to have. Regarding the discussions that have taken place within the Scrutiny of Acts and Regulations Committee around human rights, we understand that there are certain rights that need to be balanced against other rights. I think there were over 100 submissions to the Scrutiny of Acts and Regulations Committee. Unfortunately they are not available to other members at this point as they have not yet been prepared for publication online, but

they will make informed reading for those who are interested in the arguments against this legislation.

It is important to think about the sorts of diseases and illnesses we are talking about here. The Victorian schedule for immunisation, from birth onwards, includes immunisation against illnesses such as hepatitis B, diphtheria, tetanus, pertussis, poliomyelitis, pneumococcal, rotavirus, measles, mumps, rubella and chickenpox.

I agree with the comments of the member for Evelyn. It was not that long ago that some of the diseases I mentioned were causing significant illness, distress and harm to the Australian community, not just those overseas. If we either looked abroad or looked back, we would wonder why we are even having a debate on this particular issue because we would see the significant trauma these diseases currently cause in other countries and have caused in our own past. We know that without support for a strong immunisation program those diseases would cause problems for us in the future. The World Health Organisation website says:

Measles is one of the leading causes of death among young children even though a safe and cost-effective vaccine is available.

In 2013, there were 145 700 measles deaths globally — about 400 deaths every day or 16 deaths every hour.

Measles vaccination resulted in a 75 per cent drop in measles deaths between 2000 and 2013 worldwide.

...

During 2000–2013, measles vaccination prevented an estimated 15.6 million deaths making measles vaccine one of the best buys in public health.

The website goes on to say:

In 1980, before widespread vaccination, measles caused an estimated 2.6 million deaths each year.

These are dreadful diseases.

As parents we think about the pain our children will suffer when the doctor or nurse working in the local council immunisation program gives them the needle. We do not like the fact that our children might suffer pain, but we have to understand the important benefit of the immunisation program to the community.

I make mention of the polio shot, which is a key vaccination on the Victorian schedule. This affected Australia in particular. We know that worldwide polio caused and still causes much damage, but between 1930 and the 1960s 40 000 Australians contracted paralytic polio, which results in the paralysis of limbs.

Children ended up in calipers, wheelchairs and iron lungs. Many of them are still alive today. I challenge those who support the right to conscientiously object to immunisation, and in doing so rely on the rest of society to effectively do the work of the immunisation program for their benefit, to talk to those people who have survived polio or who have lost siblings to polio during that period and see if they are not then convinced of the benefits of a strong immunisation program for these diseases.

I also noticed that the lowest immunisation rates for children in Victoria, according to the National Health Performance Authority, are in the city of Melbourne. I hope to see the member for Melbourne during the debate on this piece of legislation urging her community to take up immunisation.

Mr D. O'BRIEN (Gippsland South) — I will begin my brief contribution tonight, but I know I will be cut off. In the short time I have available I will respond to the contribution of the member for Bundoora, who is still in the chamber, because he was critical of the member for Lowan for her comments. I think there may have been a misunderstanding. My understanding of what the member for Lowan was talking about was the fact that children of conscientious objectors will now be excluded from being able to go to preschool and the like on the basis of their parents' belief and that this is discriminatory for those children. I think that is what the member for Lowan was saying. She is very much, as are all of us on this side of the house, supportive of the intent of the bill. I am hopeful that all 88 members of this chamber are supportive of the intent of the bill because the issue of vaccinations is one of those areas where a lot of rubbish is written, particularly on the internet, about the dangers. However, it is exactly that: it is rubbish.

The opposition is not opposing this bill because its intent is honourable. As has been mentioned by previous speakers, the federal government is moving even further in this sphere and indeed some of the aspects of this legislation will be redundant when the federal regulations change. I certainly support the intent of the bill, but as some of the previous speakers on this side have pointed out —

The DEPUTY SPEAKER — Order! The time has come for me to interrupt the proceedings of the house. The honourable member will have the call when this matter is next before the house.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house now adjourns.

Seville Primary School

Mrs FYFFE (Evelyn) — My request for action is directed to the Minister for Education. The action I seek is for the minister to increase equity social disadvantage funding to Seville Primary School, which is listed by the Department of Education and Training as a priority school. After a recent visit to Seville Primary School I was alerted to a funding situation that is likely to further disadvantage Seville students. Seville Primary School was categorised as a priority review school for the 2015 school year, recognising that a number of students face considerable disadvantage that is impacting on their learning outcomes.

According to the Department of Education and Training website:

Social disadvantage can often place students well behind their peers when entering the education system. Increased funding for schools has proven to raise educational outcomes, particularly for these students. Schools will use social disadvantage funding to deliver tailored educational programs that meet the needs of this cohort of students.

Owing to the empathetic and devoted leadership style of principal Pat Hillas, Seville Primary School has become the school of choice for parents who have children with difficult behaviours as a result of social disadvantage. Pat is eternally patient, always optimistic and fiercely determined to help these kids. He is everything you want in a principal. Pat has a detailed plan for student achievement incorporating a learning and teaching coach, peer mentoring and increased professional learning for staff.

While it is understood that the formula for funding is based on a number of components, it dismays the Seville Primary School community that in the recent round of funding the school received just \$9000 for 2016 compared to two other priority schools in the region that received more realistic amounts of \$59 000 and \$150 000. I urge the Minister for Education to re-evaluate Seville Primary School's current equity funding allocation for 2016 as a matter of priority to prevent these deserving kids from falling through the cracks.

Employment

Ms WILLIAMS (Dandenong) — My adjournment matter is for the Minister for Education, representing

the Minister for Training and Skills, and the action I seek from the minister is that he provide me with some advice about what the Andrews government is doing to improve the employment rate through the training and skills portfolio. In the last census unemployment in the Greater Dandenong council area was 8.3 per cent. Unemployment in the 20 to 24 years age bracket was 11.7 per cent. It is much higher than this in some individual suburbs within my electorate of Dandenong, particularly Doveton and Dandenong itself.

The failure of the federal coalition government and the former Napthine government in Victoria to keep Ford, Holden and Toyota in Victoria will mean certain job losses in Dandenong. Almost 50 per cent of the workforce in the auto supply chain alone — that is around 6000 workers — are in Melbourne's south-east. Many of these workers will not get the benefit of large redundancy packages and will need to find work quickly. Many of these people will need to re-skill in order to harness new opportunities.

Skills are a red carpet to jobs — we know that. Since being elected I have worked every day to improve the lives of the constituents I represent, particularly those who are the most vulnerable, including those who are looking at an uncertain employment future and need our help. I would appreciate advice from the minister about what the Andrews government is doing to improve the employment rate across Victoria through training and skills.

Northeast Health Wangaratta

Mr McCURDY (Ovens Valley) — My adjournment matter is for the Minister for Health, and the action I seek is that the minister visit Northeast Health Wangaratta with me in the near future. As the Minister for Health she no doubt sees extraordinary people performing extraordinary duties throughout this great state we live in. Northeast Health Wangaratta is another wonderful example of that. It is a large facility doing wonderful things. Its CEO, Margaret Bennett, prides herself on running a well-organised, high-functioning facility that achieves excellent outcomes.

Over the last 12 months there has been an increase in demand across many of the services that Northeast Health provides. Inpatient activity has seen 17 615 inpatient separations. This is 1022 more inpatient separations compared to last year — a 6.2 per cent increase. Occupied beds have also risen by 4.5 per cent to just over 54 000 equivalent days. Baby deliveries are up, and aged care has a 98 per cent occupancy rate. As the minister is well aware, it is incredibly important to

match services to the requirements of our communities. This dedicated team, with an extremely focused board, a valued leadership team and a committed and loyal assembly of staff, works very hard to see that our community is well supported in the health sector. Without Northeast Health we simply could not survive.

It is not just the people of Wangaratta who receive the benefits of that facility; the people of Bright, Myrtleford, Yarrawonga, Benalla and a whole host of surrounding small communities rely on this facility. I invite the minister to see firsthand the telehealth capacity of the Hume region, the successful central Hume graduate midwifery program and of course the strengthening of the partnership between Northeast Health Wangaratta and Gateway Health. I know the minister is a very busy person, but I certainly hope she can take the time to come to Wangaratta and witness the fantastic part of Victoria we are in and our relationships with the community through Northeast Health. I hope she can spend some time with us.

Mitchell infrastructure funding

Ms GREEN (Yan Yean) — I wish to raise a matter with the Minister for Local Government, and the action I seek is that she support the Shire of Mitchell's application for funding under the Andrews Labor government's Interface Councils Infrastructure Fund. This fund has been a most necessary fund and has been very much welcomed by the interface councils. It is not just for growth councils; Nillumbik and Yarra Ranges are also included. For councils like Mitchell Shire Council in particular, which is experiencing a lot of growth, it is a very difficult balancing act for it and its ratepayers to fund all the necessary infrastructure.

The application submitted by the Mitchell shire includes two important community projects which are very dear to my heart. The first is the Wallan integrated community learning facility, which is to be built on the existing Wallan Primary School grounds and which will provide facilities for multipurpose community use and early learning spaces. The second part of the application is for the Hadfield Park play space project, which will provide a wonderful new asset for kids in Hadfield Park — a dry and wet play space, including a water play space that will be perfect for hot days just like this. Only on Sunday I was in Mildura opening a water play space, and I understand that throughout the school holidays, whether it was a hot day like we have seen today and on the weekend, or cold, the kids have just loved it. I know the kids at Wallan will love one of their own.

The minister will remember that in May this year we both joined the mayor of the Shire of Mitchell, Cr Rodney Parker, at Hadfield Park to discuss the benefits of the new \$50 million Interface Councils Infrastructure Fund. In just one year the Andrews Labor government is getting on with it in Wallan after years of that town being forgotten by those opposite. This is a government that understands the importance of keeping up with growth and supporting local communities like Wallan.

In the last budget we allocated \$5.5 million to complete stage 4 and build new classrooms and amenities at Wallan Secondary College, action on which had stalled in the previous four years. Wallan schools recently received a huge funding boost of \$600 000 as a part of the education state funding, and the Wallan Football and Netball Club is to receive extra funding to improve facilities. Also the Minister for Regional Development has supported funds to activate the centre of Wallan township and make Wallan an iconic country town.

There is still much more to do in Wallan, and there are public transport challenges in particular. However, the recent opening of the office in Wallan of my colleague Jaclyn Symes, a member for Northern Victoria Region in the Legislative Council, means that we can work together to benefit this community. I urge the minister support the interface funding application by the Mitchell shire.

Millwarra Primary School bus stop

Ms McLEISH (Eildon) — My request tonight is for the Minister for Roads and Road Safety, and the action I seek from the minister is that he arrange for the assessment, repair and upgrade of the bus stop on Woods Point Road, East Warburton, located at the Millwarra Primary School. I received a letter not so long ago from Blake Olcorn and Meredith Simmons, the school captains at the East Warburton campus of Millwarra Primary School. They alerted me to the current situation at the bus stop. In their words:

In the winter the bus stop gets very muddy and wet. We need it fixed so that the students who catch the bus don't have to walk through the mud and water. The students who catch the bus get wet feet and they have wet and cold feet the whole way home. It is a very big problem. When students get on the bus the mud goes all through the bus and then the bus driver has to clean it all.

I took the opportunity to visit the school and meet with Blake, Meredith and other grade 5 and 6 students to talk about their issue and then to take a look at the bus stop and the road. This meant I could really understand their needs and what needs to be done to fix the problem.

As luck would have it, I visited the school on a very rainy day, so I could see the condition of the road, the roadside and the bus stop at its worst. The mud and water spanned some 2 metres, and it was very easy to see how children who travel by bus could have difficulty getting on and off the bus in wet and muddy conditions without getting their feet wet and dirty. This task would be even more difficult for younger students with little legs.

As I mentioned, the students at the school are very keen to have the road and bus stop fixed. In teaching the students about government and political representation, the dedicated teacher, Jill Cooper, encouraged the students to write to me to take up their cause for them. Like the principal, Rod Barnard, and other teachers at the school, Jill does a great job in teaching the local students. It is very important for the families of Warburton East to rectify this matter, and I urge the minister to pay speedy attention to it. I have photographs, which I am happy to make available directly to the minister if he would like me to.

Horseshoe Bend Farm

Mr CARROLL (Niddrie) — I raise a matter for the attention of the Minister for Environment, Climate Change and Water, and I am pleased to see the minister in the chamber. The action I seek is that the minister request Parks Victoria to undertake community consultation around the future of Horseshoe Bend Farm in Keilor, which is located adjacent to Brimbank Park in the Maribyrnong Valley Parklands, and further the opportunity to facilitate a meeting with the minister to discuss this matter.

In my inaugural speech to the Parliament on 18 April 2012 I highlighted the importance of Brimbank Park to the community of Melbourne's west. It is home to more than 150 Aboriginal archaeological sites, some of which are over 30 000 years old.

On Friday, 18 September, I met with representatives of Parks Victoria, including Rocky Barca, district manager of western Melbourne district, and David Collins, area chief ranger, Keilor Plains. This meeting was subsequently followed up with a site visit and tour of Horseshoe Bend Farm on 30 September. As a local MP and member of the Friends of Maribyrnong Valley I have always appreciated the consultation from Rocky and David, and I am now looking to work with them to broaden that consultation. The Horseshoe Bend Farm site is a wonderful nature reserve where many birds and animals, including wedge-tailed eagles and kangaroos, can be seen.

Earlier this year, on 20 April, I wrote to the Minister for Environment, Climate Change and Water requesting an update regarding the appointment of a suitable new operator for the Horseshoe Bend Farm site, as many local residents were very concerned that the condition of the property was deteriorating rapidly and that public access to the park had been denied for four years. In her reply the minister advised that Parks Victoria is now assessing its options for the future management of Horseshoe Bend Farm to ensure that the area can be safely opened to the public.

Many local residents have contacted me regarding the future plans for Horseshoe Bend Farm, and I particularly wish to thank Barry McMahon, Virginia Tachos, Adriana Thomas, Anthony Prendergast, Brett Saxon, Stephen Derrick, Dina Bowman, Judy Ingram and Susan Jennison for their ongoing commitment to their community.

I would welcome the minister's visit to the bushland haven of Brimbank Park so she could see what a beautiful site Horseshoe Bend Farm can be.

Pakenham bypass landscaping

Mr PAYNTER (Bass) — My adjournment matter is for the Minister for Roads and Road Safety. I note the recent addition of sound barriers along the Pakenham bypass. The action I seek is that the minister ensure that the project is fully completed by planting appropriate trees and shrubs along all of these sound barriers as a means of minimising the potential for vandalism and graffiti attack.

Unfortunately in some areas quick graffiti removal is no longer a deterrent. Vandals are coming back even more quickly, and within a matter of days a cleaned area can be covered again with graffiti. The incidence of graffiti is a blemish on Melbourne's public transport and freeways. It is also proving to be an unsustainable cost to VicRoads. Research has shown that property values are adversely affected in areas where vandalism and graffiti are evident. This is of particular concern for residents in my electorate, which includes parts of the City of Casey and the Shire of Cardinia, in the widely publicised south-eastern growth corridor.

The sound barriers along the Pakenham bypass are relatively new, and the installation of appropriate plantings at this early stage will hopefully deter any graffiti-related vandalism. The visual amenity for road users along the Pakenham bypass would also be greatly improved.

Chelsea police station

Mr RICHARDSON (Mordialloc) — I raise a matter for the Minister for Police. The action I seek is that the minister visit the Chelsea police station to hear from local police officers and get an update on some of the priorities in my local area.

Victoria Police officers do an incredible job of protecting our community and keeping our local communities safe each and every day. Sometimes it is a thankless task, with officers placed in unpredictable and dangerous situations. On many occasions they are present at the lowest point in people's lives, whether it is the loss of a loved one or attendance at frequent family violence incidents.

National Police Remembrance Day was held on 29 September. It was a privilege to join locals in the Frankston region to remember and commemorate the service of police officers who have been killed in the line of duty, to reflect on their sacrifices and on the toll this sacrifice has taken on their loved ones. National Police Remembrance Day was also an opportunity to recognise and reflect upon the risks our police officers face all the time, which we must always appreciate and consider. Recently there have been several reminders of just how unpredictable the job can be. A little over a year ago Victoria Police officers were under attack at the Endeavour Hills police station, and only a few months ago Constable Ben Ashmole was shot as he attempted to pull over a car.

Recent reports have also told us of the mental health toll on police officers over the past two decades and the need to provide more support services to the 13 000-strong officer force. I am pleased that the Minister for Police has been very active in this space to date.

In addition to these challenges facing police, there is no doubt that the impact of family violence is widespread in our community, including in the City of Kingston. Tragically each and every week a woman is killed by her current or former partner. We know that family violence is the leading contributor to death, injury and disability for Victorian women aged under 45 years. In 2014 more than 68 000 incidents of family violence were reported to Victoria Police, with so many more going unreported. As a community we should be ashamed of these terrible statistics and do all we can to support the work of the Royal Commission into Family Violence and various agencies, including our dedicated Victorian police force. After all, on so many occasions it is Victoria Police officers who each and every day confront these horrors and are overwhelmed by trying

to deal with these systemic challenges and protecting the most vulnerable — the women and children in our community.

In conclusion, I ask the Minister for Police to visit our local police station in Chelsea to get an update on these priorities and hear directly about the challenges facing Victoria Police.

Level crossings

Ms RYALL (Ringwood) — I raise a matter for the Minister for Public Transport. My request is that the minister provide me with information in relation to level crossings. An article in the *Herald Sun* of 5 August quotes the minister as having said:

‘Our election commitment to remove the 50 crossings was based on significant stakeholder and community consultation, as well as using a variety of published data and information, including crash history, boom gate down times, local safety improvements, and road congestion’, Ms Allan said.

‘The 17 level crossing removals currently underway were packaged based on recommendations from VicRoads and the Level Crossing Removal Authority on priority sites, construction and engineering information’.

My request is for all of that information to be provided to me as well as the full business case for the Blackburn and Heatherdale level crossing removals. The announcement of the awarding of contracts for the removal of those level crossings was made by the Premier on 8 September. Business cases are normally constructed prior to the awarding of contracts, and they include such information as cost-benefit analysis, risks, options and other relevant information upon which to base a decision to proceed and award a contract.

I refer the minister to simple downloads from government websites, such as the *Investment Lifecycle Guidelines — Business Case* on the website of the Department of Treasury and Finance. Whilst my matter is not specifically about investment lifecycles, the guidelines I have mentioned state what a business case is. The Public Records Office Victoria website also has a guideline for writing a business case. A number of government websites refer to business cases, including what they are, why we have them and what relevant information needs to be included in them.

Information regarding accident data for Heatherdale Road has not been forthcoming when requested. A recent local newspaper report indicates that during the morning peak period upwards of 1300 cars use the level crossing. It is unknown how many of those cars go to the railway station car park, how many proceed along the road, what the evening traffic flows are or what

costs relate to the Heatherdale station upgrade or replacement on the other side of the road. The community would like to know a whole lot of information about the basis of the decision to proceed. I would appreciate receiving from the minister all of the information I have requested so that I can provide my local community with that information and data.

St Oliver Plunkett Primary School

Ms BLANDTHORN (Pascoe Vale) — My adjournment matter is for the attention of the Minister for Education, and the action I seek is that the minister accompany me on a visit to St Oliver Plunkett Primary School in Pascoe Vale. I would like the minister to meet with me; the school principal, Mr Alan Sweeney; and Father Paul Connell in the parish regarding the school facilities and the poor condition of the existing school hall.

I fully support the school’s endeavours to build a new school hall. This project would require the demolition of portable classrooms and the majority of the current east–west facing hall. Construction of a new north–south facing hall would then follow. The new building would extend from near Landells Road in Pascoe Vale to the west end of the school property. The project for the new hall facility, importantly, would include a large indoor space that would be fully available for use by the children in the school, the construction of an attached multipurpose room to be used by the out-of-hours school program and during the school day by the school community, the refurbishment of the existing toilet block, the extension and refurbishment of the existing canteen area and the construction of new storerooms.

This is a fabulous parish community and a fabulous school community, and it is in desperate need of assistance. This is a project it has attempted to get off the ground a number of times. It is very heartening to hear the force with which the community is proceeding in trying to attract funding for this school, and I would appreciate the minister coming with me to look at this school and its facilities and bearing it in mind when we are talking about new school grants for Catholic and independent schools.

Responses

Mr NOONAN (Minister for Police) — I thank the member for Mordialloc for raising a matter with me this evening and asking me to visit the Chelsea police station and discuss local issues. I am certainly happy to do that. The member outlined the challenging nature and complexity of Victoria Police work and took us through some of that challenge, not the least of which is

family violence, given that in recent crime statistics we are now seeing more than 70 000 family violence incidents being responded to by Victoria Police. I certainly commend the work of Victoria Police right across Victoria in relation to the issue of family violence; it very much has a tough job in relation to that issue. Of course we all look forward to the recommendations of the Royal Commission into Family Violence.

The member also mentioned the issue of mental health pressures on police. As a recent initiative we have, as a government, partnered with police command and the Police Association Victoria in relation to the creation of a new occupation-specific app to be placed on phones for police, both for current and retired members. I look forward to work progressing there.

Finally, the member for Mordialloc — and I want to commend him on this — was one of, I am sure, many members in this place who attended local National Police Remembrance Day services last Tuesday across the state. In fact this is a national day. I understand the member attended the Frankston service with the members for Carrum and Frankston. I was very fortunate to also attend the march in the city with members from all sides of this chamber, and those events just keep getting bigger each year. They are an opportunity for the community to turn out and show their respect for police killed in the line of duty and to also mark their respect for the great work the police do in terms of protecting our community.

Whilst we are on that issue, it is appropriate as a Minister for Police that I place on the record the Parliament's condolences to the family of Curtis Cheng, the New South Wales police employee who was killed in cold blood last Friday afternoon. Our thoughts are very much with his family, and our thoughts are with the New South Wales police.

I certainly look forward to visiting the Chelsea police station with the member for Mordialloc. I thank him for raising the matter with me this evening.

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I thank the member for Niddrie for raising his issue. Brimbank Park is certainly a fantastic asset in his community, and I do understand that the community has a very strong passion, a strong commitment and a strong link to Horseshoe Bend Farm. The member has raised this issue with me previously, and that has resulted in Parks Victoria assessing the various options for the management of the site to ensure that the area can be safely enjoyed by the community. A key part of this will be making sure that

the community is part of an intensive consultation program about how they want to use and enjoy the area in the future. Parks Victoria will be organising a public meeting in coming months to make sure that the community is actively involved in the process. Of course I will be very happy to meet with the member and particularly to go out on a visit and meet with the local community in the hope that we can get a great outcome for the future of this particular area.

In relation to the other issues raised by a range of members, I will refer those matters on to the relevant ministers for their consideration.

The DEPUTY SPEAKER — Order! The house is now adjourned.

House adjourned 7.27 p.m.