

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Thursday, 25 February 2016

(Extract from book 2)

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

By authority of the Victorian Government Printer

HANSARD¹⁵⁰



1866–2016

Following a select committee investigation, Victorian Hansard was conceived when the following amended motion was passed by the Legislative Assembly on 23 June 1865:

That in the opinion of this house, provision should be made to secure a more accurate report of the debates in Parliament, in the form of *Hansard*.

The sessional volume for the first sitting period of the Fifth Parliament, from 12 February to 10 April 1866, contains the following preface dated 11 April:

As a preface to the first volume of “Parliamentary Debates” (new series), it is not inappropriate to state that prior to the Fifth Parliament of Victoria the newspapers of the day virtually supplied the only records of the debates of the Legislature.

With the commencement of the Fifth Parliament, however, an independent report was furnished by a special staff of reporters, and issued in weekly parts.

This volume contains the complete reports of the proceedings of both Houses during the past session.

In 2016 the Hansard Unit of the Department of Parliamentary Services continues the work begun 150 years ago of providing an accurate and complete report of the proceedings of both houses of the Victorian Parliament.

The Governor

The Honourable LINDA DESSAU, AM

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

Premier	The Hon. D. M. Andrews, MP
Deputy Premier and Minister for Education	The Hon. J. A. Merlino, MP
Treasurer	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Employment	The Hon. J. Allan, MP
Minister for Small Business, Innovation and Trade	The Hon. P. Dalidakis, MLC
Minister for Industry, and Minister for Energy and Resources	The Hon. L. D’Ambrosio, MP
Minister for Roads and Road Safety, and Minister for Ports	The Hon. L. A. Donnellan, MP
Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans	The Hon. J. H. Eren, MP
Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries	The Hon. M. P. Foley, MP
Minister for Emergency Services, and Minister for Consumer Affairs, Gaming and Liquor Regulation	The Hon. J. F. Garrett, MP
Minister for Health and Minister for Ambulance Services	The Hon. J. Hennessy, MP
Minister for Training and Skills	The Hon. S. R. Herbert, MLC
Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
Minister for Families and Children, and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
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 ²	Polwarth	LP
Battin, Mr Bradley William	Gembrook	LP	Napthine, Dr Denis Vincent ³	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
Britnell, Ms Roma ¹	South-West Coast	LP	Noonan, Mr Wade Matthew	Williamstown	ALP
Brooks, Mr Colin William	Bundoora	ALP	Northe, Mr Russell John	Morwell	Nats
Bull, Mr Joshua Michael	Sunbury	ALP	O'Brien, Mr Daniel David ⁴	Gippsland South	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
Burgess, Mr Neale Ronald	Hastings	LP	Pakula, Mr Martin Philip	Keysborough	ALP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Pallas, Mr Timothy Hugh	Werribee	ALP
Carroll, Mr Benjamin Alan	Niddrie	ALP	Paynter, Mr Brian Francis	Bass	LP
Clark, Mr Robert William	Box Hill	LP	Pearson, Mr Daniel James	Essendon	ALP
Couzens, Ms Christine Anne	Geelong	ALP	Perera, Mr Jude	Cranbourne	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Pesutto, Mr John	Hawthorn	LP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Richardson, Mr Timothy Noel	Mordialloc	ALP
Dimopoulos, Mr Stephen	Oakleigh	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Dixon, Mr Martin Francis	Nepean	LP	Riordan, Mr Richard ⁵	Polwarth	LP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Ryall, Ms Deanne Sharon	Ringwood	LP
Edbrooke, Mr Paul Andrew	Frankston	ALP	Ryan, Mr Peter Julian ⁶	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

¹Elected 31 October 2015

²Resigned 3 September 2015

³Resigned 3 September 2015

⁴Elected 14 March 2015

⁵Elected 31 October 2015

⁶Resigned 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 Elasmr 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 Kilkenny and Mr Pesutto. (*Council*): Ms Bath and Mr Dalla-Riva.

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Thursday, 25 February 2016

The SPEAKER (Hon. Telmo Languiller) took the chair at 9.33 a.m. and read the prayer.

RULINGS BY THE CHAIR

Written responses to questions without notice

The SPEAKER — Order! I committed to review the Treasurer's answer to a supplementary question asked by the member for Malvern last Tuesday. I have carefully reviewed the *Hansard* record and noted that the member for Malvern had referred to the east–west link contract in his substantive question and also in his preamble and concluding remarks to the supplementary question. It is the longstanding practice of this house that the preamble to a question forms part of that question. Speaker Lindell clearly sets out this practice in her ruling in 2007:

If a question comes with a preamble, that preamble does form part of the question and the answer can be relevant to the question by being relevant to the preamble.

The minister explained in his point of order that he was responding to the situation surrounding the east–west link contract. As a consequence I am unable to uphold the point of order raised by the member for Box Hill.

I also draw the attention of the house to a ruling by Speaker Plowman which makes it clear that long preambles to questions without notice are unacceptable. There is a good reason for this ruling because long preambles make it difficult for the Chair to adjudicate and for a minister to clearly understand what is being raised. Members are therefore reminded that preambles to questions must be succinct.

BUSINESS OF THE HOUSE

Notices of motion

The SPEAKER — Order! Notices of motion 2 and 3 will be removed from the notice paper unless members wishing their notice to remain advise the Clerk in writing before 2.00 p.m. today.

PETITIONS

Following petitions presented to house:

Abortion legislation

To the Legislative Assembly of Victoria:

The petition of concerned residents of Victoria drawing to the attention of the house the plight of unborn babies who are aborted in Victoria.

The petitioners therefore request that the Legislative Assembly of Victoria amend the current Abortion Law Reform Act 2008 to:

ban late-term abortions, except in instances where the physical well-being of the mother is threatened;

increase post-birth support services to women and babies;

include pain removal/relief being given to pre-term babies in the womb when being aborted;

ensure babies that survive an abortion procedure are given medical care, and treated like all other patients with life-threatening injuries;

allow medical professionals the freedom to conscientiously object to abortions.

By Ms NEVILLE (Bellarine) (408 signatures).

Puppy farms

To the Legislative Assembly of Victoria:

I, Shaylee Hicks, of 96 Alexandra Street, Greensborough 3088, want puppy farms to be illegal. Puppy farms are where they keep puppies in small dirty cages and feed them barely anything. They are forced to stay in their tiny little cages unless they are mating. This is really bad and I want to help put a stop to it.

By Mr BROOKS (Bundoora) (116 signatures).

Christmas carols in schools

To the Legislative Assembly of Victoria:

The petition of certain residents of Victoria draws to the attention of the house that the government has imposed the ban on singing traditional Christmas carols in Victorian government schools.

The petitioners therefore request that the Legislative Assembly of Victoria ensure that the Andrews government reverses this decision and allows students attending government schools to sing traditional Christmas carols.

By Mr ANGUS (Forest Hill) (277 signatures).

Tabled.

Ordered that petition presented by honourable member for Forest Hill be considered next day on motion of Mr ANGUS (Forest Hill).

Ordered that petition presented by honourable member for Bundoora be considered next day on motion of Mr BROOKS (Bundoora).

DOCUMENTS

Tabled by Clerk:

Crown Land (Reserves) Act 1978 — Order under s 17B and s 17D granting a licence and a lease over Sandy Point Foreshore Reserve.

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

Local Government Amendment (Improved Governance) Act 2015 — Remaining provisions (except ss 13 and 56) — 1 March 2016 (*Gazette S2*, 23 February 2016).

MEMBERS STATEMENTS

Renewable energy

Ms EDWARDS (Bendigo West) — I was thrilled to have the Minister for Energy and Resources visit Newstead recently to witness the signing of a historical memorandum of understanding (MOU) between Powercor and Renewable Newstead. The community of Newstead is in transition to 100 per cent renewable energy and Powercor is going on the journey. It may be the first community to have signed such an MOU with a network company. But this is not about being first necessarily; it is about changing the game for energy supply. This MOU outlines a commitment and understanding between Newstead 2021 and Powercor to working together on current and future energy needs for the community of Newstead and — from the date of the MOU — for Newstead 2021 to commence a more detailed assessment of the business case for transitioning to 100 per cent renewable energy in consultation with Powercor, including the development of a business plan and project schedule for implementation.

The community of Newstead has long held the aspiration of transitioning to 100 per cent renewable energy. With a commercial high street and population nudging 500, it is the perfect size for a community-led energy project. For Newstead transitioning to 100 per cent renewable energy is not just about climate change; Newstead sees it as an opportunity to reduce energy costs and create social and economic benefits locally. Having secured an MOU with Powercor, the process of

data sharing and collaboration around a commercial model that aligns the interests of the community and Powercor can begin. I want to thank the minister for her continued support for Renewable Newstead and I commend the Newstead community on driving this important project.

Bendigo Primary School

Ms EDWARDS — I was also pleased to visit Bendigo Primary School on Monday to announce that it had been successful in securing a \$150 000 inclusive schools grant to build a new outdoor learning area. This area — —

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

Chinese New Year

Mr WAKELING (Ferntree Gully) — I was honoured to participate in Chinese New Year celebrations with members of the Knox Chinese Elderly Citizens Club. I commend club president William Wai for his ongoing efforts to keep the over 1000 active members of this club active and social. It was a fantastic event, and everyone enjoyed the activities.

Pink Stumps Day

Mr WAKELING — It was great to see so many people supporting Pink Stumps Day at Wantirna South Cricket Club. This has become an annual event, with participation increasing each year. Congratulations to the club president, Peter Crow, and his organising committee for their ongoing efforts to support the McGrath Foundation.

Hindi Niketan Association

Mr WAKELING — I was honoured to join the Leader of the Opposition and the Hindi Niketan Association and community to celebrate Indian Republic Day and Australia Day. My congratulations to the president, Dr Rahul Gupta, and the organising committee on another wonderful celebration.

Knox Little Athletics Centre

Mr WAKELING — I wish all Knox aspiring athletes a great 2016 season with their active involvement at the Knox Little Athletics Centre. Congratulations to the Knox Little Athletics Centre president, Steve Lillie, and the organising committee.

Upper Ferntree Gully Cricket Club

Mr WAKELING — I was pleased to join Edward O'Donohue, a member for Eastern Victoria Region in the other place, and members of the Upper Ferntree Gully Cricket Club at the opening of their long-awaited cricket nets at Kings Park. These nets were funded by the former coalition government, and with the participation of Knox City Council these new state-of-the-art facilities are being warmly received by all club members. It is a great club, and I congratulate all members of this important club for their active involvement in the local cricket community.

Puppy farms

Mr BROOKS (Bundoora) — I rise to congratulate Shaylee Hicks, who is a year 6 student at Watsonia Heights Primary School and who is here with us today with school captains Sam and May and fellow students and teachers from that school. Shaylee has championed a ban on puppy farms and in the process gathered 116 signatures on a petition, which I presented to the house this morning. Shaylee's love of animals and desire to reduce the suffering of innocent dogs from disreputable puppy farmers is evident from the huge effort she put into getting signatures on her petition.

I am pleased to be able to advise Shaylee that the government shares her concerns and has been cracking down on puppy farms. Last year the budget delivered on a promise to provide an additional \$5 million to the RSPCA to strengthen its inspectorate capacity, focusing in particular on illegal puppy farms and rogue operators. We are also providing grants of up to \$50 000 through the Animal Welfare Fund to improve the welfare of animals. Last year the government fast-tracked changes that require councils to refuse registration of breeders found guilty of animal cruelty, along with tighter regulations and new record-keeping requirements for pet shops to make it even harder for illegal breeders to sell their puppies. We are also set to introduce new laws that will limit pet shops to selling only dogs and cats that are supplied from registered animal shelters or pounds.

Shaylee has demonstrated her passion for animal welfare and has set an example for other young people who wish to advocate to the government on an issue that concerns them. She has sent Parliament a strong message that the appalling conditions experienced by many dogs in puppy farms is just not acceptable. Congratulations, Shaylee, for a job well done.

Moyhu Bowling Club

Mr McCURDY (Ovens Valley) — Thanks to the Moyhu Bowling Club, which hosted a great night of barefoot bowls recently. I rolled a few bowls down the ground on the Friday night, along with Marty Corboy. President David Waring was on hand to give me some tips, and it was a very pleasant way to spend some time in the beautiful King Valley.

Lions Club of Wangaratta

Mr McCURDY — Recently the Lions Club of Wangaratta held its annual swap meet. It was a huge success again. The 17th annual swap meet and collectables market saw thousands of people attending from near and far. My congratulations to the event coordinator, Fabian Burder, and all those involved, as the event has raised \$260 000 for the club over the years it has been running. It is money that has gone back into the community. The Wangaratta Lions Club is an important part of the Wangaratta community, and I look forward to celebrating its forthcoming 60th anniversary.

Lillian 'Myrt' O'Bryan

Mr McCURDY — I was very pleased to visit Lillian O'Bryan — or Myrt, as she is passionately called — who celebrated her 104th birthday on 14 February. Myrt was born in Corowa in 1912, and she spent her birthday with family and friends at Woods Point. Happy birthday, Myrt.

NAB Challenge

Mr McCURDY — Wangaratta again was on display last weekend, as it hosted the NAB Challenge. Ovens Valley residents and those from further afield showed their love of AFL football when they turned out to see St Kilda play North Melbourne. More than 6000 people attend the match at the Wangaratta Showgrounds. The Rural City of Wangaratta estimated the local economy received an injection of between \$1 million and \$1.5 million from the match. While the Roos were too strong for St Kilda, the real winner was Wangaratta, which again showed it can host and support fantastic events such as this.

Shell Road Reserve, Ocean Grove

Ms NEVILLE (Minister for Environment, Climate Change and Water) — On Friday, 12 February, in the company of Cr Jan Farrell, I had the pleasure of visiting the Shell Road Reserve at Ocean Grove to announce our election commitment funding to build new football interchange benches and install netting behind the

football and soccer goals. The announcement was very much welcomed by those in attendance, including the Shell Road pavilion board of management president, Phil Emery, together with representatives of the Ocean Grove Football and Netball Club and the Surfside Waves Soccer Club.

The Shell Road Reserve over the last decade has been transformed from a once dry, barren ground to a now thriving first-class sports complex that incorporates football, soccer, netball and the nearby Ocean Grove aquatic centre. I now look forward to 13 March and the opening of the new sports pavilion. Congratulations to all those involved.

Bellarine electorate boat ramps

Ms NEVILLE — Bellarine has a very strong history of boating, with one of the highest rates of boat and recreational fishing licences, so it was with pleasure that last Monday I met with Bellarine Bayside's chair, Diane James, CEO John Nankervis and numerous boating enthusiasts and clubs to announce a state government grant of \$500 000 for three boat ramps on the peninsula — \$360 000 to rebuild the Indented Head ramp, \$125 000 to upgrade the Clifton Springs ramp and a further \$34 600 to refurbish St Leonards. It was a great day. The boaties were particularly excited about the rebuilding of the Indented Head ramp, which is over 40 years old. It will provide safer facilities for all our boating enthusiasts.

Crib Point and Somerville bushfires

Mr BURGESS (Hastings) — On behalf of our community I would like to publicly thank our local emergency services workers, whose brave efforts kept our community safe yet again as they fought to control recent fires in Crib Point and Somerville. We are very fortunate to live in a state that is protected by excellent firefighters and outstanding brigades. This is the second year in a row that Crib Point lives and property have been saved from fierce fires by the supreme efforts of a group of people and a change of weather.

My community's gratitude goes to the 150 Country Fire Authority (CFA) volunteer firefighters who, supported by 50 fire tankers and three firefighting aircraft, fought bravely to contain a fast-moving and out-of-control bushfire that started in the Esplanade area of Crib Point. The fire, whipped up by sudden north-easterly winds, burnt through approximately 85 hectares and at one stage threatened more than 20 homes and the HMAS *Cerberus* naval base. While one house was lost and two others were badly damaged, the quick actions and bravery of our

firefighters prevented the fire doing a great deal more damage. The cause of the fire is being investigated.

This week our brave CFA volunteers responded yet again to a fast-moving and threatening fire in Somerville. Again it was the brave volunteers who stood between my community and disaster. Victoria's volunteer firefighters have a proud history of protecting our state and assisting Victorians during times of need. We are grateful for their outstanding support again this fire season.

On behalf of my community I commend our local and neighbouring CFA volunteers for their brave and tireless work and for yet again putting themselves between our community and danger. I encourage the government to move quickly to introduce the legislation that is going to give protection to all firefighters across Victoria. I would also like to thank everyone who came to the assistance of members of the Crib Point family who lost their home and belongings. Particular thanks goes to Wendy and Terry Kelly from Computers.com in Victoria Street, Hastings.

Craigieburn Bowling Club

Ms SPENCE (Yuroke) — Congratulations to the members of the Craigieburn Bowling Club and Hume City Council on the opening of their fantastic new clubrooms in Craigieburn. I was delighted to be invited to attend the opening of this new \$1.8 million facility and see what a significant difference this modernisation will make.

The new bowls club is surrounded by a garden setting and features space for club members and functions, a kitchen, a bar area and dartboards for use by the Craigieburn Dart Club. This will help the club cater for the growing population in the Craigieburn area and encourage the wider community to take full advantage of these new facilities. The new facilities are the result of hard work by the club's tireless executive and members as well as generous support from Hume City Council.

I would like to note the work of current president Darrell Cochrane and past president Remo 'Ray' Ascenzo, who are both deeply committed to their local club. The clubrooms have been a long time coming, and the club is to be commended for its patience. During my time as a Hume City councillor I often met with former president Ray to discuss the plans for the clubrooms. Ray understood that the project was on the capital works program and at that time was some years away from commencement. However, these discussions were always focussed not on pushing to get

the project happening more quickly but on asking that it not be pushed back any further. The club was a pleasure to deal with, and I know that all councillors and council staff share that sentiment. What the club now has was definitely worth the wait. I look forward to visiting the club again soon and catching up with its members.

Mornington electorate road safety

Mr MORRIS (Mornington) — As members are aware, the Mornington Peninsula has sustained relatively rapid population growth for the last decade. Roads which once carried only modest amounts of traffic now carry much higher volumes and consequently are exposed to a greater risk of vehicle-pedestrian conflict. One example is Nepean Highway in the vicinity of Balcombe Grammar School in Mount Martha. In 2014, following representations to the then Minister for Roads, the speed limit was dropped from 100 kilometres per hour to 80 kilometres per hour. That was a step in the right direction, but the growing volume of traffic heading south to Peninsula Link requires further reassessment in this location.

The Mornington electorate has four schools that directly abut Nepean Highway: Mount Eliza Primary School and the Peninsula School in Mount Eliza, Mornington Secondary College in Mornington and Balcombe Grammar School in Mount Martha. Both the Mount Eliza and Mornington locations enjoy 60-kilometre-per-hour speed zones with electronic flashing lights. Balcombe Grammar has no school speed zone, and traffic thunders through unhindered at 80 kilometres per hour. It is not a satisfactory situation.

A second location where growth in traffic volumes has caused concerns for pedestrian safety is Main Street in Mornington between Nepean Highway and Cromwell Street. My office is located in this stretch of Main Street, and I can assure the house that you sometimes take your life in your hands trying to get across it. This 800 metres of road is entirely without pedestrian crossings, yet it carries high levels of foot traffic, including many older pedestrians. Both these issues need attention from VicRoads — the establishment of 60-kilometre speed zones and the provision of warning lights outside Balcombe Grammar School, and the installation of a pedestrian crossing in the vicinity of Centrelink and the Mornington information and support centre. Each issue is extremely urgent, and I call on the Minister for Roads and Road Safety to fund both projects at the earliest possible opportunity.

Broadmeadows electorate

Mr McGUIRE (Broadmeadows) — It is time for a more coordinated strategy to harness the value and build on the significance of Melbourne's north for Victoria's economic development and social cohesion. The population of Melbourne's north is more than four times the size of Geelong and is expected to grow by another 500 000 people in the next 20 years, meaning it will be home to an estimated 1 in 20 Australians.

Food and beverage manufacturing in Melbourne's north is bigger than in all of South Australia. It also has the highest proportion of undeveloped industrial land in Melbourne — about 50 per cent — defining Melbourne's north as the most sustainable and affordable region to cope with population growth. The region is rapidly transferring from heavy industries to a clever, advanced manufacturing zone. The opportunity is vital for Victoria's economic development, and the need for collaboration for social cohesion is highlighted by the Australian Security Intelligence Organisation, which has identified Broadmeadows as a hotspot for terrorist recruitment — a distressing development in the community that former Premier John Brumby designated as the capital of Melbourne's north.

Under coalition governments state and federal unemployment rose to be equal to the rate in Greece, with youth unemployment more than 40 per cent. Despite my repeated calls for enlightened federalism, all we have heard and seen from the Australian government is the sound of silence and neglect at this community's time of greatest need. Victoria's poorest community suffers from not only historic neglect by coalition governments but the increase in complexity of postcodes of disadvantage. Twice as many Muslim families as in any other state district live side by side with Christian refugees from Syria and Iraq, seeking a life beyond the burden of history.

Battle of Long Tan commemoration

Ms SHEED (Shepparton) — It was a weekend for heroes in Shepparton, some unsung and lost, and others now decorating a wall of the local Shepparton Club. A large crowd gathered at the Shepparton Public Cemetery on Sunday to commemorate the 50th anniversary of the Battle of Long Tan and remember those who lost their lives in the Vietnam War. Two simultaneous ceremonies were held at the graves of Vietnam War soldiers Lance-Corporal Ronald Edward Coxon and Private Stuart John Barnett, who both died in battle. Mr Barnett's wife, Irene Smith, attended the ceremony with her family. It was a poignant moment to learn that they were married only

eight weeks before he lost his life while serving the country. Mr Coxon's vigil was attended by mates from his battalion. I commend the Goulburn Valley Vietnam Veterans Association for organising this important commemoration.

Shepparton Club

Ms SHEED — On a lighter note, the Shepparton Club's initiative, particularly that of its treasurer, Vin Truscott, to establish a wall of fame in the venue to honour the district's outstanding achievers will be a long-lasting legacy for the community. On Sunday I met some of the inductees. Those inductees were: Max Carlos, Christine Dobson, Louise Dobson, Don Fairless, Steve Fairless, Glenn James, Brett Lancaster, Sir John McDonald, Shaun O'Brien, Bruce Quick and John Thorsen. While there was definitely a sporting bent, the wall will carry the names, photographs and highlights of many people from the Shepparton area who have helped to put the city on the map through their outstanding achievements. The inspiration and example of many of those mentioned lives on in the community on the hockey field, the football field and far beyond.

Frankston Nature Conservation Reserve

Mr EDBROOKE (Frankston) — I am pleased to announce that the public opening of the 90-hectare Frankston Nature Conservation Reserve has been a resounding success. The Frankston community has wanted this reserve open, and I am proud to be able to make it happen with the support of the Premier and the Minister for Environment, Climate Change and Water. This is a great place to appreciate our native bushland and is an excellent educational resource, not just for our community but for visitors as well. The public can now enjoy the reserve's significant environmental treasures by bushwalking or picnicking at the former Frankston Reservoir site, which was closed to the public in 1920 when the reservoir was built.

Dedicated volunteers and the committee worked with government agencies to ensure access was granted and bushwalking trails and a 24-space car park were built. The restricted access and minimal disturbance to the bushland since 1920 has protected the reserve's water quality and supported national, state, regional and locally significant flora and fauna species, plant communities and fauna habitat.

I am very proud that we have a management plan in place that allows the committee to analyse the impacts of public access via Jeremy Way and explore the feasibility of alternative public access points in the

future. The plan, regulations and fire management plan make the reserve a safe place for the public to enjoy and a jewel in Frankston's crown.

Federation Training

Mr D. O'BRIEN (Gippsland South) — The Labor government has talked a big game when it comes to vocational training, and now it is time to walk the walk in Gippsland. The previous coalition government provided \$40.2 million to assist with the establishment of Federation Training, but only half that money has actually been handed over, and Labor is sitting on the remaining \$20 million. I am sure that Federation Training has plenty of uses for that money, but most particularly it could be used to relocate the Fulham campus into the Sale CBD. The Fulham campus is 10 minutes out of town, making it difficult for many students to access. Its buildings are old and falling down, and it needs to be replaced.

Wellington shire has worked for years to facilitate the relocation of the campus into Sale to create a vibrant education hub in the town. One option is the former netball courts site at the port of Sale, but there are other brownfield options that could be pursued with the right finances. The full \$40 million was allocated to Federation Training, and it should be delivered by the current Labor government. I call on the Minister for Training and Skills, Steve Herbert, to release these funds as soon as possible.

Mirboo North Italian Festa

Mr D. O'BRIEN (Gippsland South) — Under brilliant sunshine several thousand people attended a wonderful Italian festa in Mirboo North on Sunday. Celebrating the rich contribution that Italian migrants have made to Gippsland and the Latrobe Valley, including growers of potatoes and those of their farming stock around Mirboo North and Thorpdale, the festa was a spectacular success, with hundreds of families enjoying the entertainment, food and kids activities.

Complimenti e grazie to Gina Carpenteri and Rose Romano and all of the committee that put in such a lot of work to make the event a success. There was a great buzz around town.

Wet a Pollie Day

Mr D. O'BRIEN — Speaking of buzz, it was a great thrill for the member for Euroa and me to blitz the field of our Nationals colleagues at the inaugural Wet a Pollie Day at the Gippsland Lakes Yacht Club on

Saturday. With two firsts, two seconds and a third from five races, it was daylight to the next yacht, and our fearless leader and the member for Lowan I think came last in every race. Thanks to Commodore Jacqui Loft.

Melbourne Metro rail project

Mr CARROLL (Niddrie) — I rise to congratulate the Premier and the Minister for Public Transport on an incredible and fantastic leap for Victoria and the nation with a major step forward for a nation-building project, the Melbourne Metro rail project, with the public release of the business case for this vital project for Victoria and Australia. This \$11 billion dollar project, which is ranked by Infrastructure Australia as being at the top of the list of our nation's most-needed and vital projects, will transform our public transport system and also assist Melbourne to remain at the top of the list of the world's most livable cities. The business case criteria released this week shows a cost-benefit analysis on even the most conservative criteria of \$1.10 back for every \$1 invested, and \$1.50 back for every \$1 invested if you were to use wider economic benefits.

My constituents in Niddrie who travel on the Craigieburn line will see the number of morning peak services increased, as outlined in the business case, from 24 to 40. Above and beyond the positive cost-benefit ratio, the project will deliver over 4000 jobs, five new stations, and 39 000 extra passengers moving throughout the system in the 2-hour morning and evening peaks.

This is a government that gets on with it. Already we have committed \$4.5 billion. A copy of the business case is currently sitting on the Prime Minister's desk. He is a self-declared friend of public transport, and we are hoping he will match our contribution. Even today we have got more news. Three world-leading bidders have been short-listed to deliver the first stage of works on the biggest public transport infrastructure project in Australia.

We are getting on with it. We have a vision and we have a time line ahead of us. Let us get contracts signed by the middle of the year, start early works in 2017 and major construction in 2018. After four long, dark years under the former Liberal government, who ignored then abandoned this project, we are getting on with it.

V/Line services

Mr BLACKWOOD (Narracan) — The frustration of Gippsland V/Line travellers is being compounded by the lack of answers coming from the minister and what appears to be complete incompetence on her part. Adding

to that frustration are the statements by Public Transport Victoria (PTV) that the Pakenham–Dandenong rail corridor will not need a third or fourth track until at least 2030. Clearly either the minister is not talking to PTV or she is complicit in continuing to ignore the real needs of the Gippsland line. I suspect the minister is guilty on both counts.

Safe Schools program

Mr BLACKWOOD — My office has been inundated with emails and calls of concern regarding the Safe Schools Coalition program being made mandatory in government schools by the Andrews government. Introduced supposedly to reduce bullying, it has very little to do with bullying and far more to do with the social engineering agenda of the Andrews government. Children as young as 11 years old are being exposed to information of a sexual nature that has far more relevance for discussion in the family home than in the classroom. Measures to enforce basic respect for every person, supported by the example displayed by every teacher and every parent, will be far more effective in combatting the scourge of bullying.

Special religious instruction

Mr BLACKWOOD — The actions of the Andrews government in removing special religious instruction (SRI) from classroom time is further evidence of the deception employed by Labor prior to the 2014 election. Going to the election with a promise to retain SRI in schools, then as soon as elected taking action to remove its delivery from the classroom is further proof of the underhanded and deceptive manner in which Labor members conduct themselves. It is another Labor lie, just one of the many used during an election campaign based on deceit.

Barwon Health

Ms COUZENS (Geelong) — The people of Geelong are angry that the federal Turnbull government has ripped out \$73 million of health funding from Victoria. What this means for Barwon Health in Geelong is a significant cut to services for sick and vulnerable people. This sneaky trick comes on top of Turnbull's already savage \$17.7 billion cuts to Victorian hospitals over the next 10 years. It comes at a time when our hospitals are already under immense pressure due to previous funding cuts to the health system.

Today's *Geelong Advertiser* reports that the federal member for Corangamite, Sarah Henderson, denies these funding cuts. She is just wrong and should be

ashamed of the fact that she is not standing up for her constituents. It is an absolute disgrace. The close to \$3.5 million cuts to Barwon Health will see cuts to emergency presentations, chemotherapy, radiotherapy, dialysis, elective surgery, hip replacements and knee replacements. This callous decision will see patients wait longer for vital care and treatments.

This is not good enough. The Turnbull government will not focus on tax reform to have the wealthy pay more tax, but instead attacks the most sick and vulnerable people in our community. Sarah Henderson should hang her head in shame. If she has any decency, she will be fighting to have the decision to cut health funding overturned.

Neville Goodwin

Mr PAYNTER (Bass) — On Australia Day 2016, a well-deserved Order of Australia Medal was awarded to my friend, Neville Goodwin. Neville Goodwin, OAM, was recognised for his dedication to serving the Bass Coast community and local government for over 30 years across a broad range of roles. Neville and his family moved to the Bass Coast in the 1980s and since then Neville has become very well known and well liked. Neville's quick wit and cheeky sense of humour are enjoyed throughout our local community. From serving as a councillor on both the former Bass Shire Council and the Bass Coast Shire Council to being appointed as the longest serving mayor of the Bass Coast Shire Council, Neville's service to local government has been second to none.

The work Neville has performed, as well continuing to work as a dairy farmer, includes serving on numerous boards, being a member and president of Rotary and involvement in local football. I would like to personally thank Neville for the significant contribution he has made to the Liberal Party throughout the successful campaigns of Ken Smith and Russell Broadbent and my own campaign in 2014, which illustrates his commitment to the success of the party.

Neville's work with Port Phillip and Westernport Catchment Management Authority, the Bass Coast Regional Health board and the National Vietnam Veterans Museum is a testament to all the hard work he has done to better the local community. In addition to the above, Neville is a devoted family man and loving husband to wife, Lyn, with whom he has shared a long, happy and fulfilling marriage — and I would like to acknowledge Lyn's contribution to Neville receiving his OAM. Neville can be summed up in one well-known Australian phrase — he is a bloody top

bloke. Congratulations to him once again on receiving this highly prestigious award.

Thomastown electorate

Ms HALFPENNY (Thomastown) — Thursday, 18 February, was a very busy day in the electorate of Thomastown because the Andrews Labor Government recognises how important the people of the electorate are. It was a very dismal four years under the previous Liberal state government, but now we are seeing a whole lot of resources put into the area to provide the facilities we deserve.

In the morning I attended the Lalor Tennis Club, that is situated in the heart of the historic Peter Lalor estate, to announce on behalf of Minister Hutchins a \$1.25 million grant to the City of Whittlesea as a state contribution to the building of a new pavilion. This is on top of new tennis courts completed last year. It was great to celebrate this announcement with members of the club, such as Ian Gulogong and Dein Vindigi, as well as local councillors, Mayor Stevan Kozmevski, and Kris Pavlidis. Then it was a slow crawl up the very congested High Street to meet the Minister for Roads and Road Safety to announce the completion of the business case for the O'Herns Road–Hume Freeway interchange and duplication. We are now waiting for the federal government to agree to pay its share for the national highway part of the project.

In addition, Minister Donnellan announced that the Andrews Labor Government would upgrade the Findon Road–Epping Road roundabout after having listened to the people at a recent road forum that he attended. Now this may not seem a huge project, but it means so much to those living along the High Street–Epping Road corridor. The roundabout is a symbol of the neglect of the previous coalition government and to have it fixed is a sign that we will not be taken for granted any longer.

Next we headed back down High Street to meet the Minister for Sport, who was visiting the Aquajets Swimming Club. I also congratulate and acknowledge Chau Huynh, winner of four gold medals at state and international championships, and Khang Reilly for representing the club at —

The ACTING SPEAKER (Mr Carbines) — Order! The member's time has expired.

Warrnambool Special Development School

Ms BRITNELL (South-West Coast) — I recently had the Minister for Education visit my region, and I appreciated this, but I noted he acknowledged his

\$5 million funding commitment to relocate the Warrnambool Special Development School will not be enough to build this important school. The minister must confirm to Warrnambool families that the necessary additional funding will be provided in this year's budget to ensure the school can be built as expected.

South-West Coast electorate bridges

Ms BRITNELL — Recently a number of local dairy manufacturers, like Saputo and Murray-Goulburn have purchased at great expense new A-double transport vehicles to increase the movement of milk to 240 000 litres per day. These vehicles will also lessen the damage to local roads. However, they are sitting idle because VicRoads has been unable to approve the use of these vehicles on local bridges. On behalf of my community, I call on the Minister for Roads and Road Safety to take action and instruct VicRoads to inspect the bridges as a matter of urgency and fix the problem. Dairy in the South-West Coast electorate delivers one-third of the state's milk and contributes approximately \$4.5 billion to the local economy.

Battle of Long Tan commemoration

Ms BRITNELL — I would like to pay tribute to the Vietnam veterans for their outstanding commemoration of the 50th anniversary of the Battle of Long Tan across Victoria. On Sunday I attended a graveside vigil at the Warrnambool Cemetery to pay respect to two soldiers, Private William Carroll and Private Graham Warburton, and their families.

Former Premier John Murray

Ms BRITNELL — Also I call on the government to urgently repair the gravesite at Warrnambool cemetery of the Honourable John Murray, Victoria's Premier from 1909 to 1912, before the 100-year anniversary of his death in May. The condition of the grave is a discredit to the memory of one of our earliest state leaders.

Rod Gurry

Mr PEARSON (Essendon) — I would like to recognise the wonderful contribution that Rod Gurry has made to our community. Rod Gurry works as an electorate officer for federal opposition leader Bill Shorten but is also president of the Rotary Club of Strathmore. He has done a power of work for our community over many decades. Most recently Rod appeared in the *Moonee Valley Leader* as a result of his

advocacy for the construction of a new Strathmore Men's Shed.

For many young people who have started their journey in the Labor Party, Rod has been a mentor and a friend and has guided people through the very start of their journey in politics. Rod is turning 60 soon, and by way of an RSVP, Nic and I and the kids cannot wait to catch up and celebrate in style.

Essendon North farmers market

Mr PEARSON — More recently I attended the Essendon North farmers market. This market has recently been established at Lincoln Park in Essendon North. It was a great day, with lots of fantastic produce, particularly from areas like Gippsland, which was wonderful.

Jesuit Social Services

Mr PEARSON — I would also like to acknowledge the great work that Jesuit Social Services does. I had a recent meeting with John Prior from the NAB, who along with Jesuit Social Services has pioneered the African Australian inclusion program for the NAB. This is a great program whereby young African Australians are given the opportunity to go and work for the National Australia Bank. The retention rate is about 85 per cent. It is a fantastic initiative. I have a very large Horn of Africa community in my electorate. I really congratulate Jesuit Social Services on what it has done, and I am hopeful that we will be able to extend this program further to other organisations in our community.

Reclink

Mr J. BULL (Sunbury) — Once again the Sunbury and surrounding communities have shown great spirit by rallying behind Reclink. Many have chipped in to support this organisation after it was robbed two weeks ago. The support has been outstanding. The theft of sporting equipment was very disappointing, but the response from the community in coming together and helping out really shows the huge amount of goodwill that is out there. Most importantly, this helps Reclink do the important work that it does each and every day.

I raised the issue of the theft with the Minister for Sport, and I am thrilled that the Andrews government is able to assist with a grant for new sporting equipment. Reclink can now continue to do what it does best. I want to thank and commend the minister for his support and his continued passion for keeping local communities fit and healthy.

Sunbury Primary School

Mr J. BULL — Congratulations to Sunbury Primary School on being successful with its application to the Victorian government's Inclusive Schools Fund. Two sitting weeks ago in Parliament I asked the Minister for Education to support the \$20 000 application, which will see a creative play pod built at the school. The grant forms part of the Andrews government's new Inclusive Schools Fund, which is providing \$10 million over four years to build inclusive school facilities and help government schools better support the social and educational needs of young people with a disability.

The 33 projects in this first round of the Inclusive Schools Fund include the construction of outdoor areas, accessible programs, sensory places and equipment. Sunbury Primary School will be using its funds to construct an outdoor sensory learning space. I am incredibly pleased that this announcement has been made. We are getting on with it for Victorians.

PARLIAMENTARY BUDGET OFFICER BILL 2016

Statement of compatibility

Mr PALLAS (Treasurer) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 ('charter'), I make this statement of compatibility with respect to the Parliamentary Budget Officer Bill 2016.

In my opinion, the bill, as introduced to the Legislative Assembly, is compatible with the human rights as set out in the charter. I base my opinion on the reasons outlined in this statement.

Overview

The bill provides for the appointment of a Parliamentary Budget Officer ('the officer') with the functions of preparing policy costings and to provide other services for members of Parliament. The objectives of the bill are to provide an authoritative, independent and credible costing and advisory service for members of Parliament, for those costings and advisory services to be delivered in a timely, relevant and readily understandable manner, and to inform policy development and public debate in Parliament and the Victorian community.

The officer is an independent officer of the Parliament. Recognising the close link between the functions of the officer and parliamentary processes, the bill includes a number of features that are similar to the protections and procedures that apply in Parliament. For example, the bill restricts public access to certain information of a preparatory or a deliberative nature, includes an indemnity from liability

for action taken in the performance of functions or exercise of powers in good faith, and imposes strict confidentiality obligations. These features will act to ensure that members of Parliament and government departments have confidence in the integrity and confidentiality of the services provided by the officer, which will in turn facilitate accountability and scrutiny of election policies through the costings and reports that are published by the officer.

Human rights issues

The right to take part in public life (section 18) and freedom of expression (section 15)

Section 18(1) of the charter provides that every person in Victoria has the right, and is to have the opportunity, without discrimination, to participate in the conduct of public affairs, directly or through freely chosen representatives. The right to freedom of expression in section 15(2) of the charter can also be relevant to participation in public debate and access to government information. Freedom of expression under the charter includes the freedom to seek, receive and impart information and ideas of all kinds.

One of the objectives of the bill is to facilitate Victorians' participation in public affairs and public debate through providing for the publication of the officer's policy costings, reports on publicly announced policies, and advisory materials. As such, the bill broadly promotes the rights in section 18(1) and 15(2) of the charter. However, those rights are also relevant to a number of provisions in the bill that may operate to restrict public access to certain documents containing information provided to, or obtained or prepared by, the officer.

Clauses 30 and 31 of the bill provide for the officer to transfer records made or received by the officer, a member of staff of the officer, or a consultant (together, 'PBO officers') in the course of their duties, to the public record office. Under clause 32, those records will not be available for public inspection for a period of 30 years after the date of transfer.

Clause 56 excludes from the application of the Freedom of Information Act 1982 a number of categories of documents that were created for the sole purpose of certain specified functions of the officer. The effect of this provision is that a member of the public may not make an application for access to these categories of documents, to any person or body who has such documents in their possession, under Victoria's freedom of information regime.

In my view, the bill strikes the appropriate balance between providing public access to information relevant to policy development, and ensuring the integrity of the officer's functions and the free flow of information necessary for the performance of those functions. Although clauses 32 and 56 may limit the ability for the public to access certain records obtained or created in the course of the officer's functions, in my opinion, they are compatible with the rights in both section 18(1) and 15(2) of the charter.

The right to participate in public affairs in 18(1) is not limited by clauses 32 or 56. Such participation is provided for under the bill through the publication of costings of publicly announced policies, pre-and post-election reports, and advisory materials prepared by the officer. Documents containing information provided to, or obtained or prepared by, the officer that are not released publicly as part of a

costing or as otherwise authorised by the bill, may include highly sensitive information, represent a policy position not ultimately adopted, or include information in relation to a policy costing that was not completed because of insufficient time or information. Subjecting this kind of information to public access regimes would adversely affect the confidence of members of Parliament in entrusting their policy proposals to the officer, and hinder the support of the departments.

To the extent that the restriction of access to documents in clauses 32 or 56 may limit the right to freedom of expression in section 15(2) of the charter by interfering with an individual's freedom to seek, receive and impart information and ideas, I consider that limit to be demonstrably reasonable and justified in accordance with section 7(2) of the charter. Limiting the ability of individuals to access preparatory or deliberative information in these circumstances is reasonable and necessary to achieve the important purpose of facilitating confidence and trust in the integrity of the officer's services. This will ultimately further public participation in Victoria's parliamentary democracy by enabling the officer to effectively provide relevant and timely costings and reports on publicly announced policies. As such, and for the other reasons outlined above, I am of the opinion that clauses 32 and 56 of the bill are compatible with the right to freedom of expression.

Right to a fair hearing (section 24)

Clause 20 of the bill imposes a confidentiality obligation on PBO officers in the context of proceedings before courts, tribunals, and 'relevant authorities' (i.e. authorities or persons who have the power to require the production of documents or the answering of questions). The effect of clause 20 is to restrict the circumstances in which a person who is or was a PBO officer can provide or disclose to or in a court or tribunal, other than the Supreme Court, or to a relevant authority, certain information that is connected with the functions and powers of the officer. It is an offence to provide or disclose information in breach of the prohibitions contained in clause 20.

To the extent that clause 20 could operate to prevent an individual putting relevant evidence before a court, tribunal or a relevant authority, the fair hearing right in section 24 of the charter may be engaged. The fair hearing right encompasses the concept of procedural fairness, which requires that a party have a reasonable opportunity to put their case under the conditions which do not place that party at a substantial disadvantage relative to their opponent, and have the opportunity to lead evidence and examine witnesses.

As a preliminary point, I note that this confidentiality provision does not apply to proceedings in the Supreme Court. Even in the case of proceedings before other courts, tribunals or relevant authorities, in my opinion, clause 20 does not limit the right to a fair hearing. The fair hearing right is not absolute and what fairness requires depends on all of the circumstances of the case. Clause 20 does not interfere with the ability of courts, tribunals or relevant authorities to subject to their own governing laws and procedures conduct their proceedings as they see fit. They will retain discretion over the manner in which they evaluate other evidence that is submitted, and the manner in which they afford procedural fairness in circumstances where a PBO officer is prevented from providing or disclosing certain evidence. As such, I do not consider that clause 20 would preclude an individual from receiving a fair hearing.

However, even if clause 20 could be said to limit the right to a fair hearing, in my view, that limit is reasonable and demonstrably justified. The strict confidentiality provisions contained in the bill are aimed at ensuring the officer can effectively perform his or her costing function by having necessary access to government information. Without there being confidence in the security and appropriate use and disclosure of the information the officer receives, the ability to freely obtain relevant information regarding policy proposals from members of Parliament and assistance from government departments would be impaired.

Further, the scope of the information that is prohibited from disclosure by clause 20 is limited and tailored to the purpose of the provision rather than providing a blanket ban on providing any information. The provision only relates to: (a) information that is acquired by a PBO officer by reason of, or in the course of, the performance of duties or the exercise of powers under the bill (except where disclosure is for the performance of functions or the exercise of the powers of the person or the officer under the bill, or is otherwise authorised or required by or under the bill); or (b) information that a public sector body head has requested to be kept confidential. In my opinion clause 20 constitutes a proportionate curtailing of the right of an individual to have relevant evidence put before a judicial or investigative body, for the legitimate aim of the officer maintaining confidence in the information he or she obtains. For these reasons, to the extent that clause 20 may limit the right to a fair hearing, I consider that it constitutes a reasonable and justifiable limit on that right.

Right to privacy and reputation (section 13)

Section 13 of the charter provides that a person has the right not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with; and not to have his or her reputation unlawfully attacked.

Although the bill provides for the officer to request information from public sector body heads and to make information publicly available, the rights to privacy and reputation are unlikely to be relevant to the bill. This is because the officer's powers to obtain or require information and documents, contained in clauses 25 and 26 of the bill, are restricted to information and documents relevant to the officer's functions, and it is expected that such information would very rarely, if ever, include personal information of an individual. Similarly, the costings, reports and advisory material that the officer will make publicly available will relate to financial, fiscal or economic matters and will not include personal information.

In the very unlikely situation where personal information was required by the officer to undertake a costing or provide advisory material, in my opinion, the right in section 13 of the charter would not be limited because any interference with the right to privacy would be both lawful and not arbitrary. Any interference would be lawful because the officer's power to require information is set out in adequately accessible and sufficiently precise statutory provisions. It would not be arbitrary because the power to require information is appropriately circumscribed, linked with the performance of the officer's functions, and is subject to strict confidentiality provisions.

Accordingly, in my opinion, the bill is compatible with the right to privacy and reputation in section 13 of the charter.

Tim Pallas, MP
Treasurer

Second reading

Mr PALLAS (Treasurer) — I move:

That this bill be now read a second time.

Speech as follows incorporated into *Hansard* under sessional orders:

This bill delivers on the government’s commitment to establish a permanent Victorian Parliamentary Budget Office. The PBO will be an authoritative, independent and credible body.

The bill improves on the coalition’s 2013 bill by providing for a permanent office that will operate throughout the parliamentary term, not a temporary office that only comes together during elections. A permanent office will contribute to longer term, iterative policy development by members of Parliament and parties outside of election periods.

It will also safeguard the independence of the Parliamentary Budget Officer by allowing them to employ permanent staff, instead of relying solely on seconded departmental employees.

The bill also provides a stronger mandate for the PBO than the coalition’s bill. As well as election costings and pre-election aggregate reports of costings, the bill expands the PBO’s role to include providing general costings and advice at the request of MPs, and post-election aggregate reports. This will improve the value of the PBO to members of Parliament and the public.

The PBO’s role is to inform policy development and public debate in Parliament and the Victorian community by preparing policy costings and fiscal and economic analysis and advice for members of Parliament.

An effective and independent PBO supports open and democratic government by:

- strengthening public debate throughout the parliamentary term;
- levelling the playing field in relation to financial expertise between government and the opposition, minor parties and independent MPs;
- facilitating iterative policy development by parties and MPs;
- encouraging parties and MPs to release independently costed policies earlier to gain credibility with the electorate; and
- providing the community with credible, independent and timely information to help inform their voting decisions.

Under the bill, the PBO will:

- be led by a Parliamentary Budget Officer, as an independent officer of Parliament, with power to employ staff and engage consultants;
- be placed as a separate office within Parliament;
- be overseen by PAEC;

have a mandate to prepare election costings at the request of parliamentary leaders, and to prepare general costings and advice at the request of MPs;

prepare pre-election aggregate reports of costed policies (on request by a parliamentary leader) and post-election aggregate reports of all election commitments of all parties;

publicly disclose costings and advice, at the request of relevant MPs;

have power to correct a public misrepresentation of its costings or advice;

have power to obtain relevant information from the Victorian public sector (VPS), other than commercial-in-confidence documents; and

be exempt from freedom of information (FOI) requests in relation to costings and advice (except where that costing or advice is disclosed). The VPS will also be exempt from FOI in relation to documents disclosing PBO requests.

The PBO will operate confidentially, and have appropriate information-gathering powers. In providing information, departments can require that the information be kept confidential. The Parliamentary Budget Officer and public sector bodies who have provided information to the PBO will be able to transfer documents created solely for the purposes of the PBO’s work to the public record office at any time, with those documents secure from public scrutiny for 30 years.

While all MPs will be able to request costings, advice, analysis and briefings on fiscal matters from the Parliamentary Budget Officer at any time, the bill provides that during an election costing period — which will run from state budget day until the Thursday immediately before the election — requests from parliamentary leaders for election policy costings will have priority over the other work of the PBO.

Costings and advice will only be publicly disclosed on request from the relevant member of Parliament or parliamentary leader. There is no automatic disclosure of costings.

The bill provides for the Parliamentary Budget Officer to report annually to Parliament on the operations of the PBO, and after each state election to report to Parliament on the PBO’s activities during the election costing period.

The bill also addresses an unintended oversight with respect to the role of the Presiding Officers of the Parliament. At present the Constitution Act 1975 authorises the Presiding Officers to continue to perform their administrative duties after an early dissolution of the Legislative Assembly, but not after the expiry of the Assembly for a scheduled election under the fixed four-year cycle. The bill provides the necessary authority and corrects this anomaly.

This bill aligns with Victoria’s existing legislative and governance frameworks, and will be consistent with proposed reforms to integrity and accountability legislation. Its passage will be of great benefit to all MPs and to the Victorian community, by enabling better informed scrutiny of election commitments.

I commend the bill to the house.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until Thursday, 10 March.

HEALTH COMPLAINTS BILL 2016

Second reading

Debate resumed from 24 February; motion of Ms HENNESSY (Minister for Health).

Mr BROOKS (Bundoora) — It is a pleasure to be able to continue my contribution on this particular bill. I was saying yesterday when talking on this bill that the creation of a new health complaints commissioner is a very significant and important reform, particularly the new functions of the role, including being able to commence own-motion investigations into issues of dubious conduct by people purporting to provide health or wellness services. That is obviously a power that was not available to the health services commissioner previously, and I think that is an important reform. Sometimes these sorts of issues are raised through the media or come to the attention of authorities without a particular complainant or without a complainant who was the recipient of the health service. So having the power to be able to initiate those investigations and take action to protect health consumers and protect Victorians is a good thing.

As I said yesterday, it is important that the health complaints commissioner will have the power to ban people from providing those sorts of dodgy services with the threat of a two-year term of imprisonment for people who breach the orders that are made by the health complaints commissioner. So this is a serious beefing up of the powers of consumer protection in the health area, and I think some of them are very much overdue.

Some speakers yesterday in this debate touched on the issue that there has been a change in consumer behaviour recently, predominantly driven, I think, by people's use of technology, where people will seek out a range of alternative treatments or health services that in the past they might not have had. In years gone by many people would simply make a trip to their local general practitioner, someone they knew very well, and they would see that person for just about every health concern they had as a starting point. In my view it is still a good place to start, but these days with online and social media many people search around for different options. Sometimes faced with serious health consequences or the financial costs of health care, people look for alternative options. That opens up a

field or a market for unscrupulous people to operate in, and that is exactly what this bill seeks to address. It seeks to make sure that people who operate in the health and wellness sector are properly held accountable.

The bill comes to us after recommendations were made by the expert review panel that reviewed the act in 2012. We heard in debate yesterday that legislation was brought into this place by the previous government, which contained many of the actions that are contained in the bill before us today.

The sorts of unscrupulous behaviour that I was talking about are very real and very concerning. The ones that we know about are the ones that have been brought to light through the media or through the health services commissioner or other complaints mechanisms. It really does cause great concern that people are suffering further health impacts, detrimental surgeries or procedures and of course are also being ripped off financially by people who have really no intention of providing or no ability to provide appropriate health care to these people.

There have been several instances reported in the media, and it is worth just reflecting on some of these. A horrible case was reported in the *Age* back on 31 May 2015 of someone impersonating a gynaecologist and injecting patients potentially with unknown animal blood products — just a horrible thing to do to patients. It is important that, as I say, we have the ability to crack down on these people.

There was a report in the media on 15 July 2015 about a chain of depression clinics which were offering injections of the party drug ketamine as part of their treatment program, which again in many respects fell outside the regulatory framework that existed. It is important to make sure that these people are brought back into line. There is the well-known case of someone who was a wellness blogger who claimed that they had terminal cancer when it appears they did not, and who was able to drum up considerable support for their cause by feigning that they had cancer. There was a naturopath who sexually attacked women, which was reported in *Herald Sun* early last year. There was also someone who was not qualified as a dentist operating in the northern suburbs, not far from my electorate, causing some horrendous dental damage to people who had attended the dental clinic, and of course charging people for a service that this person was not all qualified to provide.

There are significant opportunities for people to do the wrong thing. It is incumbent upon government to make

sure that the relevant commissioner is in place to crack down on these people — to make sure that Victorian consumers are properly protected and that they have an avenue to address complaints. The government must also make sure that when these complaints are made they are addressed in an efficient manner and that the health complaints commissioner has the relevant powers to prevent people from continuing to perform these services and to ensure that if they do, they face time in jail. I commend the bill to the house.

Ms KEALY (Lowan) — It is a great honour to be able to stand today and make my contribution on the Health Complaints Bill 2016. The National Party and the Liberal-Nationals coalition will be supporting this bill, although we would like to see some changes, which I will outline in my contribution today. The purpose of this bill is to repeal the Health Services (Conciliation and Review) Act 1987 and to establish the new health complaints commissioner and the Health Complaints Commissioner Advisory Council to deal with complaints about the provision of or the failure to provide health services in Victoria.

As some background, in 2012 the coalition government commissioned the review of the Health Services (Conciliation and Review Act) 1997. An expert panel, which was chaired by Michael Gorton, of health service providers, healthcare recipients and clinical experts reviewed the act and made recommendations on modernising and strengthening the role of the commissioner. Some of the outcomes of that review focused on how we can best manage and regulate health practitioners and health providers who fall outside of the normal regulatory framework that we have, which includes the Australian Health Practitioner Regulation Agency and other formal public bodies that regulate health practitioners in this state.

It is really important that we have legislation like this to protect people who are at their most vulnerable. We have heard many examples from the various contributions on this bill of people who are suffering from cancer or a serious illness and who are just looking for some level of treatment in order to get well again. In that situation, where people are critically ill — they may be looking at not surviving or what other future might be ahead of them — they are extraordinarily vulnerable. If we have people in our community who seek to gain financial reward from creating a false idea of a cure that might be available to those with a serious illness or even utilise this vulnerability for their own sexual gratification, this is simply wrong. We need to make sure we have legislation that will appropriately manage people who are trying to take advantage of those who are unwell,

and we need to make sure that those quacks are shut down as soon as possible.

We have heard of many examples. We know of the ozone therapy for cancer treatment. The Belle Gibson story is very well-covered in all the media — the wellness blogger who falsely claimed that her treatment had cured her own brain tumour. She generated a lot of support through her claims and of course generated a lot of money for herself, and now she has perhaps also generated quite a name for how she took advantage of people who trusted her to resolve their cancer.

There is also the case of the former plumber who took advantage of women with breast cancer by basically giving them this story to dance naked in front of him and then to drink their own urine, and then he took sexual advantage of the situation as well. To have vulnerable women in that situation being taken advantage of is absolutely appalling.

The legislation does complement the Australian Health Practitioner Regulation Agency, as I said. These are people who are not health professionals in a stream recognised in Australia. We know that there are very, very important people who are outside of the normal health sector. You do need to make sure that if you seek those alternative medicines, you check that they are appropriate treatments and that the people providing the alternative treatments are not just taking advantage of you. The best thing you can do is go through the health framework that the public system provides to people.

The main provision of this bill is that there is an explicit expectation that concerns will be raised directly with a health service provider and ideally resolved locally in the first instance. That is really important. As someone who has worked in the health sector for most of my career, I know it is much easier if you hear about something quickly, because you can take action quickly and get some resolution. I encourage anybody who is seeking health support to ask somebody about it if they think something is not quite right. We do have a situation particularly in smaller communities where people are unwilling to make a complaint or provide feedback because they know the person who is treating them or they feel like it may jeopardise their standing in the community or make them seem like they are a bad person. That is certainly not the case. If you think something is not right, speak up. If you think that you are still unwell and that you are not getting the treatment that you need, go and get a second opinion, a third opinion or whatever it is. It really is important that you are your own health advocate.

Another provision of this bill is that complaints can be received from anyone — including carers — who are able to submit a complaint not only on behalf of the person they care for but in relation to how they were treated as a carer. These complaints can be oral or written, and that is very, very important in making sure that we have accessibility for people who want to make a complaint. We do have many people in our community who cannot write or who cannot read instructions if they are on a website, so we need to make sure that we open up all avenues for people to be able to raise their concerns. Certainly being able to phone up the commissioner to put forward a complaint is a very, very important avenue.

The legislation does require that the commissioner undertake the least formal process to resolve a complaint, and it enables a wide range of approaches and frameworks to do so. It removes the requirement for formal conciliation to be compulsory after a certain period of time. This provides greater flexibility in how you resolve a complaint. The commissioner has the power to follow up on a healthcare provider to ensure that recommendations are being implemented and the power to publicly name health services that have not responded to or have not implemented the commissioner's recommendations. That creates an extra level of accountability in doing so.

I do not think anybody likes to be named and shamed, which is why having this opportunity is very, very important. I think we probably need to go further in other elements, like naming and shaming registered practitioners, such as general practitioners, when they are doing the wrong thing. There certainly seems to be a level of hesitancy about naming health practitioners when they have perhaps not done all of the continuing professional development required or when they have made some critical errors. There seems to be leniency in terms of protecting their opportunity for future financial gain rather than making sure that we only have very, very good, high-quality health practitioners in this state.

Of course everything that we need in terms of providing a safe health system in our state is not about our complaints system but about providing our health services with all the resources they need. Ideally we need health services that are appropriate, that are affordable and that are of course accessible, which is our greatest challenge in rural Victoria. We need to make sure we have the appropriate infrastructure for our health professionals to be able to deliver their services. Unfortunately under this Labor government we have seen an enormous lack of funding particularly for infrastructure in country Victoria.

I have heard the Premier say he is very upset that he is receiving only 9 per cent of the federal government's infrastructure funding because Victoria has 25 per cent of the population. Well, in country Victoria we also have 25 per cent of the population, but we have only received 2.9 per cent of the infrastructure budget. That is less than one-third of what the Premier is grizzling about in terms of the federal government.

I hope that in this year's budget the government actually steps up to correct that underinvestment, because it is hurting country Victoria like you would not believe. It is appalling. Some of the issues and some of the infrastructure that we need addressed in western Victoria include the Wimmera cancer centre; it is very, very important infrastructure that we need. We are seeking about \$1.5 million for that, and it is such an important facility. We have the worst five-year mortality rates for cancer in our part of the world. I call on the government to urgently fund this. The federal government has put money into it. It is time for Labor to come to the party and start investing in country Victoria.

The West Wimmera Health Service is looking for funding for its community rehabilitation building, kitchen and laundry. The Edenhope & District Memorial Hospital — a fantastic hospital; I had the great pleasure of being its CEO for five years — is looking for about \$15 million to upgrade its aged-care facility and acute wing. The Western District Health Service urgently needs some funding to upgrade its emergency department, its theatres and part of its general ward as well. The Casterton Memorial Hospital is looking for about \$2.5 million for its primary health building. So you can see that just in the electorate of Lowan we have a critical underfunding of health infrastructure in our region. It is time to get that investment happening, and I encourage everybody over there to be strong advocates for country Victoria and to start speaking up — as we are seeing some members doing regarding what is happening in Labor's internal arguments, which is very interesting to watch. But we want to make sure that we do get a fair go for country Victoria, and 2.9 per cent of the infrastructure budget is not enough.

The Health Complaints Bill will help to provide a better framework to get rid of the quacks, but we need to make sure that all health providers, all health services and all health professionals are given the support they need. I urge the government to support better infrastructure funding in country Victoria. I commend the bill to the house.

Mr CARBINES (Ivanhoe) — We heard a lot of complaints from the member for Lowan but not much about the Health Complaints Bill 2016. I welcome the changes that are being made in this bill, and in particular the way in which it relates to the role of the health services commissioner. Beth Wilson was in that role for very many years, and I worked closely with her in my past role working with the former Minister for Health and member for Melbourne, Bronwyn Pike. It was her role to report to the Parliament on the work of the health services commissioner. That was very instructive in relation to her engagement with consumers and the engagement that people in the community have with their health services — and very many people of course are vulnerable.

Our health services have a lot of respect in the community, which is important. They have earned that respect through the great work that many of them do in looking after and advocating for the unwell in our community, and all of us or our family members and friends will at some time or another rely on our health services. But with that respect comes obligation, and it is very important that the community has confidence in our health service providers, not only in the way in which they administer their skills to Victorians but also that they are doing that in accordance with the law.

By beefing up some of the powers that the health services commissioner has, complaints can be received from anyone. Not only can the person who receives the health service lodge a complaint, but others will also be able to lodge complaints. We are also aware that the commissioner will have the power to instigate investigations where no complaint has been lodged — for example, if the media has uncovered unscrupulous behaviour from unregistered providers or if there have been fake or harmful claims made. These days we know that while people have access to health services and visit different health practitioners, many of them choose to use different information gathering materials and technologies. Everyone is self-diagnosing on the internet these days, and a lot of people are seeking, in a positive way, to compare and contrast the information they are given. But sometimes a little knowledge can be a dangerous thing.

Unfortunately there are unscrupulous people who prey on people's concerns about their illness and their desire for the best possible outcomes, and the internet is another means whereby unscrupulous providers of health services are able to prey on vulnerable people. While many of us might not fall for some of that dodgy behaviour — —

Mr Katos — Acting Speaker, I draw your attention to the state of the house.

Quorum formed.

Mr CARBINES — As I said earlier, we have heard a lot of complaints from those opposite but not much about the Health Complaints Bill 2016; just a lot of complaints about their own performance and their lack of interest in representing their party in this chamber and contributing to debate on bills that are about providing greater advocacy for and greater scrutiny in supporting vulnerable people in our community. What is important here is that people in our community have confidence in the health services that are provided. A lot of the regulatory and professional bodies that oversight different health professions at different times have also been found wanting in the way in which they have governed and the way in which they have held to account and scrutinised their members.

I am hopeful that with this bill, the Health Complaints Bill, there will be an opportunity for the health services commissioner to deal in more detail with and hold to greater account many of the professional health service bodies and professional organisations that have a role in oversighting the performance and the professionalism of their members and to make sure that those complaints are handled appropriately.

Often people who have a bad experience — I am not just talking about dodgy providers out there; people might deal with very well qualified individuals in different health professions, and it is those professional peak bodies that under the law have a role to play in dealing with complaints — are not satisfied with the way in which they are dealt with. They find the processes cumbersome. The process of peer review leaves many people or consumers in the community feeling as though they are not being advocated for and represented — even though there may be laypeople in some of those professional organisations — in the way in which complaints are investigated.

As the health minister said in her media release on 9 February, and I quote:

We're taking action to crack down on dangerous ... health practitioners who take advantage of vulnerable Victorians.

Our tough new laws will give the health complaints commissioner the power to name and shame and put these dodgy health providers out of business for good.

We're closing loopholes in the existing legislation to make sure Victorians receive the health care protection they need.

That is obviously the substance of what we are trying to achieve here. What I think is also important for people in the community is that a lot has changed in the way in which our Parliament operates and the empowerment that we have given to people like the disability services commissioner and the mental health complaints commissioner. If you want to move outside the health field, there is even a speed camera commissioner these days. There is a level of accountability that the Parliament has put in a range of areas to try to give confidence to Victorians in the law and how it is applied. Members of different professions and of the Parliament can be held to account by a range of different commissioners that have been put in place. What is important is that we continue to review the law so that there are opportunities to strengthen the role that those commissioners can play in our community.

Can I say also that another aspect of why this legislation is needed has been that there have been reforms to consumer law and the introduction of legislation to protect people's human rights. That provides another element for commissioners across our health services to apply further rigour and exercise further powers the law has vested in them to protect vulnerable people in the community. I know particularly in my own electorate of Ivanhoe, places like the community health centre in West Heidelberg are real beacons and refuges for people who need a range of health services. Not only do places like that have a great reputation but they provide a great service to people in the community who for many reasons do not feel that they have access to or the opportunity to pursue the supports and the health services that many of us might take for granted or feel are available to us in the community.

What that means though is that sometimes people who are vulnerable, financially challenged or desperate in their health circumstances will resort to taking advice that may not be sound, whether they are finding that advice on the internet or whether they are finding it in advertising that has not been regulated. That of course can lead to desperate people finding themselves in even more desperate straits because they have relied on people who just do not have the required professionalism or scrutiny applied to them. That is what we need to address through this bill. It is also important that when people do make complaints they are treated with respect and they feel that they are not getting bogged down in more red tape. I am hopeful and confident that the changes put forward in this bill will do just that.

Mr THOMPSON (Sandringham) — I am pleased to contribute to the second-reading debate on the Health

Complaints Bill 2016. The purposes of the bill are to provide for a complaints process and other processes about health service provision and related matters, to establish the office of the health complaints commissioner and to establish the Health Complaints Commissioner Advisory Council, among other matters.

I would like to draw attention to the health service principles in the bill under clause 4, which says:

For the purposes of this act, the following principles are the health service principles—

- (a) that a health service is able to be accessed;
- (b) that a health service is safe and of high quality;
- (c) that a health service is provided with appropriate care and attention;
- (d) that a person seeking or being provided with a health service and the person's carer are treated with respect, dignity and consideration;
- (e) that adequate and clear information is provided about a health service in respect of the treatment, options and costs in a transparent manner;
- (f) that an inclusive approach is applied in the making of decisions about a health service;
- (g) that the privacy and confidentiality of health information and personal information is respected;
- (h) that a health service provider makes provision for the person seeking or being provided with a health service to make comments or complaints and that those comments or complaints are addressed.

Reference has been made earlier in the debate today to people who are vulnerable. I know through the work that is undertaken not only in my electorate office but in the 128 electorate offices around Victoria that there would be recurrent stories being narrated, being told, of people who confront the diagnosis and treatment of cancer and access to services, whether they be from rural and regional Victoria or an urban context. From time to time there are other stories that relate to concerns with the mental health system. In other contexts there can be concerns about treatment by particular hospital services where there has been an inappropriate diagnosis leading to death or disability.

There was a tragic case in my own electorate a number of years ago where a person who presented to a health service with a severe headache was diagnosed as just suffering from a headache without further analysis or treatment, and the person subsequently died from a major stroke within a matter of days. You cannot bring people back to life. Grief, torment, and turmoil was cast upon people in that context where health services may

not have been up to standard in terms of the treatment processes and the treatment options.

I note in particular clause 4(a), which states that 'a health service is able to be accessed'. In that particular context I note a *Herald Sun* editorial, which noted on 21 January this year:

The Andrews government is denying 42 cancer beds to thousands of patients at the new Victorian Comprehensive Cancer Centre in Parkville because of what can only be seen as outmoded ideological beliefs that have no place in a modern government.

It was suggested that a private hospital was not in keeping — —

Mr McGuire — On a point of order, Acting Speaker, I ask you to call the member back to the bill. The Victorian Comprehensive Cancer Centre is not relevant to this bill.

Mr THOMPSON — On the point of order, Acting Speaker, I do not think it is a good idea to shut down the debate when there is a suggestion that over 2000 people could otherwise be treated per annum at a major health service at the Victorian Comprehensive Cancer Centre. We are dealing with health complaints, and within my electorate one of the major complaints by keen-minded citizens is about the failure of the Labor government to develop the comprehensive cancer centre for private sector treatment. I would argue it is germane to the purposes of the bill under clause 4(a), which states that 'a health service is able to be accessed'. The waiting list will otherwise be expanded in Victoria as a result of the failure to provide 42 beds with co-investment by the private sector.

The ACTING SPEAKER (Mr Carbines) — Order! I understand the point that has been raised by the member for Broadmeadows, but I am willing to give the member for Sandringham, who is an experienced member of this house and who understands the rules of this house well, the opportunity to provide context around the contribution he seeks to make in relation to the bill, but I will be listening intently to how he chooses to do that. I do not uphold the point of order at this time.

Mr THOMPSON — Thank you, Acting Speaker. I note the concerns of the member for Broadmeadows, but it is a substantive issue. I have a constituent in my electorate who has a range of serious cancer concerns regarding access to treatment, access to MRI assessments and access to alternative services. We are dealing with the real world, and as a state, as the biomedical capital of the world, the alignment of services is of major importance. The more beds that can

be provided, the better the outcomes that can be achieved. Ringing through my electorate between now and the next election will be the view that, as the result of an ideological failure to implement conjoint investment in comprehensive cancer service delivery, numbers of Victorians will be deprived of services or there will be a delay in the provision of service.

Mr RICHARDSON (Mordialloc) — It gives me great pleasure to rise to speak on the Health Complaints Bill 2016. Before I kick off on that, I want to take up one of the points raised by the member for Sandringham, who made a point about the Victorian Comprehensive Cancer Centre. I know that he will keep a keen eye on the contest in the federal electorate of Goldstein, and maybe he will have a chat to the incoming Liberal federal candidate about some of the savage health cuts that have been put forward by the Turnbull government. He cannot have a bet each way. It is \$17.7 billion, and that will impact on every Victorian community and on the hospitals he is referring to. If the member for Sandringham is going to have a genuine chat about impacts on health, he should start with the Prime Minister and with one of the incoming federal candidates in the seat of Goldstein, which significantly overlays his electorate.

Turning my attention to this bill, particularly around health complaints and some of the issues that have been discussed in this house, it is almost unconscionable to think of someone taking advantage of someone in a state of vulnerability, whether they are suffering from cancer or from mental ill health, and trying to put forward a notion that they have a treatment that has no basis. I have raised this before in debates on other bills and other matters of substance, but this is the whole issue about eroding the credibility of science, undermining the profession and undermining our medical practitioners. It is of great concern, and there are parallels with what we see in the antivaccination movement, where you can throw out a couple of lines on Google, have a couple of international Wikipedia links and are then suddenly an expert in the field. Some of the examples I will come to a bit later on are absolutely concerning.

One thing that shows the deficiency across the board and across Australia is that during the 2013–14 year the Australian Competition and Consumer Commission (ACCC) fielded well over 200 000 complaints. Not all were specifically health related in this area, but there were just 27 prosecutions. It just shows how difficult it is when the ACCC has to commence a case and put forward all the evidence it has and have that challenged, and yet there is just not an ability to get meaningful outcomes and prosecutions. For some people it is far

too late; it is beyond the time when they are aware of those issues or they have potentially been put at risk by these various treatments.

There are two streams to this bill. There are the overall complaints — that is, the general complaints system and how it operates with medical practitioners and in the health system generally — and then there are a rogue rabble who profess to be professionals outside of the 14 registered professions that we have under that umbrella, and I particularly want to touch on the complaints structure for those 14 registered professions.

I think there is a correlation between the pressure on the system and the number of complaints that are forthcoming. Our nurses, doctors and emergency departments are under an incredible amount of pressure. The member for Sandringham reflected on complaints and issues that are raised with electorate offices from time to time. Occasionally you get a constituent who comes forward and shares with you that they have not had a favourable outcome or a favourable dealing with either a hospital or another health institution. In the isolated circumstances when that happens we need a rigorous complaints system that respects what they are putting forward, if it is based on strong foundations, and looks to how we deal with those challenges, how we address them, how we evaluate them and how we get better next time.

An example was recently raised with one of my hospitals out in the south-eastern suburbs of Melbourne. There was an issue raised. There was a concern about the level of care and attention to detail. That was raised, and I was very impressed by the response that came back from the hospital's leadership team, which said that they apologised, that they would be doing a review and that in all circumstances they would look to improve into the future.

The constituent went away feeling like they had been heard. They were not looking for a particular outcome other than an acknowledgement that next time things could be done better. I think that will be the testament of the system going forward.

We are working within parameters where Australia's population is going to grow by 8 million over the coming 15 years. In 2011 we were at 22 million — Melbourne's population is growing significantly in the metropolitan areas and the outer fringes — and we are expected to reach 30 million by 2031, which is a 36 per cent increase. We have an ageing population, and those people over the age of 75 will make up an increasingly significant portion of the population. The likelihood of complaints and concerns coming forward will increase

as we have more demand on the system, fewer resources to work with and doctors and nurses under more pressure. I wanted to put that point forward.

The comments I make to the member for Sandringham are in a broader context as well. I am not meaning to politicise some of those things, but they have to be called out. This is a broader and longer term issue that needs to be dealt with through the Council of Australian Governments. There will be a severe deficiency in health funding in the next 15 years that we must address. To put our heads in the sand and think that it is not coming will only set up the next generation with a significant burden. We must act now, and we must be genuine in our engagements. We must see what we can do and be more efficient, which may include more investment in preventive health. I have a community health clinic in my area. We may look at more investment in preventive health to take the pressure off the system. It is all interrelated.

I want to return to the second pillar that I was talking about, particularly those who put themselves forward as knowing more about science than experts based on what they can google and what they can find on the internet. It would be fine if they were just putting their word out into the arena — people would say, 'This is an issue of free speech' — but when they put themselves forward as knowledgeable and professional, that is the greatest concern.

We have all known someone who has gone through cancer treatment or someone who has gone through a stage in their life when they have been given months to live and have been told by their professionals that they need to get their affairs in order. To have someone come along in those final months and say, 'Not all options have been exhausted', putting forward a suggestion that there is an alternative, is absolutely sickening. Such people should be held to account, and in those circumstances the full weight of the law should come down on them. They cause vulnerable people and their families, to go through an absolutely hellacious time.

In 2011 a Melbourne doctor who prescribed a potentially harmful ozone treatment to a man who died weeks later of brain cancer was allowed to keep treating patients despite the fact that the Victorian Civil and Administrative Tribunal found that the doctor, Dr Ballard, had engaged in serious unprofessional conduct by prescribing the treatment at Hope Clinic, which has since closed. That was back in 2011. That gives an example.

Another example was recently covered by *60 Minutes*. I choose not to name the lady involved. She put forward that she had gone through a cancer scare and had come out the other side after changing her diet and doing a range of other things. That was found to be completely false. Those sort of claims only lead people to more suffering and more heartache as they are confronting challenging times. These are vulnerable people. In such instances the law needs to step in and say that these people need to be absolutely held to account.

There are a number of key elements in this bill that I support, and I note some of the comments of those opposite, but I am really pleased that one of the regulatory gaps in relation to unregistered health service providers will be addressed by giving the commissioner the power to issue public warning statements to prohibit incompetent, impaired or unethical providers from providing health services if they pose a significant risk to public health or safety. This is fantastic. This overcomes that severe shortfall in the Australian Competition and Consumer Commission whereby prosecutions cannot be made. It gives power and flexibility for the commissioner to come forward and put into the public arena and into the debate that this is something that people should be concerned about. It can be accessed; it will be easy for people to take action and prevent vulnerable people being exposed to this kind of activity.

This is a significant bill. I think it is on the right track. Regarding those longer term issues about complaints, however, I say in conclusion that there are two streams to this. There is going after those who are absolute rogues and who should be held to account, and then there is the broader complaints structure of how we improve our health system with the pressures that we have. I commend the bill to the house.

Mr RIORDAN (Polwarth) — I make my contribution today to the debate on the Health Complaints Bill 2016. Any moves by government that make people feel that their health care is being taken seriously can only be a good thing. We know that our health system will improve and become a better system if we actively learn from our mistakes. The people of Victoria will feel they have the best system if their concerns are listened to and, most importantly, acted upon.

The bill put forward today largely builds on work done by the previous Liberal government. I welcome the intent of the bill to rationalise and centralise complaints to one authority — streamlining and simplifying any system and process is an advantage for the majority of people who are infrequent navigators of both

bureaucracy and government processes — and to broaden the understanding of the concept of health practitioner to bring in the many new-age and alternative therapies. As these practitioners so often seek to offer services in the wider health system and to be taken seriously, so too must they adhere to the expectations of the system and the community.

This bill acts to give the health commissioner more power to investigate problems of their own accord and to more publicly hold health providers to account. This is an important change. With a little more caution I welcome the prospect of third parties or others raising complaints. It is obvious that not all people using health services are able to advocate on their own behalf, so having a process that allows others to do so has its advantages, but without sufficient oversight this could in fact cause an unnecessary burden and delay in the efficient and effective medical review process. It is hoped that the full intent of this legislation is about the principle of using experience and intelligence from the learnings about failings and deficiencies in the system to strengthen and improve the quality and standards of health care in Victoria. If the aim of the complaints system is purely to apportion guilt and blame, then we will indeed be short-changing our community of the opportunity for robust and proactive reform and change.

Our health system is massive. It is the multifaceted nature of healthcare provision in Victoria that makes it a very complex system. Our health services in Victoria are a hybrid of many systems and structures. Victoria has one of the best state-run health systems in the world, but that is only one part of the consumer's health experience. We have combinations of public and private operators; we have private operators in the public system; we have entirely private operators; and increasingly, as this legislation acknowledges, there is a growing range of non-traditional healthcare providers. There are many avenues and situations where problems, misunderstandings and challenges can arise.

If the consumer is to truly benefit from a better complaints system, then we need to know that an effective, efficient and well-monitored feedback system is applied right across the sector. As we have seen in recent experience, we cannot have poorly performing practitioners packing up and moving on to the next health service, moving poor practice and bad systems to other organisations and, more importantly, being allowed to perpetrate a method of poor health care.

We cannot have weakness in the public system, which was identified, for example, in Swan Hill, and the learnings and improvements not being passed on to

other rural services, such as those in Colac. If we are to treat health complaints as avenues to improvement across the whole system then we must also look at ensuring the managers of our whole health system have the necessary resources and processes in place to make sure improvements are picked up, certified and implemented.

It would seem futile to have a new and improved health complaints system that continues to deal with the same old avoidable problems. The district of Polwarth has nine state-run hospitals and aged-care providers and many more than that in the private healthcare sector. There are the ambulance and air ambulance services that country people rely on heavily. Increasingly private health transport companies are being used for patient transport. Most rural hospital services rely heavily on local private GPs and visiting specialists from out of town. There are many points in a person's healthcare experience that can lead to areas of complaint. This bill has a complex task in drawing all of these elements together.

An effective health complaints system will need to be robust enough to help consumers differentiate between their various elements of care. The health system will need to ensure — and the funding will need to exist — to safely share the learnings and to make the necessary improvements. This bill has a role far more important than just identifying the odd wacko, snake-oil salesman who sells miracle cures and tablets for weight loss. The distress, the heartache and the trauma caused in the community from poor practice and lack of system improvement across all our state and private health services is what the bulk of the bill is about. This bill has the capacity to share knowledge, improve outcomes and make Victoria a safer and healthier place.

Business interrupted under sessional orders.

DISTINGUISHED VISITORS

The SPEAKER — Order! I wish to welcome to the gallery Mr Trent Smyth, the Honorary Consul for Malawi and, very importantly for Victoria, the Secretary of Consular Corps Melbourne. We commend him and the Consular Corps for the very good work that they do. On behalf of the Premier and the Leader of the Opposition and all members, we welcome you, I also welcome to the gallery Dr Louis Nthenda, a very prominent economist from Malawi, and Mr Ike Nwokolo.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Port of Melbourne lease

Mr GUY (Leader of the Opposition) — My question is to the Treasurer. In relation to the port of Melbourne lease, the Treasurer said he would oppose an upper house inquiry and then he voted for it; he threatened three times to bypass the Parliament and then he has not; and he has even, bizarrely, threatened an early election and then he backed down. Given the vast majority of stakeholders believe limiting compensation to 15 years from the commencement of the lease is a sensible way to go, why will the Treasurer not act now in the best interests of Victoria and accept this position?

Mr PALLAS (Treasurer) — I thank the Leader of the Opposition for his question. Can I say that I think the Victorian people want the games to stop. For the opposition — —

Honourable members interjecting.

The SPEAKER — Order! The Treasurer is entitled to silence. The opposition asked a question of the Treasurer, and it will cooperate and allow him to respond to a substantive question.

Mr PALLAS — What we said before the election is what we are doing. We are leasing the port of Melbourne with or without you, and we will do it in order to ensure that the Victorian people get exactly what they were promised from this government. They will get exactly what they were promised by this government. But let us think what some people said about leasing the port of Melbourne:

Daniel Andrews should get behind the coalition government's strategic plan for a medium-term lease of the port ...

Who was — —

Honourable members interjecting.

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

Mr Burgess interjected.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Hastings

The SPEAKER — Order! The member for Hastings will withdraw from the house for a period of 1 hour. When the Chair is on his feet, members will remain silent as per the standing orders adopted by all members and other members of the Assembly in the past. The Treasurer, to continue in silence.

Honourable member for Hastings withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Port of Melbourne lease

Questions and statements resumed.

Mr PALLAS (Treasurer) — We have an implacable resolve on this issue; we will not be moved, and we will not waver in our commitment to the Victorian people. Quite frankly, we can recall all of the flip-flopping and the juvenile behaviour that has gone on from those opposite. Remember when the people of Victoria were told by the former Treasurer that, ‘You can’t lease the port of Melbourne until the port of Hastings is operational’? Remember that nonsense? Remember the nonsense that those opposite came out with about the Labor Party, who initiated this great policy initiative? Remember the nonsense that they came out with? They said things like, ‘You’ve undervalued the port’. The value we put on was broadly proximate with the amount he has put in Victoria’s budget position. What an outrage. So this is nothing short of economic vandalism by those opposite.

Supplementary question

Mr GUY (Leader of the Opposition) — Given I wrote to the Treasurer on 9 December and outlined a way in which the legislation could pass the Parliament in a way the vast majority of port users agree with and a way in which the games would stop, how much longer will the instability continue until the Treasurer finally accepts his position is designed to be only in the best interests of the Andrews government, not in the best interests of all Victorians?

Mr PALLAS (Treasurer) — Yes, the Leader of the Opposition, who we would like to call Baldrick over there, gave us a cunning plan. His cunning plan was, ‘Let’s ensure that you have a compensation regime for 15 years’ — that is, in the time that you cannot actually pay compensation. How brilliant is that? You cannot set

a port up in 15 years but, ‘We would like to compensate a future operator within that first 15 years’. Nonsense! Dishonesty! That sort of thing underpins the way that those opposite conducted themselves in government, but it will not typify the way this government operates. We will tell the Victorian people what we are going to do, and we will not stand for the efforts of those opposite to devalue this asset and to compromise the interests and the wellbeing of the freight and logistics industry.

Ministers statements: level crossings

Mr ANDREWS (Premier) — I am delighted to rise to update the house and provide new information on our government that is not talking about removing level crossings but getting on and doing it, creating thousands of jobs and making sure that we deliver on the commitments that we made to the people of Victoria.

Whether it is at North Road, Centre Road or McKinnon Road, 300 workers installed reinforcements and 17 bridge beams just last weekend. There was disruption to traffic — we know that, and we apologise for that — but we are getting on and delivering that important project, and there is no stronger supporter than the member for Bentleigh, who has been a strong backer of this important project.

A thousand workers over the Easter break will be working 24/7 to deliver on these important infrastructure upgrades. The crossings are relics of the past, and they will be gone forever not under this government’s talk but our action. Why would you not get rid of these 50 dangerous and congested deathtraps, these relics of the past that cause delays: Clayton Road, 82 minutes; Koornang Road, 87 minutes; Centre Road, 75 minutes; Buckley Street, 78 minutes; Heatherdale Road, 73 minutes; Murrumbeena Road, 75 minutes; Corrigan Road, 72 minutes; Poath Road, 72 minutes; and Main Road, 65 minutes — that is how long the boom gates are down every morning in the peak. These crossings have got to go, and those standing in the way can simply get out of the way.

Port of Melbourne lease

Mr WALSH (Murray Plains) — My question is to the Treasurer. Noting that the government has accepted the coalition position that a minimum of 10 per cent of the port of Melbourne lease proceeds should flow to country Victoria, I ask the Treasurer if he will guarantee that this 10 per cent will remain regardless of how or when the lease is signed? Or does he — —

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBERS

Members for Clarinda and Essendon

The SPEAKER — Order! The members for Clarinda and Essendon will withdraw from this house for the period of 1 hour.

Honourable members for Clarinda and Essendon withdrew from chamber.

**QUESTIONS WITHOUT NOTICE and
MINISTERS STATEMENTS**

Port of Melbourne lease

Questions and statements resumed.

Mr WALSH (Murray Plains) — Will the Treasurer guarantee that this 10 per cent will remain regardless of how or when a lease is signed, or does he intend to revert to his original position of just 2.5 per cent going to country Victoria?

Mr PALLAS (Treasurer) — I thank the Leader of The Nationals for his question. Can I assure him that if this is the Liberal Party's attempt to negotiate issues around the port lease transaction, I think we can see that there is no good faith or goodwill on that side of the chamber. Let me absolutely guarantee the members on the opposition benches that this government will do all it can to protect and preserve the value of the port lease transaction, both in the interests of rural and regional Victoria but also in the interest of all Victorians. Let me also make very clear that if port-specific legislation is not passed today, those opposite will be irrelevant and will not figure in our concepts about what constitutes a fair and reasonable offering.

We will construct through the State Owned Enterprises Act 1992 a regime that will build back value to the people of Victoria and preserve this vital asset. We will use powers previously exercised by those opposite when they were in government on countless occasions. We will do what we see as being in the best interests of Victorians.

Mr Walsh — On a point of order, Speaker, on relevance, the Treasurer has not addressed the question, and he is more than halfway through his time. He has not given a commitment that the 10 per cent will stay or that it will revert to 2.5 per cent. I ask you to bring the

Treasurer back to answering the question that was asked.

The SPEAKER — Order! The Treasurer, to continue and to come back to answering the question.

Mr PALLAS — I suppose the answer to the question is: it all depends on what they do. We have, in an effort to ensure that a fair and reasonable and compromised arrangement could be struck, agreed to 11 of the 15 recommendations of the upper house. We have also sought to ensure that one of those recommendations was that a specific amount, 10 per cent of value, would be put to rural and regional Victoria. We cannot guarantee what the revenue will be while ever those opposite talk down this asset.

So those opposite have done what they always do — talk down rural and regional Victoria's entitlements — and they continue to do it. All bets are off if this legislation does not pass. Rural and regional Victoria, like everybody else, will have to see that this government will work with its best effort and endeavour to ensure that we preserve value.

Supplementary question

Mr WALSH (Murray Plains) — Noting that current Victorian Farmers Federation (VFF) president Peter Tuohey told the upper house inquiry:

We believe in a competitive arrangement with a port structure ... We do not see the need to compensate the port leaseholder in any way or means to benefit them. I mean, that is just like giving them a free handout.'

With even Peter Tuohey saying that there should not be compensation, I ask the Treasurer why he is stalling a sensible way forward for the port lease and denying country Victorians the near \$700 million they deserve?

Honourable members interjecting.

Mr PALLAS (Treasurer) — I thank the Leader of The Nationals for his question. I make this point: is it not obvious how fulsome the National Party's voice is in opposition but how it loses its voice in government? Every time rural and regional Victoria needed them to stand up for it, they went AWOL. So what does the VFF actually say about this transaction? Well, of course Mr Peter Tuohey has been very fulsome in his views in saying that the government has gone more than halfway towards reaching a reasonable settlement. Recently he put out a media release saying, 'Pass the bill'.

Honourable members interjecting.

Mr PALLAS — So do not try to make out that you and the VFF are on a unity ticket. You have sold them out yet again, just as you always sell out rural and regional Victoria.

The SPEAKER — Order! The Chair now calls on the Minister for Public Transport. Prospectively, the Chair anticipates engagement, so I ask the house to remain silent.

Ministers statements: level crossings

Ms ALLAN (Minister for Public Transport) — I am very pleased today to be able to provide to the house new information about the progress of the Andrews Labor government's commitment to get rid of 50 congested and dangerous level crossings. We have already told the house that one level crossing is gone, so we are down to 49 to get rid of. I am very pleased to say that work is underway.

Honourable members interjecting.

Ms ALLAN — They are congratulating themselves, Speaker, on their complete inaction over four long years. What a bunch of jokers!

Honourable members interjecting.

The SPEAKER — Order! The minister, to continue in silence.

Ms ALLAN — This morning I joined the Treasurer at the Toorak Road level crossing in Hawthorn East. This is a level crossing where the boom gates are down for 45 minutes in the 2-hour morning peak, and it is located right next to one of Melbourne's busiest intersections, being the intersection of Toorak Road and the Monash Freeway. These boom gates, when they go down, do not just cause congestion on Toorak Road; there is a knock-on effect across the Monash Freeway, across Glenferrie Road. It can cause queues across the region. That is why we are getting rid of this dangerous and congested level crossing.

As I said, those opposite are congratulating themselves on not removing, not doing anything, for four long years on this level crossing program. But actually there was something that the former government did. Its members were lovers of an elevated rail project that stood 17 metres in the sky. This project, their road and rail proposal, exposes their hypocrisy. They were lovers of elevated rail in government, and they are haters in opposition of our government getting on with removing level crossings right across Melbourne.

Port of Melbourne lease

Mr M. O'BRIEN (Malvern) — My question to the Treasurer relates to the port of Melbourne lease. With the Australian Competition and Consumer Commission (ACCC) chairman, Rod Sims, stating:

... clearly we would prefer to have no compensation regime; there is no doubt about that —

with the Australian Peak Shippers Association stating:

We have consistently argued for compensation to be taken off the table when the lease is drawn up —

and with the Property Council of Australia declaring that compensation:

... has the potential to be a \$1 billion millstone around taxpayers necks —

I ask the Treasurer: given that stakeholders and experts are telling him that he has got this one wrong, why will he not listen to them and act in the best interests of Victoria?

Mr PALLAS (Treasurer) — I thank the member for Malvern for his question. His hypocrisy is breathtaking. Let us not forget this: the advice that the previous government got, commissioned by the previous Treasurer, received from KPMG no less, told it that a compensation regime was necessary. That advice underpinned the advice that led the then Treasurer to book in the 2015–16 financial year \$5.3 billion worth of value. That is what he did. The member for Malvern is so consumed with hypocrisy, so consumed with his desire to destroy the wellbeing and the interests of the people of Victoria, he will not even remember what is on the public record and what he did when he was Treasurer.

Mr M. O'Brien — On a point of order, Speaker, the Treasurer has been on his feet attacking me, but that does not answer the question, which was about the chairman of the ACCC, the Australian Peak Shippers Association and the Property Council of Australia. Why will the Treasurer not come back to answering that question?

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

Mr PALLAS — I have a word of warning for those opposite: do not be led — —

Honourable members interjecting.

The SPEAKER — Order! The Treasurer, to continue.

Mr PALLAS — He is leading you into a valley of death, and it is his ego that is in charge. Not content with botching his own dodgy reputation around east–west, he now seeks to pervert the way that good administration should operate and undermine an effective, efficient lease of the port of Melbourne. And why is he doing it? Because he is consumed by bitterness. This is all about the politics of payback and hatred. And who are the victims in this? Rural and regional Victorians.

Honourable members interjecting.

The SPEAKER — Order! The Treasurer, to continue in silence.

Mr PALLAS — On the issue of compensation, let the record reflect that the member for Malvern contemplated and incorporated the idea of compensation into the value, booked it and seeks now to trash the opportunity and the state’s balance sheet as a consequence. He will not succeed. The interests of Victoria are more than just a plaything of his ego.

Supplementary question

Mr M. O’BRIEN (Malvern) — Michael Lamperd of Bega Cheese said it very clearly:

If somebody next door to us wanted to set up a business that was the same as what we are doing, we do not get compensated. We actually compete against that business.

That is what I believe the port should do as well. With all the experts telling the Treasurer there should be limited or no compensation, which part of this very simple message does he not understand?

Mr PALLAS (Treasurer) — On the issue of compensation, the member for Malvern is an expert. We will recall that the member for Malvern put in place a substantial compensation regime when he compromised the state’s rights to change the casino regulation of the state — hundreds of millions of dollars. It was okay then.

Mr M. O’Brien interjected.

The SPEAKER — Order! The member for Malvern is warned.

Mr PALLAS — It was okay for Crown Casino when he decided to not only put in place a ridiculous compensation regime for east–west; he decided to back it up with a dodgy side letter.

Mr R. Smith interjected.

The SPEAKER — Order! The member for Warrandyte is now warned.

Mr PALLAS — Isn’t it amazing — —

Honourable members interjecting.

The SPEAKER — Order! The Treasurer is entitled to be heard in silence. The member for Malvern asked a question. The member for Malvern, especially, should allow the Treasurer to respond to the very question as put by the member. The Treasurer, to continue in silence.

Mr PALLAS — The record reflects that those opposite went to great lengths to put in place compensation regimes when in government, and their behaviour today just demonstrates that they are a bunch of gormless, feckless, born-to-rule dolts.

Ministers statements: level crossings

Mr DONNELLAN (Minister for Roads and Road Safety) — I rise to inform the house of new information about the traffic management and congestion-busting benefits for motorists of our level crossing removal program. This government is getting on with its commitment to lease the Port of Melbourne and to remove 50 of our most congested and dangerous level crossings. We have been trying to negotiate in good faith with the Liberal Party for months, but trying to land on a position is like trying to catch a marble on a hard floor — just impossible to find.

But further, I do have good news for the constituents of the Malvern electorate — I do have good news, and it is not necessarily that their member has retired — and I want to share with the house for the first time traffic statistics for the Burke Road level crossing, completed by this government with not a minute wasted. Since the removal of the level crossing, traffic data on Toorak Road and Wattletree Road has shown a significant increase in traffic volume throughput in the morning and afternoon peak periods of 26 per cent and 28 per cent respectively for southbound traffic and 32 per cent and 11 per cent respectively for northbound traffic. Yet what we have also seen is significant travel time reductions of 10 minutes for northbound traffic and 7 minutes for southbound traffic.

We have done a marvellous job by removing that level crossing. We have also seen a significant reduction in traffic queues along the Monash Freeway. Previously queues up to 600 metres long were observed at the Burke Road exit ramp, which have now been contained to the exit ramp itself.

Now, if we can get those types of results for one level crossing, imagine what we could do once the other 49 were completed. But we know that the member for Bayswater, the member for Box Hill and the member for Caulfield will not get on this program, will not support it. They will not do the right thing by their residents. Simply, that is not good enough.

Port of Melbourne lease

Mr GUY (Leader of the Opposition) — My question is to the Treasurer, and again I offer an agreed way forward on the port licence fee and port rents as previously outlined: a minimum 10 per cent of the proceeds from a new port for new infrastructure in country Victoria and a reasonable compensation regime of 15 years from the commencement of the lease. This proposal is well supported and in the best interests of our state's future, and I ask: will the Treasurer now commit to accepting this offer and getting on with passing this legislation?

Mr PALLAS (Treasurer) — You can see what good-faith negotiation means for those opposite! Let us come up and ask a series of questions. If essentially what we are doing is nothing more than explaining what our respective positions are, let us consider this. The government came to a genuine negotiation offering a 50-year lease — well, 50 plus a 20-year lease extension. We abandoned that at the request of the opposition.

Mr Guy — It has never been there on the table.

Mr PALLAS — Fifty it said on the lease. Do you want to negotiate?

The SPEAKER — Order! Through the Chair.

Mr PALLAS — Fifty years! Fifteen years was the opposition's position. So what did we do? We go to 30 years. And what happens? The Liberal Party moves; it moves as fast as a glacier to 15 years again. We saw nothing. Then we go, 'Well, how about we give you 15 years from the commencement of a second container port?'. That is when compensation is meaningful. If you want to offer a compensation regime you probably want to offer it when it means something. But still, having considered our generous offer, what did we get back? Fifteen years. No good faith, no goodwill, no concern about the welfare and the wellbeing of the people of Victoria.

If we want to talk about compensation regimes, let us recall what the New South Wales government did. What did it do? Firstly, it sold as part of the transaction the port of Kembla. It took out the opportunity for a

contestable port. The New South Wales government took it out. That is what it did. Then in the transaction documents, what did the New South Wales government do? It put in a compensation regime. That is what it did. At what point are consistency, common sense and the interests of the people of Victoria actually borne in mind?

You have to spare a thought for the people of rural and regional Victoria, because their advocates sit on this front bench, sit on the front bench of the opposition, happy to conspire to devalue and sell out the people of rural and regional Victoria. This is nothing short of public policy disaster. They know it. Those opposite will not be part of the future of this leasehold arrangement the way things are going.

Supplementary question

Mr GUY (Leader of the Opposition) — It is clear there is no need to bypass the Parliament. There is no need for idle election threats. There is no need for any further delay. I ask the Treasurer: if he is not able to get a sensible agreement, is it not now time for him to step out of the way and leave it to someone on his own side who can?

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Ripon

The SPEAKER — Order! The member for Ripon will withdraw from the house for a period of 1 hour.

Honourable member for Ripon withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Port of Melbourne lease

Supplementary question

Questions and statements resumed.

Mr PALLAS (Treasurer) — Once again I thank the Leader of the Opposition for his question. All this process has demonstrated is how the Leader of the Opposition has no control over the member for Malvern, and of how the policy formula is nothing more than the member for Malvern pulling the strings. His puppet is the Leader of the Opposition — his

puppet, bought and paid for. Of course let us not get too worked up about bypassing the Parliament by using an act of Parliament. There I was one morning eating my Weet-Bix two or three years ago, only to find that the member for Malvern had sold the Rural Finance Corporation without going to the Parliament. You bloviating hypocrites!

Honourable members interjecting.

Ministers statements: Macalister irrigation district

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I rise to inform the house of new information about another critical project that we want to fund in regional Victoria — that is, stage 1B of the Macalister irrigation district. This is a vital piece of water infrastructure that will further drive what is already a district that is delivering \$500 million of economic activity each year.

We have recently completed the assessment of the business case, and I am very pleased to advise the house that the business case shows that this project absolutely stacks up. As a minimum, it will return \$1.47 for every \$1 invested. The project will modernise approximately 85 kilometres of manually operated channels and deliver 39 kilometres of pipeline and 32 kilometres of automated channels. It constructs the Southern Tinamba pipeline and will result in improved water security for irrigators, improved service delivery and increased productivity opportunities.

It will improve waterway and wetland health, and it will create over 200 jobs in construction. That is why we are supporting this project through a \$20 million commitment from the Agriculture Infrastructure and Jobs Fund. The only thing that is standing in the way of actually funding this and getting on with this job is those who are holding up the port legislation — blocking this investment, blocking these new jobs and opportunities in Gippsland — —

Honourable members interjecting.

The SPEAKER — Order! The Chair is unable to hear the minister. Both sides of the house will allow the minister to continue in silence.

Ms NEVILLE — They are standing in the way, blocking this investment, blocking the jobs and opportunities in Gippsland, blocking a critical piece of water infrastructure and investment in regional Victoria. In fact the member for Gippsland South stated it would save liquid gold. If we want to talk about people who stand up in the best interests of Victoria,

maybe it is time the National Party stood up for the best interests of regional Victoria like we do. We will continue to support regional Victoria, unlike those opposite.

V/Line services

Mr WALSH (Murray Plains) — My question is to the Minister for Public Transport. Yesterday we heard that the federal Labor candidate for Gippsland had publicly expressed her concern at the Minister for Public Transport's handling of the V/Line fiasco, and today the federal Labor candidate for McMillan, a former staffer of Harriet Shing in the Legislative Council, states on his own Labor Party website that:

There is little optimism that services on the Gippsland line will improve in any measurable way.

Given that the minister's own party has no faith in her ability, how can the people of country Victoria have any faith that she will fix this V/Line fiasco?

Ms ALLAN (Minister for Public Transport) — Obviously the Leader of The Nationals appears to be obsessed with reading Labor Party websites. He is obsessed with this rather than — —

Honourable members interjecting.

Ms ALLAN — I appreciate the obsession of the Leader of The Nationals with the federal Labor Party and federal Labor Party candidates; it is just a shame he was not as interested in improving services on the Gippsland line when in government. In over two years the Leader of The Nationals was part of a government that only spent 1 per cent of country rail maintenance funding on the Gippsland line, so I can well appreciate that the Gippsland community is very frustrated with both the situation — —

Mr Hodgett — Do something!

Ms ALLAN — Finished?

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

Ms ALLAN — I can understand that the Gippsland community is very frustrated both with what is going on now and with the history and the issues that have gone on, because again these very loud voices opposite were dead silent when they were part of a government that took \$74 million out of the V/Line budget. They can be loud, and they can be carrying on — —

Honourable members interjecting.

The SPEAKER — Order! The minister, to continue in silence.

Ms ALLAN — That is why we are working very hard both to address the short-term issues with the closure of the Gippsland line, putting in place the interim solution that will see the safety regulator lift that line restriction by mid-March, and to put in place a long-term, permanent solution that will address the issues with the boom gates on the Gippsland line that were ignored for four years by those opposite. They were told in 2011 and in 2012 that this was a problem — and then did nothing. That is why we have immediately funded the longer term solution — the \$23 million that will go into the installation of axle counters on this line.

We will not abandon Gippsland and abandon regional Victoria like those opposite did. These very loud voices have been part of a government in the past that closed seven country rail lines, that cut V/Line's budget and that abandoned regional passengers. That is something we condemn them for and will take a very, very different approach to. We will invest in building up V/Line for the future.

Supplementary question

Mr WALSH (Murray Plains) — Given that the minister makes even the Minister for Education look popular, are there any federal Labor candidates or members of her own caucus who do not think her handling of the V/Line fiasco is woeful?

The SPEAKER — Order! The Chair will extend the opportunity to the Leader of The Nationals to put the question again. As the Leader of The Nationals understands well, questions must be related to government administration. Upon advice, that question was not so related. The Chair will give the Leader of The Nationals one last opportunity to make it relevant to government administration or the Chair will rule the question out of order.

Mr WALSH — Thank you very much, Speaker. Is it government policy that the minister should make the Minister for Education look popular, or are there any federal Labor candidates or members of her own caucus who do not think her handling of the V/Line fiasco is woeful?

Ms ALLAN (Minister for Public Transport) — You want to talk about a popularity contest! The Independent member for Shepparton is testament to the popularity of The Nationals in regional Victoria. The Independent member for Shepparton, who was able to win a seat from both The Nationals and the Liberal

Party, is a demonstration of how they have failed regional Victoria.

Honourable members interjecting.

The SPEAKER — Order! The Chair understands it is Thursday, and I am sure that most members are looking forward to going back to their electorates, but the minister is entitled to be heard in silence, and the minister will continue in silence.

Ms ALLAN — As the Treasurer has already told the house, because those opposite are complete kittens — The Nationals, when they are in government, are complete kittens — that is why their popularity is so low. They do not even have party status in this Parliament.

Mr Walsh — On a point of order, Speaker, in relation to the minister's response to the supplementary question. I do not believe the minister actually answered the question. I ask you to ask her to provide a written response.

The SPEAKER — Order! The Chair does not uphold the point of order.

Ministers statements: port of Melbourne lease

Mr PALLAS (Treasurer) — I rise to update the house on the progress of the Andrews Labor government's initiative to lease the port of Melbourne and remove 50 of our most dangerous and congested level crossings. This government sought and received a mandate to lease the port at the last election. Those opposite are trying to stand in the way of the removal of our level crossings, of the Murray Basin rail project and of the Agriculture Infrastructure and Jobs Fund.

There is a widespread consensus that the lease of the port is in the best interests of the state. The Victorian Farmers Federation knows it, the Victorian Employers Chamber of Commerce and Industry knows it, the Victorian electorate knows it and, most of all, those opposite know it. This government has been more than willing to make genuine compromises and engage stakeholders. We have given protections through the Essential Services Commission to port users. We have offered dedicated funds and dedicated legislation to regional infrastructure, which those opposite would not do.

But we cannot and will not compromise with the mindless destructiveness of those opposite. This makes clear that all those opposite have ever stood for is to oppose, to wreck and to talk down any achievements of this government, terrified that the legacy of this

government will prove the enduring wisdom of the Victorian people in November 2014.

But ultimately this government will proceed. We will not be held hostage by those opposite. We will keep our promises to the Victorian people. If those opposite think that they can trash the will of the Victorian people from the opposition benches, they will have a day of reckoning.

CONSTITUENCY QUESTIONS

South Barwon electorate

Mr KATOS (South Barwon) — (Question 6829) My constituency question is to the Minister for Public Transport. I will quote from an email of 23 February from Torquay resident Clare Murphy regarding poor V/Line services:

As a long suffering V/Line passenger I have had to endure a constant barrage of overcrowded, delayed, cancelled services. Especially since the regional rail link was launched. However, today I feel defeated and my resilience is done.

...

I am done with the rhetoric that Jacinta Allan and Dan Andrews roll out on a daily basis re the RRL disaster.

My travel time to Melbourne was quicker in 1999. It was quicker in 2012!

Either way I am done.

I will drive to work from now on until I am able to find employment back in Geelong.

I ask the minister: when will the V/Line debacle she has overseen on the Geelong line finally be resolved?

Buninyong electorate

Mr HOWARD (Buninyong) — (Question 6830) My constituency question is to the Minister for Roads and Road Safety. I ask the minister: what are the benefits of the western distributor to the residents of Ballarat and the surrounding region? Rail and road connections between Ballarat and Melbourne are vitally important in supporting the residents of my electorate. They have benefited greatly from investments made by the former Labor state government to upgrade our rail services, and with the support from the former federal Labor government we saw the construction of the Deer Park bypass and the Anthonys Cutting section of the Western Highway also substantially upgraded to provide good connections. Residents in my area know that as they move towards the West Gate Freeway at peak hour it can be slow, and there is great pressure on

this. I would welcome an answer from the minister with regard to the western distributor.

Morwell electorate

Mr NORTHE (Morwell) — (Question 6831) My constituency question is to the Minister for Energy and Resources. Members of Advance Morwell, which is a business and community representative organisation, have asked if funding that was initially earmarked for Shanghai Electric under the Advanced Lignite Demonstration Program but not actually allocated will be redirected into the Latrobe Valley for other economic development programs. Joint funding of \$25 million by the state and federal governments was announced in 2014, but unfortunately the Shanghai project, which was to be based in the Latrobe Valley, did not eventuate. Our local community is eager to understand if the state government's portion of the funding could be reallocated into other local economic development programs, whether they be energy and resource related or otherwise. The Andrews government axed the coalition's successful \$15 million Latrobe Valley Industry and Infrastructure Fund, leaving our community without a specific economic development fund. Therefore the redirecting of this funding into our community is critically important to boost business confidence.

Macedon electorate

Ms THOMAS (Macedon) — (Question 6832) My constituency question is to the Minister for Health, and I ask: what is the latest breakdown of costs and impacts of commonwealth cuts to health services in my electorate of Macedon? The reason I ask is because the cuts last year of \$17.7 billion will affect Kyneton District Health Service and Hepburn Health Service in my electorate. People in my community rely on those health services and they deserve for them to be respected by their government. The most recent advice I have is that these cuts are set to see \$41.5 million specifically ripped out of two vital health services in my electorate, but I ask the minister for the most recent information. We must be able assess the impact of these cuts and hold the federal government accountable for its reckless vandalism.

Gembrook electorate

Mr BATTIN (Gembrook) — (Question 6833) Outlook Victoria is a vital service for the employment of people with a disability in my electorate and the Cardinia shire. A \$500 000 grant from the former coalition government was reliant on negotiations for a land transaction, which have stalled. All parties agreed

to the land sale, including the government, but the deal was withdrawn on the day of signing, with the government saying it will now have to go to tender, putting at risk 25 employment opportunities for people with a disability. Will the minister confirm that actions by her department have stopped the transaction of the sale of land to Outlook Victoria, therefore preventing the employment of 25 people in the disability sector?

The SPEAKER — Order! Which minister did the member for Gembrook refer the matter to?

Mr BATTIN — The Minister for Environment, Climate Change and Water.

Sunbury electorate

Mr J. BULL (Sunbury) — (Question 6834) My constituency question is to the Minister for Public Transport. Following the release of the Melbourne Metro rail project business case this week and the announcement that the project will create 4000 new jobs, build five new stations and transform the state's public transport network forever, I ask: how will the Melbourne Metro rail project improve morning peak capacity on the Sunbury line?

Melbourne electorate

Ms SANDELL (Melbourne) — (Question 6835) My constituency question is to the Minister for Education. The Docklands is predicted to house 850 school-aged children this year, and yet there is no school in that suburb or the CBD. Kids are having to travel to places like Glen Iris, Port Melbourne, North Melbourne, Toorak or Hawthorn to attend school. But these schools are already full, with kids often having to attend classes in libraries and hallways. There have already been many reports and reviews on the need for a Docklands school, but no action has been taken.

Just before Christmas, rather than committing to a school, the Labor government opened yet another consultation process, but mums and parents were given only eight days in which to respond. We understand there will be a second phase of this report but that it will not include any community consultation at all. My question to the minister is: why is the government shutting the community out from the second-phase report, and when will a school finally be built for our inner-city kids?

Broadmeadows electorate

Mr McGUIRE (Broadmeadows) — (Question 6836) My question is to the Minister for Consumer Affairs, Gaming and Liquor Regulation. I

ask the minister for the latest information on using the redistributive mechanism from the gaming machine revenue to maximise benefits to local communities. More than \$100 million was lost on poker machines in the Hume municipality during the 2014–15 financial year, an increase of more than 3 per cent on the previous year. According to the Victorian Commission for Gambling and Liquor Regulation, in 2014–15 about \$3.4 million from Hume's clubs were seen to be of community benefit, but most of it went towards the operating costs of venues, including employment costs, electricity, rent, cleaning and maintenance rather than community activities and scholarships. This equates to \$287 518 per day lost to Victoria's poorest community, which recently suffered unemployment equal to the rate in Greece and where youth unemployment is perilously high, estimated at more than 40 per cent. I call on the minister to address these issues.

Narracan electorate

Mr BLACKWOOD (Narracan) — (Question 6837) My question is to the Minister for Public Transport. The current chaos on the Gippsland V/Line network and the enormous disruption being endured by long-suffering commuters looks set to continue for some time. The decision by the Brumby government to deliberately exclude Gippsland from the regional rail project in 2010 consigned Gippsland V/Line travellers to a second-rate service compared to their regional cousins in Ballarat, Bendigo and Geelong. Part of the medium to long-term solution for the Gippsland line must be extra tracks between Pakenham and Caulfield. Can the minister confirm that as part of the level crossing removal program and sky rail on the Pakenham–Caulfield corridor a third and fourth line will be installed for Gippsland trains?

Frankston electorate

Mr EDBROOKE (Frankston) — (Question 6838) My question is for the Minister for Environment, Climate Change and Water. It is about the Pines Flora and Fauna Reserve in Frankston. Recognising that we want to encourage the greatest possible number of people to use and value the Pines Flora and Fauna Reserve, can the minister update me on what is being done to balance the uses of the reserve with its environmental importance?

The Pines Flora and Fauna Reserve is an important recreational asset for both my electorate and metropolitan Melbourne. It also provides valuable habitat for native animals, including southern brown bandicoots, swamp wallabies, echidnas and brush-tailed and ringtail possums. Visitor numbers at the reserve are

increasing, and it is great to see more people enjoying this beautiful and unique public space, but this has also led to an increased incidence of vandalism and in some cases arson. The increased number of dogs being walked off lead also threatens the conservation values of the reserve.

Members of the Friends of the Pines Flora and Fauna Reserve do great work and actually help with the management of the reserve. They strongly advocate for enforceable regulations as a way to improve management, reduce conflict between user groups and protect conservation values.

Mr Watt — On a point of order, Acting Speaker, I refer you to the question from the member for Broadmeadows. The member for Broadmeadows has asked for an action — he called on the minister to do something. Therefore I would contend that his question is out of order. I would also contend that the member for Frankston's question was not actually a constituency question; he asked for an update. Therefore I ask that you rule both of those questions out of order or, which is probably more appropriate, refer them to the Speaker so that he can rule them out of order when he is next in the chair.

Mr McGuire — On the point of order, Acting Speaker, I called for advice. It is clearly in the second sentence.

Mr Watt interjected.

Mr McGuire — It is. It is clearly in that sentence.

The ACTING SPEAKER (Ms McLeish) — Order! The member for Burwood!

Mr McGuire — It was asking for advice. It is clear cut. There is no point of order.

Mr Edbrooke — On the point of order, Acting Speaker, I did ask for an update, and it was followed by a question seeking information. There is no point of order.

Mr Gidley — On the point of order, Acting Speaker, I rise to support the member for Burwood's point of order. It is clear that the constituency questions were out of order. I submit that that is the case and ask you to refer the matter to the Speaker for analysis. They were out of order.

The ACTING SPEAKER (Ms McLeish) — Order! I have heard enough on the point of order. I will be referring the matter to the Speaker for his attention and action.

HEALTH COMPLAINTS BILL 2016

Second reading

Debate resumed.

Ms EDWARDS (Bendigo West) — I am very pleased to rise today to speak on the Health Complaints Bill 2016. I think that all of us would agree that this particular piece of legislation is indeed long overdue because it is a piece of legislation that will protect Victorian patients, and this government is absolutely getting on with that.

I had some cause to pause and reflect on what this particular piece of legislation means. I reflected on my own experiences around potentially looking for alternative medical information or support, particularly during the time that my late husband was quite ill with cancer. I think a lot of us in this house go on to Google now and then and look for symptoms that we have to assess our own medical complaints. Certainly during the time that my late husband was ill I do recall that happening.

When you get to the point where end of life is probably going to happen, you do look for answers and hope, and in some cases you engage in a pretty desperate search for a solution. Unfortunately — well, fortunately for us; we did go down the path of some alternative medicines, but certainly in consultation with specialists and our GP — there are people who find themselves in vulnerable situations like that who might want to go down the path of seeking alternative medicines or alternative treatments. Certainly in some cases they may do so. But these vulnerable people can also be caught in the trap of getting advice from people who are not trained medical practitioners — people who do not have the expertise, particularly when it comes to particular types of cancers that require specialist treatments.

I just wanted to reflect on that because I think that there are probably more people than we know out there who do actually look for alternative sources of treatment or alternative ways of being treated, particularly if they have terminal illnesses. It is important that we protect those people from dodgy practitioners or dodgy providers of alternative medicines that might provide incorrect advice or might just be out to make a buck or two out of people who are very, very vulnerable.

As I mentioned at the commencement of my speech, this bill is long overdue. The old act is very much out of date. Although it originated in response to a review of the act in 2012 under the previous government, clearly

we have taken a while to get to this point. We had four years of the former government, and here we are now finally in 2016 getting on with this.

I think it is really important that we note that there are many people out there in the community who will benefit from this piece of legislation. We have made substantive improvements to the previous government's bill, and they are based on the panel's review and on the original recommendations that were made, and we have made sure that these changes are in fact in line with the panel's expert opinions. One of the changes that we have made includes using the title 'health complaints commissioner', as recommended by the panel. The previous government had the commissioner being referred to as the healthcare quality commissioner, which was perhaps in some sense a little confusing and a little misleading for people.

What is really important about this bill though — and I think I should have mentioned this at the start — is that anyone under this legislation can make a complaint. It does not have to be the patient; it does not have to be the person who was actually mistreated or ill-informed or who came out of a situation worse off than they were when they went in to see a dodgy health provider. Removing the need for consent from the person who received a health service before a third-party complaint can be made is expanding the scope under which the complaints can be made.

The introduction of own-motion powers that close loopholes in the existing legislation means that an investigation can indeed be launched without a complaint or a referral. Switching from a list of types of health services to using a broader definition in line with the Council of Australian Governments (COAG) Health Council's recommendations ensures that emerging technologies, that gay conversion therapy and that other fraudulent providers are included in the legislation. As we know, gay conversion therapy has become increasingly concerning across our community, and it is something that this government finds extremely undesirable and something that should never, ever exist in our society. The bill also gives the commissioner the power to disclose information to avoid serious or imminent risk — for example, if they discover that a massage therapist is sexually assaulting patients.

The panel's report also included consultation with key stakeholders in 2015 to make sure that the legislation reflects the current national law and the work that is currently being undertaken at the COAG Health Council. During this consultation process stakeholders such as the Victorian Healthcare Association, the

Australian Nursing & Midwifery Federation, Cancer Council Victoria, the disability services commissioner and the Australian Dental Association were all involved, and they all welcomed the addition of the health complaints commissioner's own-motion powers and the significant work that was being undertaken to develop this legislation over the past 12 months.

If someone in the community is found to be making false claims and to be acting in a manner that puts the community at risk or individuals at risk, the commissioner now will be able to investigate and issue public warnings and name and shame providers and, if needed, will have powers to shut them down. This is very important, because we know that in the past dodgy medical practitioners and providers of medical services have been allowed to continue to practise despite the fact that allegations have been made and investigations are underway into their practice.

I refer to an ear, nose and throat specialist from the north-east region who is under investigation currently and has had many complaints made against him, and yet he is continuing to practise. This legislation will prevent that from occurring and shut those people down who are not doing the right thing. This particular practitioner — and this was recorded in the *Herald Sun* last year, I think in November — has had complaints made against him by other specialists, particularly ear, nose and throat specialists down here in Melbourne, and the fact that he has been able to continue to practise means that more patients have been affected by that particular surgeon's operations and practice. If rulings banning individuals and organisations from practising are flouted, as they currently can be, there will be a significant penalty. A fine and/or up to two years imprisonment may apply.

The laws will also prevent dodgy healthcare practitioners who are not regulated under the Health Practitioner Regulation National Law and are banned in other states from moving to Victoria and offering their healthcare services here, and we know that that has happened in the past. In particular there is the case of a midwife who has been able to travel interstate but has not had good practice.

In conclusion, I want to say that I think this bill goes a long way to protecting particularly vulnerable people in our community who may be seeking that final piece of advice or that final piece of support that might help them to extend their life. If they end up going to a quack or a dodgy practitioner and getting the wrong advice, that can really complicate matters for them, and they can also be ripped off by many dollars in the process. I think this legislation is exceptional in the way

that it will support those particularly vulnerable people. I commend the bill to the house.

Mr GIDLEY (Mount Waverley) — It is my pleasure to rise this afternoon to make a contribution to the debate on the Health Complaints Bill 2016. The bill represents the substantial work that has been done over the years, predominantly by the previous Liberal-Nationals coalition government, and it is important for the record to set the context for the heavy lifting, if you like, that was done by the previous government. In 2012 the government acted because it knew that the statute that was on the books needed to be changed, so it commissioned a review of the Health Services (Conciliation and Review) Act 1987. It did this in a meticulous way and a very thorough way by appointing an expert panel, which was chaired by Michael Gorton, made up of health service providers, healthcare recipients and also clinical experts to review the act and to make recommendations based on their knowledge and their experience of strengthening the role of the commissioner.

That is a process that if it is going to be done properly, if it is going to be done thoroughly, it does take some time. It is not an overnight job, and it is important on these particular matters to get things right. We as the previous government make no apologies for doing this in a meticulous and thorough way and doing it in a way which put patient protections and patient care first. We brought legislation to the Parliament in 2014. We moved very quickly as a result of those recommendations to bring legislation in, but unfortunately with the election in 2014 that bill lapsed, and now in 2016 we have the bill which is before the house.

There is no doubt that there are some elements of this bill that mirror the previous bill and will improve the mechanisms for patients and people accessing health services to be able to make complaints. In addition to that, there is obviously the capacity for the commissioner to ensure that a third party can initiate an investigation. Whilst that sounds very good in theory, unless the commissioner is funded appropriately, it is one of my great concerns, based on the record of this government, that it will simply be an action in writing. It will not be effective because of the cuts that this government has made in the health services area.

I note that the New South Wales healthcare complaints commissioner currently accepts third-party complaints and receives approximately twice as many complaints as the Victorian health services commissioner. What that statistic very clearly shows is that unless there is appropriate funding there, which based on the track

record of this government is unlikely to happen, then it will not make the difference that it should. It really will not make the difference that we in the Liberal-Nationals are seeking.

The other area of concern of course is clause 139, which provides that the commissioner must report to the Parliament within 12 months of the end of the financial year. That is quite a long period of time, and we will no doubt be seeking some changes in relation to that.

I want to focus in particular on this funding aspect because, as I said, it is very important that the record is set straight. If we look at funding of health services generally, we can see that things in Victoria are not improving. Things in Victoria are not even standing still. Things in Victoria under this government are going backwards. I look at the health performance data in particular, and I note that across Victoria there are 43 588 patients waiting for elective surgery. That is quite a lot of people to be waiting for elective surgery, but the key aspect of that figure is that there has been an increase of 2700 patients waiting for elective surgery since this government came to office. Over 9000 patients are currently waiting over the clinically recommended times for their elective surgery. Again I put this on the record: that is an increase of 1000 from just three months ago. It is clear from that health services data that there can be no question that Victorians are waiting longer as a result of this government and that we are not moving forward in this state as a result of the way in which this government is providing health services. We are moving backwards.

I now turn to another indicator which shows the way this government is running our hospitals and our health services into the ground — that is, the disaster of the vacant floor at the Victorian Comprehensive Cancer Centre, which has been so mishandled. We know that not only has the government not worked out what to do with — —

Ms Thomas — On a point of order, Acting Speaker, you have given the member some latitude in his contribution on this bill. I would suggest that he is now completely off the bill. The bill has nothing to do with the Victorian Comprehensive Cancer Centre, and I would ask you to bring the member back to speaking on the bill.

Mr GIDLEY — On the point of order, Acting Speaker, this debate has certainly allowed for members to refer to hospital services, and that is the correct way in which this debate has been framed and undertaken because of the relevance of the health services

commissioner to hospital funding and hospital services. I make no apologies for pointing out in my contribution how these hospital services are going backwards. The government may not like to hear the facts on the record, but that does not mean that this debate is not consistent with standing orders.

The ACTING SPEAKER (Ms McLeish) — Order! I note that it has been a fairly wide-reaching debate, but I want the member to continue to talk against the backdrop of the Health Complaints Bill.

Mr GIDLEY — As I said, funding is so important for patient care, particularly in relation to this bill. We have talked about how hospitals and health care are going backwards based on the figures that have been released. We have talked very clearly about the debacle of the vacant floor at the Victorian Comprehensive Cancer Centre and in particular the \$20 million or thereabouts of donations which are now threatened or at risk as a result of that. But probably when we are talking about health services and patient care, the stellar — and I say that with great regret — decision of this government, with its impact on putting health services back in my district has been the cutting of a dedicated emergency department at the Monash Children's hospital.

From a health services perspective, which the commissioner will no doubt receive information from, it was very, very clear that there would be a dedicated emergency department at the new Monash Children's hospital. That commitment was made by the previous government. Under this government the dedicated emergency department for children has gone. It has been completely wiped, and that is as a result of the cuts that this government has made.

The other aspects of the project that we know are under threat and are unlikely to occur involve the rest of that particular precinct. There was going to be an additional floor for health services, which again the commissioner may have received feedback from; that is gone. There have been cuts to the dedicated emergency department at Monash Children's; it is gone. There have been cuts to the additional floor; it is gone. The \$177 million all up that has been cut from that project by this government is unfortunately a stellar indicator of how hospitals have been cut under this government.

What a contrast that is to the new Box Hill Hospital, which was opened by the previous coalition government and again which the commissioner will no doubt receive information on. An additional floor was put in at no extra cost. The hospital was opened ahead of schedule. I note that it was supposed to open at the

end of 2015, but it opened early. Clearly there is a contrast there. One government says to our sick kids, 'We'll cut your dedicated emergency department'. One government says to cancer patients, 'We will strip a floor out of the Victorian Comprehensive Cancer Centre because we don't know what to do with it'. That is compared with a government that rebuilt Box Hill Hospital and compared with a government that had an extra \$177 million in that Monash Children's precinct. That is the record. That is a fact, and this government, which cuts health services, should hang its head in shame.

Honourable members interjecting.

The ACTING SPEAKER (Ms McLeish) — Order! I call on the member for Eltham, without the assistance of her colleagues.

Ms WARD (Eltham) — Thank you, Acting Speaker, but I have to tell you that my colleagues are fantastic. They help and support me along the way, and I actively encourage them.

The ACTING SPEAKER (Ms McLeish) — Order! The member for Eltham will conduct her debate through the Chair and not through her colleagues.

Ms WARD — I thought I was speaking through you, Acting Speaker. Thank you for the correction.

The ACTING SPEAKER (Ms McLeish) — Order! With all due respect, the member was directing her comments and bringing her colleagues into her debate.

Ms WARD — This is a good bill. This is a bill that we should be celebrating and speaking positively about, because there are a lot of positive things in this bill. Do members know one of the things that is positive about this bill? It is that we fixed it. We made this bill better. Why did we make this bill better? Because it was not very well drafted in the first place. Why was it not drafted very well in the first place? Because we did not draft it — the previous government did. It was a weaker bill that did not realise the full extent of the expert advisory panel advice.

Due to the previous government's inability to manage its legislative agenda — something which has come up in the house quite a lot over the last 12 or so months — we have had to come in, fix it up and put forward legislation that those opposite just did not quite get around to discussing and working on. They just did not quite get around to the work that was needed to make important legislation happen. They did not prioritise this bill, and they failed to do so as it passed it through

this house. Had they acted more quickly on the recommendations of the panel, many Victorians may have avoided harm at the hands of unregistered providers.

Last year we saw some horrific examples of what happens when unregistered providers go for it — when they go for broke and they hurt people immeasurably. This is important legislation that has to be got right; it had to be thought about carefully. It should have been presented much, much earlier, but we had to get in and do it properly. We had to yet again come in and clean up this mess. We would have loved to have got this bill through faster — we would have loved to have been discussing this last year — but we take patient care seriously. Health care is a fundamental part of what it is to be a member of the Labor Party and to be an activist within the Labor Party and indeed to be a government of Labor Party members of the Victorian people. This is why we have gone through and done it properly.

We will not rush. We will pay attention to the health needs of the people of Victoria. Any criticism made over how long we have taken to get this right is absolutely misplaced and is in fact hypocritical. It is absolutely hypocritical given that we had a coalition that floated around for four years, had its vacation and did not get this legislation through. Had it done a better job, it would not have taken us this long to fix its mess and to get this legislation right — it really would not. It is just amazing how many times this comes up and how many times we are stepping in and are having to mop up the coalition's mess. If coalition members had actually done their work and done things properly, we would not have to do that. But, no, they slow things down, and they slow things down by talking about things that are not really relevant to this bill and that do not really help patient care. They tell a long story about nothing. It is time for them to actually get to work and to think about the things that they are talking about, to think about important legislation like this and what it really means to Victorians and their health needs.

We should not have had to go back to the drawing board and ensure that nothing was missed from the original review. We should not have had to do that, but unfortunately we did because this is another example of the absolute laziness of coalition members and their lack of regard and respect for the health needs of everyday Victorians. It is just not on the coalition agenda, and coalition members should be absolutely ashamed. A huge gap in the bill was the flexibility around third-party complaints. It is crazy that they could not have had the foresight to think this through. The coalition bill still tied the hands of the commissioner, who may have been forced to watch and

wait for a complaint, even if it was aware of issues where the public were at risk. That is just nuts! Only a lazy government would allow that to continue. Further, time was taken to ensure that the bill was consistent with progress or changes to national law. This is long overdue legislation, and I congratulate the minister and the government for actually getting on with it and yet again making things happen.

Of particular interest to me is a crackdown on dangerous health practitioners who take advantage of vulnerable Victorians. I really want to talk about conversion therapy, because I think that the idea that people can get out there and tell you that you are not valuable, that you are not right, and who say, 'I can fix you and make you like me', is just absolutely outrageous. It is absolutely outrageous. To think that that behaviour could be condoned, that that behaviour could be accepted, is just absolutely astonishing, and it is absolutely horrible.

I want to talk about *Ferguson et al. v. JONAH*, the conversion therapy court case in which people were subjecting young people to very harmful practices around trying to convert them from being who they were — the core of who they were. It is just unbelievable.

Mr Dimopoulos interjected.

Ms WARD — Absolutely — their humanity. To think that you can change someone fundamentally like that is just such a misunderstanding of who people are. It is just a fundamental misunderstanding, which is exactly what we see when we have people who listen to the likes of Cory Bernardi and decide that the Safe Schools Coalition has to be looked into. Just as with conversion therapy, it is absolutely wrong, and it is unjust. It is just plain wrong. To think that kids should not be who they are and should not be able to express their own identified gender and their own identified sexuality is just wrong. The Safe Schools Coalition, unlike conversion therapy, is there to support people. It is there to support kids, and I know my own high school, Eltham High, does a fantastic job with this program.

Ms Spence — It is a great school.

Ms WARD — It is an absolutely great school. I know you are a past student and look at how fantastic you are, the passionate person you are and how you care about social justice.

The ACTING SPEAKER (Ms McLeish) — Order! The member for Eltham has been asked previously to direct her comments through the Chair

and not to engage with her colleagues. I ask her to continue, through the Chair.

Ms WARD — Thank you, Acting Chair. These counsellors at JONAH, which is Jews Offering New Alternatives for Healing, use techniques that leave clients alienated from their families. They encourage clients to blame their parents for being gay and go so far as to have clients participate in violent role-play exercises where they beat effigies of their mothers. This is just crazy. To think that this could actually be a condoned medical practice is just crazy. This government will be able to stop that.

That we have consistently held a stop sign up to unfair and unjust practices is exactly right and is exactly what good government does. Good government does not let its vulnerable people be taken advantage of. It does not let vulnerable people be abused. It does not let vulnerable people be damaged. As much as people can be damaged by being subjected to conversion therapy and the quackery associated with that — the mad pop psychology — vulnerable people have also been subjected to having other people point the finger at them and say, ‘You’re not right. We need to fix you. We need to make you better’. This is wrong; this is absolutely wrong, and it is plainly and simply — and I will cite Bill Shorten — homophobic.

An honourable member interjected.

Ms WARD — Absolutely. Just as Cory Bernardi is a homophobe, people who engage in conversion therapy are also homophobes. And do you know what? It is time to get with the program and time to cut it out — absolutely time to cut it out. This government does not accept homophobia. I call on my colleagues in this place in the coalition to also come to the party and to call out homophobia where they see it, to support the Safe Schools Coalition, to support our vulnerable young people as this government is supporting young people — —

Mr Wakeling — On a point of order, Acting Speaker, clearly it is a wideranging debate, but it has nothing to do with the education portfolio. I ask you to bring the member back to the bill.

The ACTING SPEAKER (Ms McLeish) — Order! I have allowed considerable latitude in a wideranging debate, and I do see that the member has strayed somewhat. I ask her to contain her comments within the framework of the bill.

Ms WARD — I commend the bill to the house.

Ms COUZENS (Geelong) — I rise to speak on the Health Complaints Bill 2016. Firstly I want to congratulate the minister on her work and on her commitment to the people of Victoria in protecting them from the quacks who have unfortunately set up in the state. The Andrews Labor government has made substantive improvements to the previous government’s half-baked bill, going back to the review panel’s original recommendations to ensure changes were in line with expert opinions.

The original legislation, while considered pioneering, was introduced by the Cain Labor government and is now nearly 30 years old. Times have changed significantly. The bill sought to establish the confusingly titled healthcare quality commissioner and ignored a number of panel recommendations, including the importance of introducing an own-motion investigation power for the commissioner. This resulted in a far weaker bill that failed to realise the intent of the expert advisory panel. Had the previous government acted more quickly on the recommendations of the panel, many Victorians at the hands of unregistered providers would not have been ripped off when the previous government came to office.

The Andrews Labor government was made aware of the need for this legislation, and unfortunately a significant amount of work had to be done to improve and clean up the legislation which has resulted in the bill before us. Government members would have loved to have got the bill through faster, but matters of patient safety should not be rushed. Any criticism over the time taken is misplaced and reeks of hypocrisy, given that the former government had four years and did nothing in this space. Had its members done a better job, it would not have taken so long to fix the mess of a bill this government was presented with upon coming to office.

The government has had to go back to the drawing board to ensure nothing was missed from the initial review. A huge gap in the bill was flexibility around third-party complaints and the own-motion power, which meant that the Liberal bill still tied the hands of the commissioner, who may have been forced to watch and wait for a complaint, even if they were aware of the issues that the public was at risk. Further time was taken to ensure the bill was consistent with changes to the national law.

This is long-overdue legislation that will protect Victorian patients, and we are getting on with delivering it. The old act needs to change to reflect modern standards and the needs of our community. The current complaints process is confusing for patients,

and the commissioner lacks the powers needed to follow through on recommendations, leaving patients exposed. I have heard many stories from my own constituents, real horror stories of being ripped off by quacks in our community. More importantly, the old act has not protected those patients.

I want to go to the serious concerns I have about the federal government's health cuts in Geelong and how they will impact on my constituents, including low-income people, people who are sick and vulnerable who will be impacted because they will not be able to access the services they traditionally have because of those federal government cuts. What these cuts will do is drive people to internet quacks, to people who promote themselves in local newspapers and through letterbox flyers about how they can cure cancer or cure all sorts of things. People go to them only to be ripped off by people who misrepresent what their illnesses are. Health and safety is a fundamental right that we should protect for all Victorians. The commissioner will have increased powers to take action against dangerous and unethical health providers who are not registered under the National Health Practitioner Regulation Law.

The bill includes a new broad definition of a general health service to ensure unregistered providers are appropriately captured. This includes individuals and organisations. For example, dental technicians, massage therapists, speech pathologists, counsellors and physiotherapist, homeopaths and reiki therapists — anyone who is claiming to be delivering a service to assess or improve someone's health and wellbeing. This is a significant change in this legislation. This means health bloggers who might sway people away from traditional medical cancer treatments through the sale of supplements or diet guides, dangerous quacks who offer pseudo-spiritual treatments and charlatans who peddle lies about curing an individual's sexuality are captured and can be shut down.

People generally trust those who claim to be medical professionals. When you are sick and vulnerable you do tend to fall for some of those stories, and often families do as well. When a family member is ill, everybody rallies around and tries to help in whatever way they can, and when they hear someone is touting that they can actually fix a problem or they have a cure, people fall for that and unfortunately get sucked into being ripped off by these quacks that we have in our community.

At the moment there are not the appropriate protections in place to ensure that the public will be safe. Currently if the commissioner receives a complaint about an unregistered practitioner offering unproven treatment,

they are able to investigate, but the commissioner has no powers to stop an individual from operating. This new legislation will provide the necessary means to crack down on individuals who, through incompetence, negligence, a lack of skills or criminal intent, cause real harm to those who put their trust in them. That is the thing: people put their trust in these people, and unfortunately listen to their quackery and fall for that and often end up either becoming more unwell or, in extreme circumstances, die. It actually even impacts on the family even more, because family members feel guilty about what has happened to their loved one.

If someone is found to be making false claims and to be acting in a manner that has put the community at risk, the commissioner will be able to investigate and issue public warnings, and name and shame providers if needed. The commissioner will have the power to shut them down. We cannot allow these people to continue to deceive and rip off vulnerable people. As I said, it is those people who are most vulnerable in our community and who are sick who are falling for these charlatans. The laws will also prevent dodgy healthcare practitioners who are not regulated under National Health Practitioner Regulation Law and are banned in other states from moving to Victoria and offering their healthcare services here. It is a way of preventing people from moving from state to state and in order to protect Victorians from those people. At the moment, the gap in the law means that Victoria is currently a safe haven for deregistered providers. The current commissioner has to wait for a complaint to be received before taking action. This puts people's health and lives at risk.

In a major change, this bill will allow anyone to make a complaint rather than just the person who received the health care, and this is important to Victorians. Often people remain silent, but if a family member can make the complaint, that is a great improvement. I have heard many stories of constituents who have had this quackery, this treatment, and have felt so guilty, have lacked confidence in doing something about it and have felt that there is nothing they can do. Family members have come and talked to me about this, and now we can actually tell family members that they can act on behalf of their family member — or in fact the authorities can, even when there has not been a complaint. That is a really positive thing about this legislation.

So the commissioner will have the power to instigate an investigation, even when no complaint has been lodged. For example, if the media uncovered a health service provider making fake or harmful claims — like the dodgy dentist operating in Meadow Heights, for example, last year — the commissioner could

investigate the matter without waiting for a complaint to be lodged by a person having received that service. This is important because it widens the reach of the health complaints commissioner, capturing cases where no complaint has been made because the individual fears the provider or feels vulnerable. This also allows for carers and family members to make a complaint.

This is long-overdue legislation that will protect Victorian patients, and it is important for my constituents in Geelong because, as I said earlier, there have been many complaints from constituents about these shonky set-ups that we have in our community. I commend the bill to the house.

Mr PEARSON (Essendon) — I am delighted to make a contribution today in relation to the bill before the house. As previous speakers have indicated, this bill supersedes the Health Services (Conciliation and Review) Act 1987. That was an important piece of legislation which was devised under the leadership of David White, whom I worked with for many years. It was really a way of trying to look at finding a way in which complaints could be handled more effectively, and that was through the establishment back then of the health services commissioner. David, to this day, speaks very fondly of his time as health minister, and it was the one portfolio that he had the greatest affinity with and was something that he was enormously proud to have had the opportunity to have served in.

The bill really is about trying to improve the quality and integrity of our healthcare system, and I was indebted to the member for Macedon this morning because I read her contribution in *Hansard*. It was a terrific contribution by a great, hardworking member that really enunciated very clearly and succinctly why we are doing this and some of the challenges we face but also the benefits that will flow from it. It was a great contribution, and it certainly assisted me in terms of making my contribution today.

As the member for Macedon indicated, one of the key aspects of the bill is to enable third parties to make complaints. Families and friends have now got the capacity, or will have the capacity as a result of this legislation, to intervene if they feel that something is wrong. Again I think that is something that is really important, because often when people are going through a major health struggle their judgement can be clouded. They might not be particularly focused. They might desperately want to hope for a cure and might embark upon all sorts of alternative therapies in order to achieve that, and they may be distracted. It is often the family members who witness firsthand, I think, some of

the challenges that people confront when they seek medical treatment, so that is important as well.

It is also important to note that the health complaints commissioner will have their own-motion powers so that an investigation can occur without a complaint or a referral. I think that is a really important step. This is about making sure that the commissioner has the ability to look at the sector, to be in receipt of information or to engage with consumers, practitioners and operators, and to then decide for themselves whether they want to intervene and investigate. I think that is a really good thing. It is about making sure that the commissioner, who sees a lot of these things, has got that power and that capacity to initiate, inquire and investigate. It is an important step.

As previous speakers have indicated, the bill that is before us is an iteration of an earlier bill that the previous government had not managed to pass before the last election. It is a significant piece of legislation now before us, and it required an awful amount of work to be done to tidy up the legislation that was proposed by the former government. In a perfect world you would have obviously looked at pushing this legislation through earlier in the term of the government, but the reality is that when you are dealing with matters of patient safety and when you are dealing with the medical profession and the various professional bodies associated with that, you need to take your time. You also need to be mindful of what is happening in other jurisdictions as well. So it has taken probably longer than I think many of us would have liked, but the reality is that what is before the house now is a detailed, comprehensive bill. We are able to, as a consequence, deal with this more efficiently and more effectively through the work that we have done.

One of the benefits of this bill as well is that it will give effect to our national code of conduct, and it will complement the Australian Health Practitioner Regulation Agency. When the original bill was envisaged in 1987, information did not really flow particularly well. We were very much a state entity in our own right. The reality is that that is no longer the case. The power of the federal government has grown significantly in the course of that time. The forces of globalisation have significantly changed the medical profession, and there is a need to look at trying to have better coordination across jurisdictions. The reality is that many of my contributions, in the brief time that I have been a member of this house, have focused on the efficiency gains that can be pursued by having a harmonised regulatory arrangement across a number of jurisdictions. I think that is really important.

The other great benefit of this legislation is that it looks at improving the quality and the quantity of the information that is available. Again, if you go back to 1987, you would have had the Channel 9 news, which was the main news service on the telly, you would have had 3AW or 3LO on the radio, you would have had the *Herald Sun* — or the *Herald* and the *Sun* back in those days — and you would have had the *Age*. Information was very, very concentrated, and it was very narrowly focused. It was held by a few. It was probably difficult to get up a story or to raise an issue, but if it did get up, it permeated across the state.

But in terms of detailed clinical information about the way in which the health services were being operated in the state, that was actually very narrow and very limited; very few people held that. That in itself has caused problems in the past, but this bill now provides a great opportunity. I am indebted to the Grattan Institute, which produced a document or a paper entitled *Questionable care — Avoiding ineffective treatment*. That was a document produced by Stephen Duckett. Professor Duckett found that there is a great variation — this was a national study, so it was across the board — in how often procedures are given in different parts of Australia.

The interesting thing about Duckett's findings is that often people were having unnecessary medical procedures. For example, it was found that more than 4500 people a year get hyperbaric oxygen therapy when they do not need it. Looking at the case of hysterectomy, more than half of ovary removals during a hysterectomy should never happen. And there are variations in terms of costs of treatment. Some treatments can go from \$1300 to \$4400. Some hospitals provide a treatment at 5 or 10 times the national rate. One hospital that was analysed provided arthroscopies for osteoarthritis 22 times more often than the national average.

Why is this important? We are looking at a world where we now have got almost perfect information flow. The reality is that information is readily dispersed, it is readily available, and it will help people to make more informed decisions. But from the point of view of operating a public health system, if we are able to look at having a better understanding as to what is happening out in various hospitals and departments within hospitals, then we can try both to improve the quality of care that people experience and also make more efficient the way in which those services are provided.

Again, Duckett found in relation to questionable care that it is highly concentrated not just in individual

hospitals but specifically in individual departments. That is telling, because basically what you would find from this is that poor conduct, bad behaviours, and suboptimal outcomes as a consequence of treatment are probably isolated to a small number of operators in a small number of areas.

A bill like this is important because what it really does is increase that information flow and make it far more transparent so that we can try to delve in and find out in relation to a particular department in a particular hospital, as a consequence of particular actions by particular individuals, what is the cost to taxpayers and what is the cost to patients. This is about efficiency and making a more effectively run public hospital sector. I commend the bill to the house.

Mr HOWARD (Buninyong) — I am pleased to add my comments with regard to this bill, which relates to health complaints. As we all know, a basic thing that all Victorians should be able to expect if they require and seek health support is that they can rely on getting good quality support and professional and sound health services wherever they are in Victoria. Certainly when the Health Services (Conciliation and Review) Bill 1987 was introduced by the Cain Labor government we saw a step to ensuring that if people seeking health care did experience problems with their health practitioners, they could seek redress by expressing their complaints to the health services commissioner. It was in 1987 that the bill was first brought in and we saw the health services commissioner established.

We know of course that health services have changed quite a bit in that time, so it is appropriate that reviews have been undertaken in recent years to evaluate what we can do better in this space to speed up the issues associated with health complaints and to try to save people from perhaps pursuing some health complaints through the courts when that may not be necessary. People need to know that they can get appropriate redress, and sometimes the redress they are looking for is not financial redress. It might be to ensure that the practitioner they have seen is able to redress and change their practice so that in the future people who seek health support from that practitioner can be more certain that they will get better support than the original complainant received.

We also know that technology has changed. As well as being able to visit a range of health practitioners, some of them registered and some from unregistered fields, there is a whole range of information available via the internet and via apps on our phones which can provide health advice.

In terms of the inquiries that have taken place over a period of time, we know that Michael Gorton, AM, who is now the chair of the Australian Health Practitioner Regulation Agency, undertook extensive reviews of the health services area and made recommendations. The health services commissioner also undertook a review in 2012, and more recently this government, in trying to finalise legislation in this area, has undertaken extensive consultation through 2015 to ensure that the legislation that we bring forward today has been formulated well and has addressed as many of the issues that have been raised as could be done in a sensible way.

What we are actually doing now is moving from having a health services commissioner to the establishment of a health complaints commissioner. The role of the health complaints commissioner is now more clearly articulated. The complaints commissioner has been given greater powers than the original health services commissioner had. In that way we will be able to provide some protection to members of the public against unscrupulous and unethical practitioners. That is clearly an area that the media has brought to the public's attention. Such people are relatively rare, but we want to make sure that any practitioners who are acting in an unethical and an unscrupulous manner are able to be drawn to the attention of the public and that the health complaints commissioner can take action to prohibit them from acting in future or put regulations in place that will limit their capacity. This is very important, but there are a range of broader issues that come forward in this legislation.

I have to say that in my role as a state MP, I have not had many people who have come to me to express their concerns about health complaints. Periodically I have had people who have expressed concerns with Ballarat Health Services. I have not had to forward those complaints on to the health services commissioner because Ballarat Health Services has had a very good system where I have been able to direct that complaint back to it. It has then let me know how it has been addressing the particular concern that has been raised. I have found that it has generally provided good, sound responses back to the complainant and an appropriate process has been put in place.

But clearly that does not always happen, and there will be people who are still dissatisfied by the response they get through the health service initially or the practitioner initially. Through Consumer Affairs Victoria they can get support in some cases, if people have misrepresented what they provided and have charged inappropriately — sometimes they can get redress through Consumer Affairs Victoria.

What the new health complaints commissioner will be able to do is hear complaints, and not just hear complaints but have more capacity to be able to deal with those complaints, although it is still a voluntary process to some extent. But this time the health complaints commissioner will be able to name people who they have received regular complaints about or a number of complaints about where they believe it is in the public interest to actually name a practitioner. They can ensure that the public is aware of that. They can require information so that if a practitioner has moved from state to state, they can follow up on that.

We know that the federal government is responsible for the registration of 14 different health professions, but there are clearly some people who are not registered under that process because they offer alternative health services. Sometimes they do a great job, and the people who visit those alternative health practitioners may advise that they are very satisfied about the services they receive. They feel much better, and they feel that those alternative practitioners are assisting them with their illness. We certainly know of cases where people who are diagnosed with cancer often go to seek alternative health help because the conventional health services do not provide them with perhaps a very positive prognosis.

So people in those positions, who have been diagnosed with a terminal illness or other serious illnesses, are going to be very vulnerable, and they will seek a range of health supports from a range of providers and often go outside the registered health field. Sometimes, of course, they provide, as I have said, good reports of the service they are provided, but we know that there are unethical providers out there. We saw in the second-reading speech where the minister provided an example of a dentist who was providing ozone therapy.

Sitting suspended 1.00 p.m. until 2.02 p.m.

Mr HOWARD — As I was saying before the luncheon adjournment, this bill to establish the health complaints commissioner will provide great support to people who have reason to express a complaint. They can now have confidence that their complaint will be followed up. I was talking about the example given in the minister's second-reading speech of a dentist who offered a therapy called 'ozone therapy' to vulnerable cancer sufferers. Although Consumer Affairs Victoria was successful in prosecuting this individual over false claims, he responded by changing the claims made on his website and continuing to recruit new people. This legislation will ensure that the new health complaints commissioner has the opportunity to be proactive in addressing repeated misconduct and has the power to

take action against health practitioners who are clearly not doing the right thing.

In bringing forward this legislation it is clear that the government has listened. It is intent on bringing forward effective legislation to support people who are vulnerable and who have concerns which need to be investigated about health practitioners who have perhaps not done the right thing by them — people who believe they have been treated in an inappropriate way. I am very pleased to commend this bill to the house. I am pleased that in the future Victorians will have better opportunities to ensure that their complaints can be appropriately addressed.

Ms SULEYMAN (St Albans) — I am very proud to make a contribution on the Health Complaints Bill 2016. I would like to echo the sentiments of my colleagues on this side of the house expressed in their contributions today and yesterday. This bill represents a major reform that will modernise and improve the existing health complaints system. We have heard some horrific stories today in relation to unregistered health practitioners.

The Andrews Labor government has introduced the Health Complaints Bill, which will, among other important reforms that we have seen since the government was elected, establish a tough new complaints system to crack down on unethical, unregistered health practitioners. Now that the health system has undergone significant growth and change, the Andrews Labor government is modernising and strengthening the complaints system to ensure that there is a commissioner with the powers needed to process complaints, but most importantly to make sure that the complaints received are able to travel through in a quick and effective process.

I am very proud that my electorate of St Albans has a very multicultural community and has a large population of non-English-speaking-background residents. There is nothing worse for them than going through a process that is very long and complex and difficult to understand. In this new system the health complaints commissioner will have powers to make sure that complaints are addressed in a timely manner, which is important to my constituents.

Importantly, we have heard horrific stories. One story in particular that stands out for me is that of the blogger — and we have probably heard this story already. I think one of my colleagues mentioned it today. Unfortunately this blogger made it clear to millions of people around the world that she had cured herself of a brain tumour. This person went on to have

an extensive number of followers who believed or had hope that she was able to cure herself.

Unfortunately for many victims who are suffering from cancer she provided fake hope. This was potentially dangerous — even a matter of life and death — for many cancer victims and their families who followed her blog each day, watching her every move to get some form of insight into how she had supposedly cured herself. People like that are disgraceful, and they need the full force of the law brought down upon them. They need to be punished adequately. This bill will provide the mechanism whereby people can stand up and make complaints about these unregistered health practitioners.

We have heard stories about an unregistered dentist in Meadow Heights. You put your faith in your health practitioner. How horrific it would be to know that your health practitioner was unregistered? At times you put your life in such a person's hands. This would be an absolute shock to many patients.

Most medical practitioners who are registered are fantastic, and they are the guardian angels of our health system. There are a few, unfortunately, who are dodgy and are crooks. In my view they have no place other than to be exposed for what they are.

Let me say that I am very proud that the Andrews Labor government is serious about health. Since we were elected, just in my electorate alone I have seen \$200 million invested in the new Joan Kirner Women's and Children's Hospital in Sunshine. This is a first for the west, and let me say that it is this side of the house that is investing in the west when it comes to the health system. I understand the need to make sure that we have one of the best health systems in Victoria, and I know the people of St Albans and the west will be looking forward to the new women's and children's hospital.

I would like to also add that I believe that by having this form of a commissioner we will be able to make sure that not only is our health system operating to meet the needs of the Victorian people but also that where there are problems, constituents and patients will have the faith to make a complaint where there is suspicious conduct. That is most important.

Unfortunately what we saw under the previous government — yes, the review began in 2012 — was that the full bill was not able to be passed in the four years of the previous government's term. I think that the Andrews Labor government has demonstrated not only its commitment but also its absolute resolute

determination to make sure that it is getting on with what Labor promised at the election and on delivering each and every commitment. I think that is fantastic. We are very proud of our achievements when it comes to health and the many other achievements we have delivered so far in our first year in government.

I think this is an important bill. I will certainly be taking this back to the electorate of St Albans and encouraging my constituents to be fully aware of how they can make complaints, how they can identify unregistered and unethical practitioners and how they can exercise their rights in the system and avoid the costly legal system that we all know is just impossible for most to access. The legal system is very complex, and a lot of victims unfortunately spend a lot of money and most do not have the money to spend. This bill and the creation of the new commissioner will avoid those sorts of costly exercises, and I know that for the people of St Albans that means a lot.

I commend the bill, and I echo again the sentiments of my fellow colleagues. I commend the minister for her effective action in ensuring that this bill has come before the house quickly so that we can just get on with making sure that we are delivering on our commitments. I commend the bill.

Mr EDBROOKE (Frankston) — It gives me great pleasure to rise and speak on the Health Complaints Bill 2016. After all, that is why we are in Parliament — to pass pieces of legislation that actually affect people's lives in a positive way. This bill is definitely one of those. A crackdown on dodgy health providers is essentially what it is. We have heard a lot about them today, and I think if there is one thing Australia as a nation and Victoria as a community do not like, it is dodgy practitioners. We have TV shows dedicated to exposing them — *A Current Affair* and shows like that. We hate the thought that a snake oil salesman can take advantage of us; that someone pretending to know what they are doing could sign us up to a miracle cure. But we deal with it, and I guess that is why the dodgy practitioners of the previous government were voted out. They were peddling last-minute, desperate miracle cures with a poison pill, and that is why they were kicked out of government as the first one-term government since 1956.

I think initially this bill was formulated at a Liberal toga party — it really needed some work to get it up to speed, from what I am hearing — but the essence of the bill was correct. I think we have bipartisan agreement on the fact that we can put our trust in medical practitioners. Some very, very desperate people — sick and dying people — put their trust in medical

practitioners. I have got a personal story to that effect. A relative of mine had chronic fatigue syndrome. As a syndrome, it is basically a bunch of symptoms. It is not formally recognised as a disease like other diseases are, and people go to desperate lengths to try to treat themselves. People are stuck in bed all day; they basically do not have the energy to even lift up a cup and drink from it. It is quite life changing for people.

Families of these people go to naturopaths. They go to anyone who can say, 'Yes, I am a specialist in this'. There are no blood tests; there are no tests at all for chronic fatigue syndrome. With this family member, we tried. We went to a snake oil salesman because we thought that anything was worth it. I think it is a common story. A lot of people try different treatments for cancer. Their prognosis is not good, and they get desperate. Western medicine is one thing, and science backs it, but they want to try something that maybe science has not yet backed or where maybe there have not been any trials to make sure that it is not fad medicine.

Some of that might work, but I think in the spirit of this bill we need to crack down on some of these people, people like dodgy dentists. We have heard about dodgy dentists today. We have heard about the provider who was offering ketamine, commonly known as a party drug, to treat depression. At the time that was happening we could not really crack down on them because the health services commissioner had no grounds on which to actually investigate. That is what this bill changes. I commend the Victorian health minister on this bill, along with so many other things she has done in my community that are very positive and make great impacts on my community of Frankston. She has put much time and effort into this bill, and it is a good one.

The new health complaints commissioner is going to crack down on providers currently not covered by state or federal law; and I think bringing state and federal law into line is also very important. When we have providers who have broken the rules or are just dodgy and have been reported in other states, we certainly do not want those people coming to Victoria and selling their desperate miracle cures — their ketamine, their bad dentistry skills — and preying on vulnerable people.

We have had a number of challenges in terms of the sorts of services that people are being provided and having no legislative tools to respond to them. An example of these challenges in very recent times is the gay conversion therapist. It is just amazing that in our era this still happens. Of the millions of people who are

LGBTIQ and deserve our utmost respect, some are fairly vulnerable. This is what the Safe Schools Coalition program is about as well — ensuring that these people are supported in coming out and supported in being who they are. On hearing about practitioners out there that are trying to convert people from being who they are, who offer these fad conversion therapies, I think we are right to crack down on and have zero tolerance for these absolute quacks. In alignment with that is the quackery by the antivaccination mob.

I did hear the Minister for Health the other day at a doorstep say that these antivaxxers need to stop googling silly hippies and getting their information from them and instead start having a look at the actual science, because we have measles on the rise again. Measles are back, and it is because people are blinded either by silly emotion or the neighbours who they talk to, but not a doctor. All they have to do is go to a GP clinic and have a chat to the GP, and I am sure they would be convinced that vaccination is the way to go. If they are not convinced, they would be more than welcome at one of the children's hospital wards to see what not vaccinating your kids does. But again this bill is about actually reinforcing and supporting the science behind good doctors, promoting them and keeping the rubbish out. As I said before, people put their trust in GPs, people put their trust in other people as well, but some of these people are just quacks, and they should not be there.

As I said before, we have had unregistered dentists, and they were beyond the national laws. We had no power to stop what they were doing, which is quite scary. A bloke in a garage next to the TIG welder using pliers to pull someone's teeth out is really scary stuff. But the fact that we had no state or national laws to pull these people up and say, 'Hey, you've got no anaesthetic, you've got no sterilisation, you've got no qualifications and no experience, yet you are charging people to provide this service', is crazy and scary in my opinion. The issue there as well was that formerly the commissioner had to wait for a complaint and sometimes that just did not come. In the case of the ketamine, there were no grounds to investigate it because no-one complained, and we are going to change that. As soon as information comes to light about dodgy dealings and quack medical people we can get the commissioner to investigate and make sure that these people are stopped.

The new commissioner also has the power to investigate health bloggers, which has been talked about quite enough in the house today. But we all know that there is a certain case that has been in the media quite a bit recently. To have the power to stop these

people influencing decisions which should be made by GPs is something that is very valuable to Victoria and also to the nation.

Again on the LGBTIQ gay conversion therapy, I think it is very hard to believe in this day and age that we have groups out there, and I will not name the groups, who will judge someone by how they are born.

Ms Thomas — The Liberal Party is one group.

Mr EDBROOKE — Yes; Cory Bernardi might be one. It is hard to believe there are groups who actually think it is their right to judge people and convert people to what they believe and who they are. It was with great pride yesterday that I saw the federal Labor opposition leader, Bill Shorten, have a crack at Cory Bernardi and call him out for being an absolute homophobe, because he is. That is the truth. He has made that very clear. I am happy for everyone to have an opinion, but not for them to force it on other people. I was very proud to see Bill Shorten have a crack at him.

As I wind up, I say that I very much appreciate the work that has been done on this by the minister and her staff. I say to them, 'You have done a fantastic job resurrecting this bill', which was left on the bench for quite a while by the Liberal toga party. The bill is going to change things in such a positive way for Victoria and, hopefully, we will not see really disgusting practices coming to light on *A Current Affair* or in the *Herald Sun*. If it stops that, if it stops people being preyed on, it is a good thing. I commend the bill to the house.

Ms BLANDTHORN (Pascoe Vale) — It is great to be standing here today making a contribution to the debate on another fantastic bill that shows the drive and energy of our Minister for Health, as opposed to those on the other side. Upon achieving office in November 2014 the Andrews Labor government was made aware of a significant gap in health complaints legislation. The Health Services (Conciliation and Review) Act 1987, which was at the time a great Labor reform, created the position of health services commissioner responsible for health complaints. This legislation, which was considered pioneering when it was introduced by the Cain Labor government, is now nearly 30 years old and has hardly been touched since, although times have changed significantly.

As I said, it was a great Labor reform, but times have moved on. There is now a significant gap with regard to the making of complaints about the inadequate provision of health services or indeed those services that purport to be health services. The current

complaints process is confusing for patients, and the commissioner himself lacks the powers needed to follow through on recommendations, which often leaves patients exposed. The current act is simply out of date. At the moment the gap in the law means that Victoria is a safe haven for unregistered and deregistered providers. It is clear to the observer that a redesign of existing legislation is in fact long overdue.

We just need to look at recent media reports, which many of my colleagues here today have referred to, of unscrupulous providers who seem to prey on our community. We had the healer who said he could remotely treat a woman with a serious psychological issue by running his hand over her photograph and sending healing energy. We had another who convinced an elderly cancer patient that he could treat her through hair analysis. We had the fake gynaecologist who performed dangerous fertility treatments on women in Melbourne, and indeed he did so for nearly a decade; and the former dentist who over many years offered unproven therapies, including the ozone therapy, which a number of people have spoken of today, to vulnerable cancer sufferers.

We had the former midwife, Lisa Barrett, who was involved in a number of unsafe home births, including four in which babies died. We have also had individuals offering dangerous and abhorrent gay conversion therapy, a practice which inflicts significant emotional trauma and damages the mental health of young members of our community — and not just young members of our community. And then there was Belle Gibson, who was much reported at the time and who profited from her wellness app after deceiving her followers about having terminal brain cancer and curing her illness with healthy eating and natural therapies. Indeed she admitted to doing so. We considered the *60 Minutes* report at the time in relation to Belle Gibson. There is an article in the *Guardian* that was headed ‘Belle Gibson on 60 Minutes — no remorse and the lies kept coming’.

Gibson maintains she believed she had cancer until then — she claimed she was wrongly diagnosed in 2009 by a German alternative medicine practitioner, so she herself was claiming she had seen an unscrupulous provider — but nonetheless she did not come clean after receiving the results of the scan. Instead she went on two years later to launch The Whole Pantry mobile phone wellness app and a cookbook of the same name, in which she claimed she had successfully treated terminal brain cancer by shunning radiation and chemotherapy and turning to a healthy diet. This is unfortunately an all-too-common claim.

Tara Brown, in the *60 Minutes* interview, asked Gibson if she understood she may have been responsible for cancer patients shunning their medical treatment to instead follow her diet and wellness regime. ‘Some want you to go to jail’, Brown said. Gibson replied, ‘I’m on the receiving end of all that’ and ‘I was not an expert in anyone else’s health’. She admitted it, and yet she continued on — there was no remorse.

Another article reports that disgraced wellness blogger Belle Gibson admitted she deceived her followers, friends and family about having cancer and curing her illness with healthy eating and natural therapies. Speaking out about the controversy in an exclusive interview with the *Australian Women’s Weekly* Gibson was asked outright if she has or ever has had cancer. ‘No. None of it’s true’, she confessed. Yet these people manage to prevail and continue to prey on people in our community.

But this bill is not simply a response to the obvious dodgy behaviour of people like Belle Gibson and the others I have described; it is not simply a response to the dodgy behaviour going on in consulting rooms of unscrupulous providers. It is noted that this bill originated in response to a comprehensive review of the act way back in 2012, when those opposite — or those who should be sitting opposite and who should be making their contributions on this bill — undertook an inquiry. Following their consultations in 2013 the final report concluded that there was a need not only to modernise the current act but also to make some fundamental changes to the scheme in the interests of protecting patients.

The bill also draws on the findings of a study undertaken by the health services commissioner in 2012, again when those opposite — or those who should be sitting opposite — were in government, which examined feedback from a number of people who lodged complaints with the commissioner’s office over the preceding three years and indicated a need to address some of the deficiencies in the current act. Noticeably, those opposite had four years in office, but the former government did nothing.

Mr Nardella — How many?

Ms BLANDTHORN — Four, and they did nothing.

In 2012 there was a comprehensive review and the commissioner’s study, but the former government let the situation fester and those providers — people like Belle Gibson — remained unchecked. Members of the former government may say that they introduced the Healthcare Quality Commissioner Bill 2014 — a

confusing title in and of itself — and that David Davis, a member of the Legislative Council, brought this bill to the Parliament, but it was an inferior alternative to the bill that is before us today, and it was too little, too late. The bill was inferior because it sought to establish the confusingly titled healthcare quality commissioner and ignored a number of the panel's key recommendations, including importantly introducing an own-motion power. This resulted in a far weaker bill that failed to realise the intent of the expert advisory panel.

Also, and perhaps most tellingly, they could not actually get it through the Parliament in any case. As I said, they did too little, too late. The former Baillieu-Napthine-Shaw government had an inability to manage its legislative agenda. We saw the dire consequences in a number of regards, and this is another perfect example. We had four years of inaction from a do-nothing government. The former government did not prioritise this bill, and it failed to pass. What is important is that had the previous government not been so caught up in itself, had it not been so dysfunctional and paralysed by its inward bickering, many, many Victorians might have been saved from the harm of rogue practitioners and people like Belle Gibson.

Labor is getting on with it. The Andrews Labor government has made substantive improvements to the previous government's half-baked bill, going back to the review panel's original recommendations to ensure changes were in line with expert opinions. These changes include giving the office the title of health complaints commissioner, as was recommended by the panel at the time. The previous government proposed to call the commissioner the healthcare quality commissioner, a confusing and misleading title that does not reflect the role. Labor will call it the health complaints commissioner, and it will be clear what its purpose is. It will address more than just quality of care; it will include efficiency of services, manner of service delivery and even whether a service purporting to be health care is actually health care.

The commissioner will receive beefed-up powers to take action against dangerous and unethical health providers who are not registered under the Health Practitioner Regulation National Law. Labor will remove the need for consent from the person who received a health service before a third-party complaint can be made to expand the scope under which complaints can be made. Labor will introduce own-motion powers that close loopholes in the existing legislation, meaning that an investigation can be launched without a complaint or a referral. Labor will facilitate switching from a list of types of health

services to using a broad definition, which is in line with the Council of Australian Governments health council to ensure that emerging technologies, as well as gay conversion therapy providers and other fraudulent providers are included.

Labor will give the commissioner the power to disclose information to avoid serious or imminent risk — that is, if someone is found to be making false claims and to be acting in a manner that puts the community at risk, the commissioner will be able to investigate the issue and to issue public warnings. It will be able to rein in and shame providers. If needed, it will have the power to shut those providers down. The government has also updated the panel's report by conducting further consultation with stakeholders in 2015 to ensure that the bill is relevant and addresses all of the issues.

In conclusion, in recent years the diversity of health services available to the community has grown, including the way that people choose to access those health services. This government has been responsive to those changes and will ensure that whilst there is choice for people in what services they can use, they can also hold those services accountable. I commend the Minister for Health for bringing forward this bill. This is a government which is moving in terms of regulating and fixing the issues in our health system. We are fixing our hospitals while the federal Liberals are stripping money out of them, we are ensuring that our children are vaccinated, we are in the process of fixing the ambulance crisis, and now we are cracking down on dodgy providers.

Ms KILKENNY (Carrum) — It is with great pleasure that I rise to speak on the Health Complaints Bill 2016. Obviously with health there are risks, and with risks come mistakes, so it is important, if we are on a continual path of improvement of our health system, that we have in place a robust complaints mechanism and procedure so that we can learn from those mistakes and improve our system.

But what about those quacks out there, those despicable opportunists who exploit the vulnerable in our community? My grandparents used to live in an RSL village, and a so-called health service provider used to come around once a week and visit about 70 units in the village and sell the residents all kinds of oils, bottles and all the rest of it. He collected thousands and thousands of dollars from these quite elderly residents, and when quizzed about it he had no medical background, no scientific background and no evidence for any of the concoctions that he was selling. He was just exploiting these elderly and quite vulnerable people.

Until now we have had a bit of a gap in the system where the regulations have not been able to crack down on these so-called quacks. Unless they are part of the professions that are registered under the Health Practitioner Regulation National Law they have fallen through this gap, and I am really pleased to say that the Andrews Labor government is going to fix that and, if you like, plug that gap.

We know that mainstream healthcare providers can be disciplined or struck off by state medical boards if they breach professional codes of conduct, but, as we have heard, unregistered health providers and complementary practitioners are not subject to that same scrutiny and regulation. This has caused great distress throughout our community. The current health services commissioner does not have the power to regulate or do anything to stop those unethical providers. They cannot place conditions on them or even name and shame them and bring them to the attention of unsuspecting community members, so it is tremendous that this bill will address that and change it and, in so doing, make our community safer for all of our people.

In saying all this, of course I am not saying that unregistered practitioners are all unethical or that complementary and alternative therapists are fraudulent. In fact most of them are actually pretty good. I have a couple who live in my electorate of Carrum who provide alternative therapies to quite sick and terminally ill people, and I know from knowing these people quite well that the only thing that motivates them is compassion. They are providing a wonderful service for people.

We know that our healthcare system in Victoria generally is first class, and obviously that is thanks to state and federal Labor governments that have put that in place and of course is no thanks to our federal Liberal government, which is ripping \$17.7 billion out of Victoria's health system, including \$650 million in Medicare rebates for pathology and imaging.

We know that the original act dealing with health complaints in health services is now nearly 30 years old. It was brought in by the Cain government. It was groundbreaking at the time, and it promised and delivered an accessible and affordable option for the resolution of disputes between health service providers and consumers of health services. In that respect it was a very important alternative to costly litigation. But we know a lot has happened in those 30 years. In particular there have been lots of advancements in technology with the internet. We have unfettered access to online material now. There is Dr Google and health and

wellbeing bloggers, and indeed it seems like every time we go online there is a message out there telling us that there is something else wrong with us and that it just so happens there is another special miracle cure that is going to fix it.

I have got to say also in that context that I am particularly worried about the messaging that is directed online at young women in particular, who are told that their bodies are inferior and that they should be doing things to fix that, offering all kinds of cosmetic surgeries and alternatives for them. I am really saddened to see the amount of online material that goes towards making young women hate their bodies. In terms of health advice, who can forget — I think it was last year — Senator Eric Abetz making that incredible link between breast cancer and abortion? Also, seriously and very tragically, as the member for Frankston raised earlier, we have seen deplorable individuals and organisations offering gay conversion therapy, which is a practice that is abhorrent and inflicts extraordinary trauma on our young people in the community.

We know also that the medical and health service landscape has changed dramatically over 30 years. We have moved from being primarily state based to a national system of regulation. We have seen developments in consumer protection laws, in privacy laws and in human rights laws, and of course there has been development in the diversity of health services available and advancements in medicine and education.

As a consequence of all this, there was a review conducted under the former Napthine-Baillieu-Shaw government, which was chaired by Michael Gorton, as well as a study undertaken by former health services commissioner Beth Wilson, whom I had the pleasure of meeting at a conference. I listened to her speak, and she certainly is a very colourful character who was very passionate about her role. She was very much interested in seeing the establishment of a commission that would be able to hear complaints about these unethical health service providers and would have the power and authority to be able to name and shame as a way of really protecting our community members.

Unfortunately the former Napthine-Baillieu-Shaw government did not pass any legislation to bring about progress or reform in this space. It is the Andrews Labor government that will bring in these significant reforms to health services, complaints handling and consumer protection, and of that I am very proud. I commend the Minister for Health, the Department of Health and Human Services and all others who have assisted in bringing the bill to this stage.

If I may turn very briefly to the mechanics of this bill, we have heard that we will see the complete repeal of the Health Services (Conciliation and Review) Act 1987 and that there will be a number of consequential amendments to other acts, but most importantly there will be the establishment of a new statutory entity, being the health complaints commissioner. That commissioner, as we have heard, will have the ability to resolve health service complaints and contribute to health service quality improvement. They will have the power to name and shame dodgy health service providers and stop them from practising in Victoria. The commissioner will also have the power to stop any dodgy health service providers who have been banned in other states from practising in Victoria, and that is quite a significant step in terms of providing for a national system. Anyone who flouts a ruling by the commissioner will be liable to significant penalty, including imprisonment.

Obviously we wish we did not have to have these kinds of mechanisms. We wish there were not dodgy health service providers, but they are everywhere. These people are driven by greed, ego or whatever it might be to take advantage of people less fortunate and to take advantage of vulnerable people who might be suffering from very dreadful illnesses who have nowhere else to turn. They just offer false hope.

In conclusion, the new laws will operate to prevent health service providers from continuing to operate and inflict enduring pain upon our vulnerable community members. This bill is designed to protect the community and improve overall health services for all of us, and that is a tremendous thing. Finally, if I may say, there is obviously a place for alternative and complementary medicines and therapies in Victoria. They play a very important role for many people. This bill is not aimed at them; this bill is aimed at ensuring that unethical, unscrupulous and incompetent unregistered health service providers will no longer inflict their damage and pain on our community in Victoria.

Mr NARDELLA (Melton) — I rise to support the Health Complaints Bill 2016. Quite a number of years ago, in fact two decades ago, in 1995–1996, I was the shadow Minister for Consumer Affairs. One of the things that struck me at that time in talking to people and having a look at the issues around that portfolio was that it is really important to give consumers a voice. It is very important to make sure people have easy access to making complaints, to working through issues and to getting justice on the matters that are important to them at that particular point in time.

We deal with this stuff all the time in terms of the constituents we get through our doors. To us their complaints and the things that they are talking about may, in a sense, be minor, but for the constituents talking to us at the time, those issues are some of the most major things in their lives — and they finally come to us to deal with those issues. It gave me a perspective in terms of how we need to look after people and understand their concerns but then — in an absolute and real way — deal with those concerns and make sure that those people are listened to and their complaints are followed through. That is what this legislation is about.

Through this legislation the current health services commissioner, Grant Davies, will be given much more power. Through this legislation we will have a commissioner who will be able to deal with — and I will talk about this a bit more extensively — the situation at the Bacchus Marsh and Melton Regional Hospital, which is run by Djerriwarrh Health Services, where quite a number of matters have come to light. Under the previous legislation he could not deal with them. It is really important people understand that with the previous legislation unless somebody directly contacted the health services commissioner, he could not deal with that matter. This legislation says that somebody else, a third party, can complain through other mechanisms, and then the health complaints commissioner can start to deal with that matter. That is why this is so important. As a consumer advocate and as somebody who believes that consumers should be empowered, I think this is extremely important.

The Australian Health Practitioner Regulation Agency (AHPRA) dealt with Djerriwarrh Health Services, and it will look at matters that are brought to its attention. It may call other people as witnesses, but it cannot take those complaints directly. I think the whole AHPRA organisation needs to be looked at. It took the organisation two long years to deal with the Djerriwarrh Health Services situation. Given the deaths of those babies and the adverse effects that had on families, that was 23 months too long.

I have said this to the house before: my three grandchildren were born at Bacchus Marsh and Melton Regional Hospital, and the hospital staff did a fantastic job. They looked after Lorelle, my stepdaughter, and they looked after the babies. Those babies are now big, strapping grandchildren. They are bigger than me. They are not wide, but they are way taller than me. They are absolutely way smarter too.

Ms Thomas — Are they better looking?

Mr NARDELLA — They are way better looking than me, absolutely. The staff at the time looked after Lorelle and the babies extremely well. We put in a lot of money when the Honourable Daniel Andrews was health minister and when the Honourable Bronwyn Pike was health minister. The constant throughout that time was the staff — the nurses — who did a fantastic job.

That is the thing about Djerriwarrh Health Services. I want to put on the record in an absolute and real sense and in the strongest possible way that I, along with the communities of Melton and Bacchus Marsh, support the nurses and clinicians at Bacchus Marsh and Melton Regional Hospital because on a day-to-day basis they do a fantastic job. On a day-to-day basis they deal with situations faced by people and their families that are extremely critical, and they do that in a professional and caring way, which is really important for my community.

Just recently, for example, my friend's mother was looked after extremely well in palliative care. Philip Newman's wife was looked after in palliative care. Cr Mike Currington was well looked after. The staff are, I reckon, the salt of the earth. It is unfortunate they have to go through a process where sometimes people criticise them unfairly. That unfairness should have been dealt with much sooner and much quicker.

We have the staff who deal with accidents and emergency through the Diana Gibson Accident and Emergency Centre at Bacchus Marsh and Melton Regional Hospital, and they are just fantastic. The physicians and nurses who triage the patients who come through the door are just terrific. I want to put on the record that the staff at Bacchus Marsh and Melton Regional Hospital are terrific. We support them, and we will continue to support them and the hospital.

I want to talk about a couple of other things in terms of the health commissioner's report. Through this legislation there will be a whole range of other reporting mechanisms that need to be put in place.

That is why there needs to be that 12-month period to be able to provide the Parliament with a report. Honourable members need to understand that under the current legislation there is no need for the health commissioner to report to the Parliament. This legislation means that will occur into the future. It is really important people understand that.

We really want to make sure we support the health complaints commissioner with their duty to protect people within our community and our society,

especially vulnerable people. When someone gets sick — and as you get older unfortunately you deal with more and more of your friends and colleagues and people in the community becoming ill with very serious conditions — sometimes you get the shonks and you get the charlatans and you get the people who will promise the world and take your money but not do anything for you. It is really important to make sure that we support the health complaints commissioner to take those people out of the picture, to prevent them from further destroying those people's lives or their families. That is why I support this legislation.

It is unfortunate that it has taken us to do it — it has taken a Labor government — but it is part of what we do as the Labor Party. It is what we do as a Labor government in protecting the consumers and the residents and the constituents that we not only look after but also care about. I support this legislation before the Parliament today.

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

Debate adjourned until later this day.

FAMILY VIOLENCE

Debate resumed from 26 November 2015; motion of Ms RICHARDSON (Minister for the Prevention of Family Violence):

That this house takes note of the addresses regarding the prevention of family violence, led by Ms Rosie Batty, on 26 November 2015.

Ms KEALY (Lowan) — Whenever we have the opportunity to hear speakers who are survivors of family violence, like Rosie Batty or Kristy McKellar, I think it reminds all of us that this is not just a slogan that we have that we must never accept family violence but that there are actually people behind this. There are people who have to live through a situation whereby they may feel there is no escape and there is no opportunity for them, and they do not know where to go.

I was very fortunate to be invited to a family violence evening held in Dimboola last October. Des and Robyn Lardner convened this event through their pharmacy at Dimboola. It is a community event they do every year, and this year they decided to focus on family violence as their theme. It was fantastic to hear from Kylie Plunkett, a very, very brave woman from Ararat, who shared her story of a relationship that became more and more controlling, where there was firstly financial violence.

There was an abuse of limitations on how she could live her own life, which escalated to physical violence and impacted upon her children. That she is brave enough to come out into a community and share her story is a real inspiration for other people who may be going through a similar situation. It is important that we hear the stories that demonstrate that there can be a life outside family violence. If we have these people coming forward who can bravely share their story, then hopefully that can motivate others who are in a similar situation to say, 'Look, I am not alone, it is not my fault, it is not me. I can get out: I know the avenues and I can find the pathways to seek help and assistance to get that support and escape and remove myself from that violent situation'.

It is also important that we continue this message that I think we are doing exceptionally well in the electorate of Lowan, and that is: sending the message out there that family violence is never okay. This is on the back of educational evenings like the family violence evening in Dimboola but also the White Ribbon marches. I met up with a group of students from Horsham College last year — teenage boys who decided they wanted to do their project on the White Ribbon campaign and how important it was that women were never in violent relationships. As young men they wanted to be ambassadors for the community to say, 'It is not okay'. This is coming through at all ages, and it is so good to see that, because hopefully it will help break down some of that stigma that family violence only occurs in a certain group of people. It helps people to feel confident that they can access other sources of information and support and that they know how to do it if they find themselves in that situation.

It is also of course important to make sure that we do have support available to women seeking to escape a situation of family violence. This is very difficult to achieve in rural and regional Victoria because we obviously have limited access to support in the health sector and also in the welfare sector. It is also a small environment, so although you might have a situation that you want to speak to a social worker about, the social worker might be someone you know — you might play footy with them, you might see them down at the shops all the time or you might work with them as a colleague. It is not always that easy to be confident enough in yourself to go and seek the support that is available, and we have those extra barriers that makes the accessibility to support really tough in rural areas.

We also do not have a lot of support in terms of shelters. If you are a family in Warracknabeal, for example, and you have decided as the mother in the household that you want to get yourself and your

children out of a violent family situation and you go to a shelter — if you wanted just to pick up, leave everything behind you — you would have to go to a shelter in Ballarat. For the children involved in those situations it is very challenging, and it must be a very difficult decision for the parents involved as well, because you have got children then who are removed from their school system and who are removed from their friendship groups and maybe other social supports, like their footy club or the netball club.

It is very hard, and I cannot imagine all those different psychological barriers that people have to weigh up before they feel they can remove themselves from that area.

It also seems a bit imbalanced to me that somebody who is the victim of violence has to cut all their ties, leave all their goods behind and perhaps leave some money behind. The situation is a bit back to front in my mind when you cannot remove yourself from such a situation without penalising yourself even further. It is as though you have to make your situation worse before you can see it getting any better. I do not know how we change that, apart from perhaps educating people, particularly men, on how to communicate more appropriately and that it is not okay to have this different level of control in a relationship.

We also need to look at the challenges that women have with just leaving. They may not have any clothes or access to any hygiene products. If they have only got the clothes on their backs, how do they go to that next step of knowing how to get food for their children or where they are going to sleep that night? It is not that simple to go ahead and do that, and that is why I have got enormous respect and support for the women who have been able to escape these situations.

But there is something else that we rarely talk about. We always seem to focus on one side, the side of females and encouraging them to be confident and brave enough to leave a relationship, but we also need to focus on men. I actually feel sorry for men who are perpetrators of assault, because they often do not have an opportunity to change that behaviour. I do not think that they should perpetrate violence. I think it is abhorrent behaviour and you should never ever lay your hands on someone or make someone feel less of a person just because they are a woman. But we also need to find pathways to support men. If they know that what they are doing is unacceptable but they cannot control it, they need to have access to such things as anger management courses.

We need to start by teaching our young men how to communicate appropriately. We need to teach them that you do not become so frustrated that the only way you can express your feeling is to lay your hands on somebody. That is just completely inappropriate. We need to make sure that we support men's behavioural change programs, but, as I said earlier, we also need to keep our families safe, remove the men from that environment if they need to be removed and certainly never tolerate or give someone a second chance or say, 'It's okay; it was only the one time', or accept the apology and the flowers or whatever might come after there has been a violent event. It is quite complex and quite challenging. We see generational violence occurring, and we really need to focus on educating our kids so that they know that you should never, ever be violent in a relationship or accept a violent relationship.

The last message I want to send to anybody who has been a victim of violence and has been able to escape from it is not to call themselves a victim. It continues the control of one person over another. I really do not like that reference. I know that Kristy said it on the day of the address, and I went up and spoke to her afterwards and said that she should never, ever refer to herself as a victim. She is a survivor; she is a very, very brave woman. She stood up for herself and knew that the violent relationship she was in was not acceptable, and she removed herself from it. For that she really needs to be commended, as do any women who have survived family violence.

Ms HUTCHINS (Minister for Aboriginal Affairs) — It is my privilege to speak on this take-note motion addressing the prevention of family violence and in particular to respond to the address to this Parliament by Rosie Batty and other very well presented and well-spoken activists on the prevention of family violence.

I will begin by acknowledging the traditional owners of the land on which we are standing today and pay my respects to their elders past and present. For over 50 000 years Aboriginal people have existed on this land. Their lives, societies and cultures have left an enduring and indelible legacy, one that continues today.

Over the last year I have seen the strength and the pride of Victoria's Aboriginal people, communities and organisations, and I have been so impressed by their resilience. The positive outcomes that can be achieved when Aboriginal people are involved in the discussion is endless. In that time I have had the privilege to meet and learn from a range of people from across the state, including Aboriginal leaders and communities and Aboriginal-controlled agencies. I have had the privilege

of speaking and listening to the world's best practice organisations — that is, our registered Aboriginal parties. During these discussions I heard many stories about how resilient, strong and rich Aboriginal culture is in Victoria. Unfortunately I also heard of the heartache and damage around family violence and the heartbreak it is causing families in the Aboriginal community.

Let me just state that Aboriginal family violence and any form of family violence is not wanted in any family or in any community setting. We recognise the terrible tragedy family violence can cause and the importance of addressing specific needs and experiences of Aboriginal people as a matter of urgency and in a culturally appropriate way.

The Andrews Labor government is committed to self-determination for Aboriginal people and to strengthening our partnership with Aboriginal communities to reduce family violence. We know that Aboriginal culture is based on strong families and kinship systems and that family violence is not part of Aboriginal culture.

The Royal Commission into Family Violence provides an opportunity to refresh the government's and community's approach to responding to Aboriginal family violence. The problem we have to deal with is that the current approach is failing to significantly reduce family violence. One reason for that is that we have collectively failed to understand family violence in Aboriginal communities and its direct result of the destruction of their community and culture over the last 230 years. This means we have to do more, and many of the responses to family violence have a direct relationship to other issues, such as the unreasonably high number of Aboriginals and Aboriginal children who are currently and who have been in out-of-home care. This has been discussed publicly many times over my lifetime, but it is far from being accepted and understood. One of our jobs as leaders is to make sure that it is understood and fixed. That is one of the tasks of reconciliation.

Aboriginal family violence is viewed as a legacy of many things and many experiences, past government policies and practices, including colonisation, dispossession of land, outlawing of traditional cultural practices and traditional language, systematic racism, assimilation and forced removal of children. As a result of these practices and policies intergenerational violence, trauma, grief and loss, fragmentation of families, loss of cultural practices and roles, breakdown of community kinship systems, social structures and Aboriginal law are impacting on the community's

survival. It requires a holistic healing program and model that responds to the acts of family violence, but also to the other injustices experienced by Aboriginal people.

The Aboriginal community's wide experience of trauma requires a collective response rather than one focused solely on immediate family victims and perpetrators. Perpetrators need to be held to account for their behaviour, and dealing with that will in many cases require therapeutic and healing approaches.

One of the key strengths of the Aboriginal community is the importance of culture as a primary resilient and protective factor, something that is sometimes misunderstood by non-Aboriginal Victorians. In terms of addressing specific needs for Aboriginal family violence, I want to use this opportunity to acknowledge the great work done by Muriel Bamblett, who addressed the house on family violence prior to the debate on this motion. Over many years, both as a community leader and with her team at the Victorian Aboriginal Child Care Agency (VACCA), Muriel has really led the way on reform and protection for Aboriginal children and their families.

VACCA is an organisation that really promotes the rights of Aboriginal children and takes its role extremely seriously. VACCA was the first organisation of its kind in Australia and has worked to protect the rights of vulnerable Aboriginal families since 1976. VACCA was born of an urgent concern in the Victorian Aboriginal community about the large number of Aboriginal children being removed from their families and adopted or fostered into non-Aboriginal families.

I would also like to thank all the other Aboriginal community services across this state who work hard in supporting and nurturing those Aboriginals affected by family violence. Just last week I was in Wangaratta meeting with the local Aboriginal network there, which is made up of a lot of local representatives. Some work in government agencies and some are activists, and they really give a lot of time to coming together and discussing reconciliation, working with the broader Wangaratta community.

I heard firsthand the heartbreaking stories of some of the elders in that community who have given many, many hours of their own time to go out at all different times of the day and night to assist community members who are experiencing issues of family violence and then help them navigate the system of actually making the change, supporting that family and getting them into a safe environment.

I have got to say that there is a high level of burnout among some of the elders up there who have done this role for years and years on a voluntary basis without a lot of support. They called on me in our meeting to do what I can to further assist them in getting some structures in place there. I was pretty pleased last week that we were able to announce some funding that is specifically for the Indigenous family violence regional action groups, better known as the IFVRAGs, in the Aboriginal community. They are regionally based groups of volunteers that come together to deal with this issue of family violence in the Aboriginal community.

One thing I have learnt about Aboriginal community is that no two groups are the same, and their needs and wants are not necessarily similar. Having regional-based groups that are funded to take local actions and provide local support to their communities is something that I think is really at the heart of the discussions around self-determination.

Unfortunately I have heard similar stories of family violence tearing communities apart in all different corners of the state, and I have heard of local communities struggling with how they move forward. Hopefully this recent bit of funding will go some way towards starting to heal that, but I know that the work that is being done currently by the Royal Commission into Family Violence will provide an opportunity for the government to refocus as a whole on a community approach, in particular responding to the needs of Aboriginal community and Aboriginal family violence.

I, like every other person in this place, am committed to making sure that we make a difference and that we bring an end to family violence. For many of us in this room, we would also like to see that ended in the Aboriginal communities in our electorates.

Ms ASHER (Brighton) — I too wish to make a brief contribution to this take-note motion after the presentations to this chamber on 26 November 2015. I have been a member of the Victorian Parliament now for nearly 24 years, and I note that there are some people on the other side of the house who are not much older than that. I have been talking about family violence — it was then called domestic violence — unfortunately for 24 years. I just want to go through a little bit of the progressive reform by governments on both sides of the house in this almost quarter of a century that I have been here.

On the one hand I am alarmed that we are still talking about it and it is still such a critical issue in our society. But on the other hand I readily concede and am

delighted that significant changes have been made. As preparation for this particular presentation, I look back over the many, many speeches that I made on family violence in the other place. The member for Melton was in here earlier. He was with me in the other place, and indeed he is with me in this place. I make the point that there have been incremental changes, particularly on the legal front, all of which I think have produced better outcomes, but it is very slow progress indeed.

In 1994 the then Attorney-General, Jan Wade, sponsored the Crimes (Amendment) Bill 1994, which made significant change, and again I spoke on that bill. In 1997 the former Kennett government under the stewardship of Jan Wade introduced the Evidence (Audio Visual and Audio Linking) Bill 1997, which was again an important reform in terms of family violence and the giving of evidence in the courts. In 1997 I was pleased to speak on the Law and Justice Legislation Amendment Bill 1997, which was again more change for the better but also obviously just a very, very slow piece of progress.

Obviously we saw the election of the Labor government. I was pleased also to speak in 2004 on the Magistrates' Court (Family Violence) Bill 2004, in 2006 on the Crimes (Family Violence) (Holding Powers) Bill 2006, and in 2009 on the Courts Legislation Amendment (Sunset Provisions) Bill 2009. I have raised the issue in adjournment. I have spoken on it in address-in-reply. I have spoken on it indeed in this Parliament in a 90-second statement during which I drew the attention of the Minister for the Prevention of Family Violence to a group called Violence Free Families, operating with the sponsorship and support of the Rotary Club of Brighton in my electorate. Violence Free Families is a group of men doing very, very good work on perpetrator programs. I commend them for the work they do.

I have had a very, very longstanding interest in this issue. I have listened with a great deal of interest to other presentations, including some very emotional presentations on both sides of the house by people who have had direct involvement with family violence. I certainly have never been in that category, thank goodness. However, I have had a longstanding policy interest in this area.

It may interest the house to know that in 1994 the then Minister for Community Services, the late Michael John, asked me to chair a task force, which looked at how to improve the system for family violence. As I re-read this document this morning — I am a hoarder of documents — it struck me that on the one hand I am disappointed that we are still having to talk so much

about this issue, but it did show me that a lot of progress had been made. In 1994 there were 24 women's refuges. That was the system in Victoria. There was a central telephone service, and only 40 per cent of the women who rang for assistance at that central telephone service actually received assistance. That was a government allowing a backbencher with an interest, as I was then, to actually point these things out to government, and clearly I made a series of recommendations around that.

But the area that most fascinates me now is the lack of outreach services. There were only 17 services at that time in the 1990s that could be called outreach services and only 22 employees across the whole system in the state of Victoria. Obviously there were a lot of women who did not need to go into the highly expensive but necessary refuge system, women who did have somewhere else to go but who needed support, assistance, legal assistance, assistance perhaps with court documents and the like. There were only — again, I repeat — 17 services and 22 employees.

Again, just in terms of the statistics around this, in the 1992–93 financial year there were 1240 women being assisted in refuges — that is over the course of the whole year — with 1985 children, so more children than women were being assisted in women's refuges. Alarming only 4 per cent of the women who at that stage entered refuges were in receipt of an income. So obviously the system was most inadequate at that time, both on the refuge front and on the outreach worker front. Again in the year 1992–93, 3880 women were assisted by outreach workers. Clearly the demand on those services was far, far greater than the level of assistance that was provided.

In fact at that time there was a consultant's report which suggested to the Kennett government that some of the women's refuges should be shut down and that funding should be diverted to outreach workers. Again, I am actually quite pleased with the quality of the report, and I welcomed the professional people around me who assisted me to come to these conclusions. We put to the government a series of recommendations about expanded services in this area — and I am delighted to say they were accepted by the minister — along with additional funding. Those of this house who would remember the economic and political climate in 1994 would know it was most unusual for additional funding to be allocated at that particular period of time.

I note also, and many people have spoken about perpetrator programs, that in 1994 these programs were not universally supported. There was one bloc of thinking — and I am pleased to say I was in that

bloc — that thought adequately targeted perpetrator programs were actually a very, very good way of dealing with this issue. But there was another group of people who were most sceptical about whether these programs actually worked or whether they in fact removed the focus from people who actually needed a different form of assistance, that is, the women who were in the main the victims of domestic violence — notwithstanding the admonition of the word ‘victim’ by the member for Lowan.

These perpetrator programs were controversial then, but nevertheless my committee supported the extension of those programs. We recommended a number of legal changes, many of which were instituted in that long list of bills that I just read out to the house, on which I was pleased to participate. But one thought struck me when I was listening to the Leader of the Opposition — I suppose I remember his speech simply because it was on my side of politics — about the solution to this. On the one hand I am pleased that we have had improvements in legislation, and certainly there have been improvements in policing from the old days when a few women police were sent out to try to deal with this problem. It is now a mainstream problem for the police. I am pleased with that, and I am of course really pleased with the service improvements we have seen progressively. But it strikes me that one of most interesting things in the course of that debate were the comments by the Leader of the Opposition. Many people in this chamber would know that he is the father of three boys. He made some comment to the effect that it is up to the fathers of this community to educate their boys that family violence is not an acceptable mode of behaviour.

So we have seen goodwill from successive governments on this. We certainly saw a lot of goodwill, I think, in the chamber on 26 November 2015. I really do commend the work of Jan Wade. In those early pioneering days when this issue was not as widely discussed as it is today, Jan brought that issue to the cabinet table. I also commend many other attorneys-general on my side of politics and indeed on the other for their work on this issue.

As I said, I have never been personally touched by this. I have just been interested at a policy level and at a political level. I welcome the fact that this government has appointed a Minister for the Prevention of Family Violence. It is a significant enough issue. I wish her well in the work she is going to do. I suspect the royal commission will give her a lot more to deal with than my little report from 1994. I wish her every success in dealing with the problem that it pains me to see is still an issue today, 24 years after I entered the Parliament.

Mr PEARSON (Essendon) — I am delighted to make a contribution in relation to this take-note motion. I am particularly pleased to be following the member for Brighton and also the Minister for Local Government. In both cases the member for Brighton and the minister have taken a different path through their respective parties, but it has been an important path, because both have been champions for the representation of women in this place and the other place.

I think we are able to have constructive and mature discussions around issues like family violence and to follow that up with concrete action to tackle this scourge when we have got intelligent, articulate, passionate women representing all the various party interests. I acknowledge the role of the minister. Although the minister has only been here since 2010, she has worked tirelessly throughout her career to advocate for issues like affirmative action within the party, and that has been a very, very good thing.

I acknowledge too the work of the member for Brighton over a long period, both in this place and in the other place, in tackling these issues. I realised when the member for Brighton was speaking that her career in many ways has mirrored that of the member for Melton, because both were in the other place from 1992 to 1999 before coming down here.

Ms Asher — He followed me.

Mr PEARSON — Or alternatively the member for Brighton followed the member for Melton, but anyhow — —

Ms Asher — I had the more controversial preselection.

Mr PEARSON — Indeed, that is true. The capacity for us as legislators to contemplate this issue, to hear from survivors and from the experts, I think is a great privilege in one sense because it helps you try to develop a greater appreciation for the issue. For many of us it is something that we cannot comprehend, because it is something that is alien to us and foreign to us. Growing up, I never experienced family violence, but to be confronted with what is a reality for all too many people is challenging. Certainly I am extremely fortunate. I have a large family. I have three daughters. But it is a terrifying statistic to think that one in three women has experienced violence from the age of 15. When I reduce that to my personal circumstances, I do not want any of my girls to experience violence, and I will do everything I can to make sure that our community is a safe place.

Rosie Batty mentioned in her contribution the importance of changing the culture. The Minister for Local Government, who is also the Minister for Aboriginal Affairs, talked a bit about some of the challenges in the Koori community and what that means. Certainly I think in my electorate — and I will choose my words carefully because we do want to be very, very careful and culturally sensitive — I have a very large community from the Horn of Africa. It can be quite challenging at times when you walk into a public meeting and the men are on one side of the room and the women are on the other side of the room. The men can walk down the main road in Flemington, but the women and the children, as I understand it, are encouraged to walk in the laneways at the rear of the shops. Again, I am very mindful of and sensitive to the fact that I am a male and I am not from that culture, and I am trying to be very culturally sensitive in my dealings.

It is very difficult to have a conversation with an African Australian woman, for whom English is a second language and who is not used to being seen to be conversing with men, and to ask, 'Are you a victim of family violence?'. It is very difficult to have those sorts of conversations, and you tend to avoid it because you do not want to cause offence, but from talking to the local legal service, in the culturally and linguistically diverse (CALD) community it is a problem. In some cultures a wife cannot refuse her husband, and if she refuses the demands of her husband and he assaults her, then that is just seen as 'That's what it was like back home and that's what will happen here'.

What sometimes happens, according to the legal service, is that a lot of the women, once they have lived in our country for a while — when they have looked around and seen the way in which our society functions, our culture operates — turn around and quite rightly assert their rights as individuals to say no or to ask that they be treated with respect by their partner, and that causes conflict. I think that in terms of the response to the Royal Commission into Family Violence, I do hope that we make sure that we look at having something specific that targets the CALD community, from the perspective of both the perpetrators and also the survivors.

As I mentioned in my earlier comments, I think one of the reasons why we can have these conversations is that we have got so many talented women in this place and the other place. You do sometimes wonder if this place was filled with middle-aged white men whether we would be having these conversations now. We might. We may have surprised ourselves, and we may have

said, 'Oh look, we'll do the right and decent thing'. But I think this is a richer place and a better place because we have got an abundance of talented women on both sides, and that is so important.

I think in terms of this issue too it is important that we try to broaden out the discussion, because like most complicated problems there are so many component parts to it. I note that the member for Brighton downplayed her work of 1994, but let us be clear: that work in 1994 was landmark work and it paved the way for these discussions that we are having today, as it did for all the other iterations along that journey.

We need as a community to address the gender pay gap. We also need to tackle the gender wealth gap. It is not just that women get paid less, but women at the prime of their working lives will often take time out of the workforce to have children, and they are removed or excluded from a superannuation scheme. So at a time when you are at your most productive, when your career is going along at a stellar trajectory, as is often the case of many women in their late 20s and early 30s or their late 30s, you are removed from the workforce and excluded from that wealth accumulation phase. And when those women go back to work, if they go back to work, then they often find themselves working part time. The whole principle of compound interest is that if you turn around and you are deprived a significant proportion of income in your 30s, by the time you look at retiring in your 60s that is a huge gap and a huge gulf, and it is a problem.

So we have to change men's attitudes to women. Men have to be more respectful. On that note, one thing I recognised is that while my wife is a lawyer and as a senior associate we had similar trajectories. When I started looking at the super balances I thought, 'Hang on, I've suddenly got so much more super than my wife'. We had a conversation. I said, 'Well, I don't think this is right. I don't think this is fair', and what I did was I turned around and said, 'Well, I want 90 per cent of my super', which is the maximum, 'to go to my wife to top her up'. Not because of the money, as in the scheme of things if we were to part, obviously she would get her entitlement and it would be 50-50 or more her way, but it was the symbolism. It was to show my wife respect and that I recognise and value the contribution that she has made to my life and our family's life. It is the right thing to do. It is little things like that.

I did not really mean to talk about that; it is just trying to find a way in which we can be more respectful towards women; to try to make sure we can create the right environment to break this cycle and just try to do

things better. We really just want to try and make this a better place. I appreciate the opportunity to speak.

Mr CRISP (Mildura) — I rise to make a contribution on the take-note motion. I have spoken previously on family violence, but since that day the Parliament set aside for this matter I have wanted to reflect on a couple of issues that have remained with me. Also I want to put on the record that I think that day was a very important day in the Parliament's history, and what was said on that day will stay with me forever. It will be forever because of the courage of those who made presentations, the clarity that they brought to the issues and their determination to see that things will change. We do need to once again put on the record that this is mainly a male issue. There are good programs out there but the problem persists. In my electorate it does, and I will talk a little bit about that later.

However, I think in dealing with this from the state's point of view, we have programs about preventing and stopping violence against women and children. There are statewide behaviour change programs that are needed. There are localised programs for Indigenous and culturally and linguistically diverse (CALD) women and women with a disability, and in my particular electorate I do have a significant CALD and Indigenous population. There is a need for those programs.

On the Indigenous side, I pay tribute to Mallee District Aboriginal Services for the work it has done. Amongst a number of both family violence issues and health issues, it actually made its own ads featuring locally respected elders and others. This seems to have had an effect, because people watching the ads recognise the people who are in them and the message the ads are delivering. There has also been funding for family violence service providers to assist through their capacity to respond, and there are crime prevention actions which work through from the crime side.

There is also the issue of safety. Protecting women and children is important. We need crisis accommodation for women and children. My electorate does have an Indigenous refuge, and it works very well. We need to maintain education and we also need to be able to tailor whatever we do to particular individuals. Of course there is the usual accountability, and we need to keep track of how that is working so we can continuously improve it.

The Royal Commission into Family Violence is due to report its findings in the not-too-distant future. I will talk a little more about that. This is a serious issue. A

royal commission is as high as you can go to find solutions. I think the commission will be presenting recommendations to the Parliament, which it no doubt will consider. Family violence support service providers have come under stress since we have stepped up our activities on this issue. That is due to the awareness of family violence, which has been promoted by the work of Rosie Batty and also by the royal commission. The coalition supports the royal commission and its work. Family violence takes many forms. It can involve women abusing men, same-sex couples, sibling abuse, and complex issues involving deep and longstanding cultural traditions. But, as I said earlier, this is principally a male problem. There also needs to be a greater focus on children and the lifelong impact of family violence on them.

There is another small subsection of this that I would like to talk about. Drug-induced family violence has been brought into focus particularly in my discussions with the member for Gippsland East. We know that alcohol sits up there at the top of that list, but increasingly ice has become an issue around family violence. We have Project Ice in Mildura. The community there has done some work around ice, and I commend those people involved in that because it is something that Mildura does not shy away from. At a recent briefing the police said that when you have a wicked problem like ice, you need to have everybody sit around the table to work out the solutions, and to work out those solutions you need to know the extent of the problem. Ice has brought family violence into homes where you would not normally expect to find it. We need to work on those programs while we are aware of those issues. There are distinct patterns of perpetration of violence, and that points to gender being a key factor. That is something that I have mentioned already. Family violence affects all socio-economic groups and demographics across those communities. That is something that we need to be aware of.

There are a lot of statistics around violence against women and children, which demonstrate its severity. Almost half of the women who experienced violence by an ex-partner said that children had seen or heard the violence. A woman dies at the hands of a current or former partner almost every week in Australia. One woman in three has experienced physical violence since the age of 15. One woman in five has experienced sexual violence, and one woman in four has experienced emotional abuse by a current or former partner. Younger women, aged 18 to 24, experience significantly higher rates of physical and sexual violence than women in the older age groups. This is not a particularly pleasant set of evidence, but nonetheless it is there and cannot be ignored.

Indigenous women experience a disproportionately high level of family violence. Intimate partner violence is a leading contributor to ill health and premature death of women under 45, which is more than any other well-known risks, including high blood pressure, obesity and smoking.

This is all of great concern. We know that children represent 21 per cent of victims, and that more than 80 per cent of children who have been killed by their parents were under nine years old, and 32 per cent less than one year old. So we have got some focused periods there that we need to look at.

In reflecting on this, I also want to thank the *Sunraysia Daily*, which on 7 November took those local statistics for Mildura and put them in context for us all to see. It showed that we are not exempt in the Mildura region. In fact domestic violence services linked to the Mallee Sexual Assault Unit recorded 2523 victims of family violence aged up to 85 years to 30 June 2015. One in five clients were children aged younger than 10, and one-third were aged under 20. This again is a disturbing factor. I praise the work of the sexual assault unit in Mildura. The Mildura police have a special investigation unit called SOCIT, and it goes about its work very well.

With this much attention we need to show some improvement. I am looking forward to hearing what the royal commission has to say. I am hoping that it can lay out some clear directions for us to do this. We are well aware of family violence. Thank you, Rosie Batty. What we did in Parliament was significant, but now we await the royal commission.

Mr McGUIRE (Broadmeadows) — Violence against women is the oldest fear in the world, and it is a fear that does not belong in any family. That is the way the Premier summed up what we addressed on the day in Parliament when we held that unique sitting to hear Australian of the Year, Rosie Batty, and saw her courage in bearing witness to what happened in her family. That is what we are addressing again today. The Premier also said that family violence is a national emergency. I think this is an important time, because we have leaders who have actually addressed this issue. When you consider that up to two women per week are murdered in Australia, as Rosie Batty put it succinctly, you know this is a gendered issue. Then if you consider the ripple effect that it has and its incredible impact on children, you can see this touches all of us.

Rosie Batty likened family violence to terrorism. She said that we needed to be honest and to look at attitudes and culture and that as individuals we must change our

attitudes. Victoria's Chief Commissioner of Police told the Parliament that family violence is at an epidemic rate and is a community shame. That victims are living in fear is unacceptable. Family violence is about power and control. Attitudes are concerning and must change to build gender equality as a reality, not as an aspiration. Then the chief commissioner put it in a way that I think is chilling in its clarity: family violence is 100 per cent avoidable. He is right; it is.

One in three women and one in four children have to survive family violence. Poverty must be addressed — poverty of money, power and relationships. Family violence is corroding the fabric of Australian society. There has been a 130 per cent increase in demand for crisis accommodation, and the system has been buckling under the demands. Sixty per cent of women at highest risk have not contacted police. The Parliament was told that women often want to stop the violence but not end the relationship. The system is struggling to cope with the scale of the problem. We need a whole-of-community response and early intervention, and a disruption of gender roles is also required. Men perpetrate 95 per cent of family violence. It is born too often from a sense of entitlement and control. As one witness to this Parliament put it, the definition of a 'real man' needs to change. These were the insights that were brought to this place.

I think the way that the Victorian Parliament has addressed family violence has demonstrated why Parliament matters and why politics is vital in making a difference to the lives of the women, children and men who place their faith, hope and aspirations in our hands. Too often people's insight into Parliament is the nightly news or what happened in question time, which can look a bit like two dogs barking. It turns people off. Instead we have had an incredible insight into an issue that is critical to families throughout our nation, and it was addressed with respect — and that is probably the most critical word.

In particular I would like to acknowledge the contributions from all of the party leaders and also the minister for her insights, the drive she has brought and her courage in telling her personal story and her family's personal story. Bearing witness is powerful, especially when it comes from lived experience. Men are still grappling with the severity of what can happen or some of the underlying issues about power and control. I think that that was an incredible insight. I have studied these issues over a long period of time. We listened to each woman — it did not matter what party, it did not matter whether they were from the frontbench or the backbench, none of that was relevant — and we knew it was straight from the heart.

They were saying, ‘Here is our lived experience’, with all the variety and all the different ways that these issues roll into this proposition that diminishes women. It is fundamentally about respect.

I still have to try to explain to my 22-year-old daughter Tess why there is not equal pay. I cannot do it for the life of me. I said to her that I thought we had progressed and addressed these issues in a political sense decades ago. Nevertheless, for her ability, talent and what she offers to the world, of course she should be getting equal pay. It is extraordinary. In so many different ways, culturally and as part of our society, these issues are not resolved. I think that is the power that we had on that day in this Parliament, and I think it was expressed right across the community. It gave people not just pause but clarity to actually say that we have to fix these problems. We understand it will be on multiple levels and it is going to take some time. That is the reality, but at least we are now saying that it has to be addressed. I say that not just from my own personal position with my own family but for the generations of women to come.

We heard the personal story of each woman who spoke in this chamber. We heard what they have had to go through to get here. It is always hard to get to this place, but it is much harder if you are a woman. I can say that is a truism. Now we see that merit, performance and experience, the qualities that at times were not given their full weight, have brought so many women to this place. To hear their voices was extremely important.

I also would like to speak on behalf of the community that I represent, the community of Broadmeadows, which effectively is a United Nations in one neighbourhood, with people from more than 160 different nations now calling Australia home. This is the great gift that Australia offers the world — the chance to have a second chance at life beyond the burden of history. This is particularly important for a lot of women — to be able to get a better opportunity here, to be able to address the social, cultural and historical barriers to them, and to get a fair go. I think that in a whole range of different ways the Andrews government is addressing the issues — from equal numbers of women in boardrooms to equal numbers of women getting a chance. I think that is all important in the bigger picture of how we deal with these issues.

I remember it was on a wintry Wednesday night in Broadmeadows that almost 150 women and men came to talk about their experience, to provide their insights and to form a submission to the royal commission and address Australia’s most pervasive criminal justice concern. I had the honour of dealing with that, with the

minister as well, to try to get an insight into not just the physical abuse but also the emotional and financial abuse that can be attached to these issues. I hope that we see from the Minister for the Prevention of Family Violence and from the Premier, the Treasurer and the cabinet further leadership on this. I just think that it is incredibly important that the women of this Parliament understand the power that they brought to this issue with the strength that they showed in bearing witness.

Ms SPENCE (Yuroke) — I am very pleased to speak today on the motion to take note of the addresses regarding the prevention of family violence led by Ms Rosie Batty on 26 November 2015. Being present as a member of this Parliament on that day was one of the most significant events since my election, and indeed I think it was one of the most significant events in the history of this Parliament. It was an honour to hear from Rosie Batty, Kristy McKellar, Joumanah El Matrah, Muriel Bamblett, the Chief Commissioner of Police, Graham Ashton, Annette Gillespie and Rodney Vlasis as they each addressed the Parliament on family violence.

Violence against women and children is not new. The understanding that this is a gendered issue is not new. The knowledge that family violence has its roots in flawed perceptions of privilege, entitlement, power, control and, above all, disrespect is not new. What is new is that we are now prepared to confront this national disgrace head on, to call it out for what it is, to investigate the extent, the effect and the appropriate response and to do all we can to save the lives of women and children and to create a cultural shift to zero tolerance of family violence.

The heartfelt address of Rosie Batty shone a light on the attitudes and perceptions which many have previously preferred to leave unspoken. I thank her for that, and I thank her for her year of passionate advocacy as she made the absolute most of her time as Australian of the Year, brought family violence to the fore and continued to push for national awareness of this national disgrace. I also have to say that as well as being one of the most significant and proud days as a member of this place, it was also one of the most difficult. My heart again broke for Rosie and the tragic loss of her son, Luke. As Rosie said, ‘The need for power and control at any cost is beyond our comprehension’. Indeed it is, and it just makes the loss of her son, Luke, so much more tragic.

Family violence survivor Kristy McKellar shared her heartbreaking experience of betrayal, cruelty, unrelenting violence and escalating abuse. She shared her sadness that her daughter’s experience of family violence began in utero. She shared the story of the

final assault against her when her perpetrator dissolved her chemotherapy medication in water so she could not take her critical treatment and of the lengthy physical abuse that followed whilst her 20-week-old daughter lay distressed in her cot in the next room. The extent of abuse against Kristy was also beyond my comprehension.

I am lucky that the extent of abuse to which Kristy was subjected is beyond my comprehension, because for so many it is not. For far too many it is all too familiar. It is far too familiar for the families of the two women per week who are murdered at the hands of their partners. It is far too familiar for the one in three women who are violated or physically assaulted by their partner. And it is far too familiar for the one in four children who witness this trauma.

Thanks largely to antiviolenace advocates such as Rosie and Kristy, many others have also found the strength to stand up and speak out, and this conversation has continued to grow and to come out of the dark corners into public spaces. Family violence is no longer discussed in hushed whispers. It is no longer the almost taboo conversation that I witnessed as a volunteer solicitor assisting with the intervention order list at Broadmeadows Magistrates Court. Family violence discussions can now be heard loud and clear in public outcries that enough is enough.

This was evident at the family violence community forum that I co-hosted with the member for Broadmeadows on 20 May 2015. As the member for Broadmeadows mentioned, this forum was attended by over 150 people, including the Minister for the Prevention of Family Violence; the federal member for Calwell, Maria Vamvakinou; representatives of Victoria Police; representatives of Hume City Council; representatives of Kangan Institute and local schools; and representatives of the many culturally and linguistically diverse groups within the community.

A common theme in that forum and in the addresses to the Parliament has been that appropriate preventive responses to family violence need to recognise and address the causes of family violence, such as gender inequality and attitudes towards women. This may require generational cultural change, and, given that our behaviours are learnt, this cultural change needs to take place in the home, at school, in the workplace and in the community. Family violence needs to be seen as universally unacceptable and as a whole-of-community problem.

The view held by some that family violence is a domestic or personal issue where others should not get

involved also needs to change. As one attendee at the community forum noted, there are no innocent bystanders in family violence. Everyone is responsible, and we all need to be proactive and speak up as it may save a life. As Rosie Batty made clear in her address to the Parliament, we also need to shift from victim blaming to perpetrator accountability. The question should never be, 'Why doesn't she leave?'; we should be asking, 'Why doesn't he stop being violent?' or 'Why doesn't he leave?'

Another important issue is to ensure that all forms of abuse are understood, as the current perception of family violence is often limited to physical violence only. All members of the community need to understand that there are other behaviours that may constitute family violence, including repeated threats, derogatory taunts, damaging property, withholding financial support or financial autonomy, preventing family associations, friendships or cultural connections, or causing death or injury to an animal.

An example provided at the community forum was that of a newly arrived migrant woman who was not allowed to learn English. Many others present noted that this was not uncommon, with the male becoming the gatekeeper of information. In one example the police had visited the home with concerns about potential family violence, and the husband had told the wife that they had attended because they were concerned about her parenting and they may take the children if she did not behave as he instructed.

In Joumanah El Matrah's address to this place she discussed her extensive work with migrant women who experience family violence and abuse, which reflected the accounts of those at the community forum, including women whom she had worked with who had been citizens for 10 years yet still believed their husbands could have them deported and have their children taken from them. I thank Joumanah for the work she is doing in this difficult area, raising awareness and providing support in our culturally and linguistically diverse community.

It is acknowledged that support for people involved in family violence, be it as victims, perpetrators, friends or family, will not of itself solve the problem and that community change is needed. A common theme in discussions has been that many women experiencing family violence want to leave but they cannot as they do not have anywhere to go, nothing to go with and no knowledge as to how they will be able to leave. Too many victims — or, as the member for Lowan rightly pointed out, survivors — do not know what services are available, how to report family violence or how to be

heard. We need to ensure that this information is easily accessible and understandable.

Victims have also raised issues in relation to the safety of their pets and concerns about being separated from their pets. One victim explained that as her relationship deteriorated, her attachment to her dog became stronger and she relied upon this pet for affection and companionship.

Sadly research shows that family pets are a powerful tool that perpetrators can use to coerce or intimidate victims, and pets can themselves become victims of cruelty associated with family violence. A 2008 study reported that 53 per cent of women in violent relationships reported that their pets had also been abused, and in 17 per cent of households where there is family violence a pet has been killed. Animal abuse was also discussed by Kristy McKellar in her address to this place. She told of witnessing a perpetrator throw one of her pet dogs off a handrail, down the decking and a flight of six stairs onto the paved ground.

While there is no quick fix and no single answer to prevent or respond to family violence and there are many issues that need to be addressed, I believe we are finally on the right track. So much is being done to finally address gender inequality and family violence, and we cannot let the momentum stop.

I will conclude with the words of the Speaker from 26 November last year:

We want a Victoria that is equal, a Victoria that is safe. That is our human right.

Ms SULEYMAN (St Albans) — It is with great pleasure that I stand to speak on the take-note motion. It was absolutely inspirational to hear from Rosie Batty and the many other speakers in the house last year. Rosie has faced so much adversity, and her loss is not forgotten. Rosie is a tireless and courageous advocate and campaigner. I thank her for all her work, in particular on what is an urgent national law and order emergency.

Victoria has taken a very strong stance to address family violence. The Andrews Labor government has established the first Royal Commission into Family Violence. We have also appointed a Minister for Women and a Minister for the Prevention of Family Violence and commissioned Australia's National Research Organisation for Women's Safety to develop the Victorian family violence index.

Family violence is a national emergency. It impacts all parts of our community. Not only does family violence

make victims feel isolated and abandoned, fearful and lost from family and friends, but the social, economic and health costs of family violence have very wide implications for society and our community. One in three women have experienced or will experience some form of violence in their lives. Family violence is the leading contributor to death, injury and ill health in Victoria for women under the age of 45, whilst one woman is killed by her current or former partner every week in Australia. These are staggering statistics, and quite shocking.

My constituents in the electorate of St Albans and I were shocked by the tragic death of Fiona Warzywoda in Sunshine on Wednesday, 16 April 2014. Fiona, a mother of four from Melton West, had been at Sunshine Magistrates Court for an intervention order hearing that day. She had attended a nearby women's refuge before she was tragically killed by her ex-partner outside in a public place — the Hampshire Road shopping precinct in Sunshine — in broad daylight. The community united together following Fiona's death and held a public vigil where more than 600 people took a stand and said, 'Domestic violence, not in my name'. Fiona's death and the public outcry following it are reminders that there must be an all-of-community approach to tackling family and gender violence.

My electorate of St Albans has many faiths and is richly diverse. It is a very multicultural community, and we are very proud of that. Just like my parliamentary colleague the member for Broadmeadows said of his electorate, they come from many communities for better opportunities and to be given a chance. I think that really stands out. People, including women, just want the opportunity and the chance to be better.

Many victims of family violence find it incredibly difficult to seek help, and at times there are cultural barriers for victims seeking support. There is often a lack of awareness or information regarding support services, and of course language barriers can cause extreme difficulties for victims. These cultural restraints can often lead to women feeling a sense of fear about coming forward and reporting abuse to police. Some issues are further complicated by immigration issues, as women with spousal visas fear deportation if a complaint is made about their partner's abuse.

Despite these challenges there is more that can be done at a community level to encourage awareness of family violence issues. Last year I was extremely pleased to co-host a White Ribbon Day event together with Community West and the Brimbank Melton Community Legal Centre. More than 300 students from

non-English-speaking backgrounds — both men and women — participated. They came together to express the need to stop violence in the community by painting messages of hope and support on T-shirts as part of the Clothesline Project. The guest speakers included Sergeant Michael Haschka from Victoria Police, who spoke about the role that the police have in our community.

I would also like to take this opportunity to commend both Sunshine police and Keilor Downs police for all the great work that they do in our community, Community West and the Brimbank Melton Community Legal Centre for their efforts to encourage our community to raise awareness on this issue and of course the many other organisations that work every single day in my electorate to provide support and advice to many women and of course in particular victims of family violence.

There is no doubt that more needs to be done. Family violence is the leading cause of homelessness in Victoria, and many women and children become homeless because they feel it is no longer safe to remain in their home. Without safe and affordable housing it is much harder for women and children to leave a domestic violence situation. Women need to have safe options to be able to relocate, and I think that is one of the biggest challenges at the moment.

Women who suffer family violence are often faced with financial difficulties that prevent them from leaving abusive homes and seeking help. Women are often held financially hostage by their partner, who may be the breadwinner of the family. Having a whole-of-community approach with all governments working together with the legal system, community groups, support services, women's group, the education system and the wider public is crucial to tackling this crisis.

I had the opportunity last year to co-host a forum with my parliamentary colleague the member for Footscray. The minister attended, as did, most importantly, service providers from the west, and they shared their frank and honest assessment of the state of family violence support services in the west. The strain on the services, which must be addressed, was clearly identified, particularly the need to ensure that there is safe and affordable housing, refuges and safe houses for women and children to flee to if they are suffering abuse.

I am very proud to be part of the Andrews government, which is determined to achieve results, bring family violence to the forefront and make our society safe for all. Despite the challenges that Victoria faces in

tackling family violence, the Andrews Labor government is taking action and educating our youth, and that is a priority in preventing family violence. I think there is much more work to be done, but there is no doubt that the Andrews Labor government has taken decisive action in this area. I am quite inspired by Rosie Batty and all the work she continues to do on this issue.

Mr CARROLL (Niddrie) — It is my pleasure and my honour to speak on the take-note motion on family violence. Family violence is an issue which has rightly been taken up on the national agenda. When we saw Luke Batty brutally killed by his father, we could not stand by. When we heard courageous women like Rosie Batty come out and speak about their experiences with family violence and their experiences with the justice system, we were all shocked.

We have found that family violence disproportionately affects women from culturally and linguistically diverse backgrounds, women with disabilities and women within our Aboriginal communities, and I commend the Minister for Aboriginal Affairs for her contribution earlier today. It affects all women, including women who are pregnant or have recently given birth. Something I have learnt as the Parliamentary Secretary for Justice, through our Baby Makes 3 program, is that it is often when a woman becomes pregnant that the prejudices can first commence in relation to family violence.

Something I have been proud of is that the Andrews government has taken this issue so seriously. Believe it or not, just this year we have seen eight women killed by violence in Australia. We cannot stand by. I am proud that our government since day one has taken the issue of family violence seriously. It is not just a matter of having a Minister for the Prevention of Family Violence or holding a royal commission; it is really about addressing the root causes and underlying issues surrounding family violence.

As the new Australian of the Year, David Morrison, said recently, it is about walking the walk and talking the talk. We should not be a nation of bystanders. It is not enough for men like me — like us — to wear a white ribbon and sign a pledge. It is not enough for us to know that we would never commit an act of violence against our partners or turn a blind eye if we saw it happening to someone else.

We need to see this problem for what it is — a problem of gender and gender inequality. As Ms Batty said when she spoke in this place recently:

A lot of people still do not see this as a gendered issue. They still cannot quite grasp how it could be a gendered issue.

Surely it is because of drug and alcohol problems, surely it is those people with mental illness, surely it is not because of people like us and our attitudes. You are the leaders of the country, you have huge power and influence, and it is every bit people like you, me and everybody who contribute to this situation.

We need to look at our attitudes, our institutions, our values and the way we educate our children and interact with one another. We need to also recognise how that impacts on the way that women are treated in our society and how that creates an environment in which men can believe that it is okay to perpetrate acts of violence against a woman who they supposedly love, whether it be physical, financial or even emotional violence.

The 2013 national community attitudes survey showed that one in five Australians believes that if a woman is sexually assaulted while drunk or drug affected, she is partly responsible, while over one in five believes that there are circumstances in which women bear some responsibility for violence. Up to 28 per cent of Australians endorse attitudes supportive of male dominance decision-making in relationships. It is attitudes like these that this government is trying to tackle.

Through the respectful relationships education initiatives we can affect the generational change required to prevent gender-based violence. The 2016 school year has now begun, and it is great to see respectful relationships form part of the Andrews government's Victorian curriculum for prep to year 10. It will build students' understanding of gender equality and of how to address negative attitudes such as prejudice, discrimination and harassment. For older students there will be an emphasis on media literacy and understanding its interaction with sexualisation and gender.

The Andrews government is supporting schools to deliver this new curriculum through resource development and capacity building for staff. It is also important that adults, especially adult men, take the time to understand their attitudes and values and how these may impact upon gender inequality, which leads to family violence.

Last night after I got home I watched the ABC's 7.30 report, which looked at a unique residential program in Perth for perpetrators of family violence. A big part of the counselling is about getting those men to understand their emotions so that they are better equipped to address them. As men we are taught to repress our emotions, that being emotional is a sign of weakness or flawed masculinity. We find with most

male perpetrators of family violence that their inability to express or communicate their emotions, especially ones like anger, frustration and resentment, often leads them to taking it out on their partner.

As leaders in our communities we can make an effort to dispel these myths of masculinity and show that every man is a real man and that there is nothing wrong with talking about your emotions. When we see women like Kristy McKellar, who spoke to us in this place about her experiences and the unspeakable cruelty that she fell victim to despite being a confident, beautiful, secure and successful young woman, it is plain to see that it is not just about circumstances.

There are things that we can do in this place, like establishing family violence leave for Victorian government employees, which aims to erode the stigma associated with family violence and provide employees experiencing this kind of trauma with options and support in the workplace. This policy is not just vital to ensuring our workplace is a supportive environment, it is essential for productivity. We can also aim to provide a holistic approach when it comes to the justice system, addressing family violence by tackling the problem at its core and using innovative approaches to improve outcomes for women and reduce the rates of recidivism in perpetrators.

These are all actions that we can take as lawmakers and community leaders to make change. I do not want us to be known as a nation of bystanders, and I do not want to sit back and do nothing while women are continually killed by those who are supposed to love them. I urge members in this place to not only support the policies put forward by the Andrews Labor government to tackle the scourge of family violence but also consider their actions and attitudes in their own lives and how they may be improved to eradicate gender inequality, which is at the core of this issue.

I am very pleased to be part of the Andrews Labor government. It was after the by-election in 2012 that I had the privilege to see the then Leader of the Opposition, the now Premier, at the Moonee Valley Racecourse announce that he was going to establish the Royal Commission into Family Violence. More importantly, rather than just announcing that he was going to establish it, he made a very firm commitment there and then that every recommendation of the royal commission was going to be implemented. No matter how difficult, how short or how long, every recommendation was going to be implemented.

The then opposition leader showed a measure of courage, and he knew that the family home, where

women should be at their safest, was where they were often the most unsafe. If we get this right — we have got the Minister for the Prevention of Family Violence, we have got the royal commission and the report will be handed down very soon by Marcia Neave — I believe we can implement generational change and lead the nation in tackling this scourge.

I am very proud of my own electorate. Just this week I confirmed with the Minister for the Prevention of Family Violence a visit to my electorate. In my community I held a family violence forum last year, and it was very well attended by a couple of hundred people at Penleigh and Essendon Grammar School in Keilor East. Ever since then a number of people have stopped me in the street, whether at a community event, a barbecue or a breakfast, to say what a great event it was and how great it was to hear from the minister, who has a personal and unique story to tell on this subject matter. People from Rotary clubs and football clubs have been affected by family violence; they are just your normal, middle-class residents of the Niddrie electorate, who I would never suspect would have a daughter or a sister who has been affected.

This is an issue that we have as a no. 1 priority. It is an issue that I am very proud to support. I thought the speakers who spoke in the Parliament on this matter, particularly Kristy McKellar and Rosie Batty, were incredible. It was a privilege to be part of the government. I thought the member for Brighton made a very good contribution earlier today, going right back to Attorney-General Jan Wade. I thought the speaker before me, the member for St Albans, who spoke about the challenges in culturally and linguistically diverse communities and the high-profile circumstances that she has faced in her community, also made a very good contribution.

The Minister for Aboriginal Affairs spoke about the high rates of Indigenous family violence. I got to represent the Attorney-General and the Minister for Police in Mildura not so long ago at an Aboriginal affairs function, and I am fully aware of the challenges in that community. But we are seeing leadership in that community. We are seeing that if you put in place the wraparound services required, you can tackle this issue and meet it head on.

I am looking forward to seeing the second budget of the Andrews Labor government to see the real commitment to tackling this issue. I think it is great that the Parliament has once again taken the opportunity to put this matter to all parliamentarians so that they might contribute to the debate on it. It is an incredibly huge social policy issue, and it has required leadership. I

think Premier Andrews needs to be commended. From being in opposition to being Premier he has put it at the forefront of this government, and this is a government that will do everything it can to tackle this scourge.

Mr CARBINES (Ivanhoe) — In my opening remarks on the take-note motion on the address by Rosie Batty to the Victorian Parliament can I say that as a Labor MP there are expectations my community has of me as their local representative, particularly when we are talking about law and order issues, not only in the Labor Party and the labour movement but also in my local community. While these issues have bipartisan support, particularly around family violence, what I think has been important about the contribution of the Andrews government and the leadership of our Premier, the member for Mulgrave, who was previously the Leader of the Opposition and parliamentary Labor Party leader, is that he has made sure that the way in which the Labor Party and the Labor government seek to address matters of crime and violence does not focus solely on bidding wars with political opponents about how many police or how many people get locked up and for how long.

We are broadening our conversation in the community about criminality, violence and justice issues that relate to family violence. We are having a conversation in a law and order context, and much broader than that, in a context around family violence, where that fits into our community and where the accountability lies. What has been very pleasing is how it has resonated with the community. Also pleasing have been the resourcing and the public policy debates that we have had on this matter which in opposition we took to an election. We have seen the Royal Commission into Family Violence and the engagement from the community that affirmed the Labor Party's decision to pursue these matters, to shine a light on them and to resource a conversation in the community to encourage people to step forward. All of that is about broadening some of the bread-and-butter political issues around law and order, giving them a much greater context and meaningful discussion in the community and seeing where that can lead us as a Parliament and as a state in terms of how we want to address those issues.

It was a very significant moment, and there have been several in this Parliament and the Parliament before it, which I was fortunate to be a member of. We have had joint sittings, and where there has been an opportunity, we have heard from those from outside who have made great contributions in our community but who have not necessarily been elected to serve here and who have come to speak to this Parliament, this house of democracy, about the challenges and issues that they

have faced and shown great leadership on, as Rosie Batty and other speakers of that day have done. We have used our Parliament to highlight other issues, including those related to adoption. We have had joint sittings and discussions on a range of other matters in the time that I have been here, and each and every one of them has been on very just matters. They have provided a great opportunity to focus on some broader endemic challenges in our community.

What has been of particular value, and I have come back to this point, is that this is about opening up a conversation in the broader law and order context and a discussion around criminal justice. Family violence seeps into so many aspects of day-to-day life in our community, and it is important to look at how we can be resourcing people with tragic stories and broken lives. We must make sure that we break this constant, repetitive behaviour that goes from generation to generation. Many of us have seen that firsthand in the way in which young people have grown up in a family context that might be violent. It might be difficult and there might be lots of pressures, and you end up seeing how those young people behave when their greatest role model, when they are fortunate enough to have them, are their parents. You can see from the way in which people sometimes engage in the community, where they learn their behaviours from, what they think is acceptable and then we perpetuate ongoing cycles of family violence and of disrespect and of fear and loathing in families, often behind closed doors in our neighbourhoods and different communities.

What I think is particularly important in the work that this Parliament needs to do in relation to many of the matters that Rosie Batty raised to work out how we break that nexus, that cycle of family violence that perpetuates itself because of the role models in certain family contexts that leave young people in a position where they know nothing else other than what they see at home and feel that that is the appropriate way to behave and the appropriate way to conduct themselves and the appropriate way to control the family environment in which they find themselves. We need to find ways to engage people in order to break that nexus and so that more people understand what is expected of them in the community and how they can play a role.

The West Heidelberg Community Legal Service does great work in our community. It made a great submission to the Royal Commission on Family Violence. Its patron is a former Premier and one of my constituents, the Honourable John Cain. For very many decades they have been doing great work in our community, and they have taken the opportunity to contribute to the work of the Royal Commission on

Family Violence — that work led by not only our Premier but in particular the member for Northcote.

I want to commend all members of Parliament for the encouragement they have provided in their communities for people to make contributions so that we get a very full pallet of discussions in our community about the range of aspects we will need to address when it comes to family violence and how we can make sure we broaden our stereotyped debate on law and order issues, which can often happen in a political context. We need to start to broaden out the massive resources that we have in the criminal justice system so that those who play a role in it can better support those on the front line. That is not just police; we are talking about social workers, we are talking about individuals and families and we are talking about how can we make sure we are providing accountability and resourcing for them.

In many ways a lot of the work that is being done in areas like the national disability insurance scheme (NDIS) contributes to the debate. This is about opening up a conversation and a public policy role for governments and communities to not accept what has been acceptable behaviour and practice and what we have been allowed to tolerate, decade after decade. It is about saying with the NDIS that we expect a greater level of contribution from the community, a greater level of accountability from those who run those services and a greater expectation on our fellows about what services we should expect as human beings.

It is no different in relation to family violence and the conversation that opens up. The accountability lies with all of us to reassess what our engagement is as law enforcers. Whether it is about our police services or whether it is about social workers and community engagement people, we need to ask: what is the work that needs to be resourced? How do we broaden out and support people who have been operating and dealing in this space for many years and who are tired, worn down and needing the attention and support that is so important.

We have seen this even in the work that the member for Broadmeadows, the member for Thomastown and others in this place have undertaken in relation to sexual abuse and those issues we have dealt with through parliamentary inquiries. What we are doing here as a Parliament is picking up on some of these very endemic issues in the community that have been there for decades. They have been tolerated largely because people have grown to accept them, not because we think it is a standard that is appropriate but purely because the sameness of it and perhaps the challenge of

the problem has meant that people have not been prepared to tackle it collaboratively in great detail and in great depth.

In relation to the people who have made contributions to the royal commission, like those who have made contributions to other significant inquiries, it takes great courage. It takes a great deal of insight, and it wears people down to have to tell their story. We thank them for that. We need to give people confidence that as lawmakers we are going to act on the findings of the royal commission.

We need people like Rosie Batty who, despite their horrific circumstances, can stand up and make sure not only that parliaments and governments are accountable but that the community is accountable for what it is prepared to accept and what it is prepared to do to make sure that the society we live in is one that nurtures and one that allows people to prosper and to do so in a free and democratic way. There are a lot of challenges that draw all of those aspects together, but I believe that we are well on the way and we have great experience in terms of how we tackle some of these endemic issues in our community.

Debate adjourned on motion of Ms ALLAN (Bendigo East).

Debate adjourned until later this day.

BUSINESS OF THE HOUSE

Adjournment

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

That the house, at its rising, adjourn until a day and hour to be fixed by the Speaker which time of meeting shall be notified in writing to each member of the house.

Motion agreed to.

FAMILY VIOLENCE

Debate resumed from earlier this day; motion of Ms RICHARDSON (Minister for the Prevention of Family Violence):

That this house takes note of the addresses regarding the prevention of family violence, led by Ms Rosie Batty, on 26 November 2015.

Mr EDBROOKE (Frankston) — It is with great pleasure, but also sadness, that I rise to contribute to the take-note motion of the address by Rosie Batty. I would like to start by thanking everybody who was involved

with organising this very special and unique event. It was a rare opportunity for us all to come together, put aside our day-to-day political contest and instead focus on an issue of great importance to our community — a national emergency in fact. It was a powerful statement and one that allowed our institution and our community to shine a very bright light into a very, very dark area. Of course as we speak we have a royal commission that is deliberating and the funding is flowing, which is definitely a positive direction to be heading in.

In my electorate of Frankston, Frankston North has the highest rate of police callouts due to domestic violence, which is a sad state of affairs. There is a call for help every eight minutes. We know that one, sometimes two, females are killed every week. It is a scary statistic, and I think it touches everybody. In Victoria we are expecting up to 100 000 child protection notices this financial year, which is another very scary statistic.

On the positive side in relation to some of the actions being taken, I thank Ms Mikakos, the Minister for Families and Children, and her staff for recently announcing \$1.25 million to boost men's behaviour change programs. I will talk about that in a little while, but I think that is an area that we definitely need to be funding and making some movement in.

At a local level we have got some terrific services that cater for domestic violence victims, and I would like to give them a mention. We have got the Women's Information and Referral Exchange, known as WIRE; the WAYSS Family Violence Crisis Service; the Mornington Peninsula Domestic Violence Service; and of course the Peninsula Community Legal Centre. We have had domestic violence forums, and I recently took part in a forum where the debate was on the question, 'Can the media prevent domestic violence?'. This is all about bringing an awareness to our community about something which, like I said, has been kept in a very dark place, somewhere where we just did not want to go.

I have never experienced discrimination based on my gender, and I do not know how that feels; and I have never had a partner abuse me in any way — financially, physically or mentally — and I do not know how that feels. However, I have been to many forums about domestic violence, and I always cringe when a male who does not work in the industry or in any of the stakeholder groups and does not deal with victims of domestic violence or work in that sector gets up and makes a speech about themselves and what they know. I am certainly not going to do that today.

If I can, though, I would like to share with members a very steep learning curve which I was thinking of when Ms Batty was making her contribution that day. I guess my learning curve was from zero; I found out I knew absolutely zero about the scourge of domestic violence. I was brought up in a family that believed domestic violence was due to poor socio-economic circumstances and that only people in homes affected by their low socio-economic status were affected by this, and that either drug or alcohol abuse might come into it as well.

I was also brought up to ask, 'Why didn't the woman leave?'. I kept that view because I thought that was the way to go. But in 2002 while working as a firefighter my station at Frankston was involved in responding to a murder-suicide. A 41-year-old woman, her 16-year-old son and her 10-year-old daughter were found beaten to death, piled in a corner in the bedroom and set alight. The second truck responded to the husband, a 46-year-old male who had decided he wanted to drive his car with an open barbecue cylinder into a pylon. It all sounds very dramatic, and it was — they were very tragic circumstances — but do you know what we said? We said, 'Why didn't she just leave?'. These were first responders. I know that there are some members in this house, including the member for Gembrook and some others who have been police officers, who have seen things like this, but it still does not change our perception of what is actually happening, which is wrong. We are still asking, 'Why didn't these people actually leave?', when I believe the question we should be asking is, 'Why is it actually happening?'. If we ask that question, we can actually treat the problem from the roots instead of just treating the symptoms.

So years went by, and I was still asking the question whenever I heard about this in the news and whenever I heard those terrible statistics of 100 000 child protection notices in the financial year and up to two women dying each week from family violence. I was still always asking myself, 'Why don't these people leave?'. I did not quite understand it until it happened to a member of my family, and it was a hard lesson to have that phone call from my relative. She had been fairly horribly abused, and it was that day, and only that day, that my mind triggered the thought, 'Why did that happen?'. It was not about why my relative did not leave.

I guess what I am trying to illustrate from a male perspective — and I think I talk for most males, although I am probably not qualified to — is that until we are actually involved in a situation a lot of males are never going to realise, unless they are confronted with some information and some education, that this is a

gender inequality issue. This is a male issue. We do not have two blokes dying per week; we have two females dying per week. Like I said, in Frankston North, we have the highest call-outs for police attendance to domestic violence in the state, and it is a very, very scary thing. That is a very hard lesson for a young, white, Anglo-Saxon male with a privileged lifestyle to learn.

I am certainly not going to say I am the smartest bloke in the room, and I am certainly not going to say I am the dimmest either, but my example does show that, just as domestic violence — —

Honourable members interjecting.

Mr EDBROOKE — Shoosh! Just as domestic violence shows no pecuniary, social or cultural bounds, I think the depth of men's acceptance that this is indeed a gender inequality issue and indeed a male issue has barely touched the sides. I would go so far as to reinforce that if we are talking about males who are not affected and who have not seen this happen, they give very little consideration to it because it is not touching them.

What I can say though is that the media has a very important role to play here. One example that I would give is that of Billy Brownless and his throwaway line as the MC of the Hawthorn Citizens Junior Football Club luncheon. That line was, 'Here come the strippers', to a mother and daughter who had walked in.

This is an issue of how women face so much disrespect every day. Because they are hearing crap like that, they face so much disrespect, and this is where that domestic violence starts. I am sure women can take a joke when it is a joke, but abusing women, whether physically, emotionally or verbally, is not a joke, and it should never be made out to be something that is light-hearted. We should be stepping on it. It is time for organisations to step up and make a difference but not only from a female perspective. When I go to these forums I look around and I see mostly females. The stark reality is — and I have spoken to Rosie about this — that we are preaching to the converted. We need to be getting these forums into footy clubs, fire stations, police stations, ambulance stations and other places with majority male workforces and start educating them that this is a gender issue.

Anecdotally the example I provided in my initial statements, while being quite sad, shows the amount it took for someone like me to be touched by domestic violence and realise that it is a massive problem. I think a lot of friends I have now are very challenged by my

educated opinions on this — that is, ‘We are actually a problem. For you to sit here and crack jokes like that, that is a problem’. I get, ‘Man, you’ve changed’. Yes, I have changed, because I have realised that this is a real issue that we need to act on now, and my level of acceptance is not as shallow as it used to be.

In conclusion, I reiterate that the driver of family violence is inequality, and we should not stand for it, just as Rosie Batty did not stand for it. We do not have to accept that this is our future, because we do have the capacity to change. It is just now that we are starting to get that push, and we have got to keep that momentum going to get that change.

Mr PESUTTO (Hawthorn) — I am pleased to be able to speak on this take-note motion, and I am pleased to be able to follow the remarks of the member for Frankston, whose contribution I pay tribute to; I think it was a very good contribution.

I want to make a few remarks about the scale and magnitude of the challenge we face in addressing the scourge of family violence and domestic violence, because it is not something that is restricted to our laws. We can pass whatever laws we like, and we have. For decades, even hundreds of years, we have passed laws to outlaw violence, to deter violence and to denounce violence, but the gathering we had in this chamber late last year showed us the scale of the cultural and social change that we need to effect. As the member for Frankston said, it is often misunderstood that domestic violence is more often than not the culmination of intimidation and fear.

I had the pleasure last year to launch a book on Katherine X by journalist Sue Smethurst at Readings in my electorate of Hawthorn. I remember reading an agonising account of decades of abuse that Katherine X faced at the hands of her father, who raped her repeatedly over the decades and was the father to a number of her children. I said on that occasion that one might ask, ‘Why not leave? Surely leaving must be better than anything else that you might endure — the pain, the anguish, the fear’, but she could not.

We need to understand that it is the combination of intimidation, fear, anger, aggression and hostility that imprisons women — sometimes children but predominantly women. I remember your remarks, Acting Speaker Thomas. You gave a very interesting account of being at a function where an offensive joke was told. One might well ask, ‘Well, couldn’t someone have stood up?’, but you illustrated the point beautifully that we all need to take responsibility for this. I commend you, Acting Speaker, on bringing that to the

attention of the house because it is a good reminder of what we need to do.

I want to spend most of my time talking about the scale of social change, but I do want to just quickly pay tribute not only to the Napthine and Baillieu governments but also to the present government for holding the forum last year. I think it was a very important occasion. We heard from some very notable speakers, and their accounts were very moving. I think it was very important.

I want to make some points very briefly, noting that we are approaching 5 o’clock. The scale of the challenge we face is not going to be cured just by the laws we pass, it is not going to be cured just by the funding we allocate and it is not going to be cured just by improving interoperability between the agencies, which are all key objectives we need to achieve. We have before us a momentous challenge of overturning millennia of, predominantly, male forms of behaviour. Violence and aggression take many forms, and they can be embedded in many aspects of our lives. On the streets late at night violence is embedded, and aggression can be embedded in some forms of sport — particularly combat sports but many forms of sport where aggression is not only a feature of the sport but exalted, in my view sometimes wrongly, as a virtue of the sport.

We have violence in politics. We certainly have aggression in politics — not in this chamber, but violence can be a feature of politics around the world. We are relatively blessed in Victoria that we have, I think it can be said on behalf of every member of this house, an enduring civility in our politics whereby we can engage in heated exchanges but respect each other and respect our differences. We are trying to overturn millennia of behaviour. It is not going to be easy.

Occasions like that which we were blessed to be present at late last year, when we heard from Rosie Batty and Kristy McKellar and other good speakers, bring to our attention what we need to do to change our behaviour as a society and our own perceptions of violence and aggression and where it happens. Domestic violence does not pay homage to race, it does not pay homage to location, it does not pay homage to affluence. It can occur anywhere because it takes many forms.

I am prepared to say that the challenge we face is predominantly something that depends on men changing our attitudes towards women along with the community better inculcating the virtues of civility, respect for the dignity of human life, respect for gender, respect for race and respect for our basic humanity so

that we understand that the key to resolving differences — and after all that is what politics is; politics is how we resolve differences about how we conduct ourselves and what sort of society we want to build — depends on that civility and basic dignity which we accord each other.

We want to live in a society where we are responsible for each other and responsible to each other, so our effort is to eradicate, as far as we humanly can, the idea that intimidation, aggression, violence and hostility are the keys to power, respect and success. Too often, in too many areas of our lives and in our community, we exalt as virtues the very things we want to change. Particularly within the ranks of young men, we need to better inculcate the virtues that tell them that the key to respect, the key to success, the key to authority and responsibility is not hostility, aggression and violence but respect and resolving differences peacefully.

It is a great pleasure to have been able to speak briefly on this take-note motion. I congratulate the government on convening last year's event, and we certainly supported that.

Ms WILLIAMS (Dandenong) — I am very pleased to speak today on the motion to take note of the address regarding the prevention of family violence that was led by Rosie Batty on 26 November 2015. To quote from the Premier in his address on that day last year:

This is not an isolated problem. It is a social problem, it is an economic problem, it is everyone's problem and all of us must admit that we have let this get away from us. Violence against women and children is the oldest weapon of fear the world has ever known.

I know many in this place will be aware of the statistics of family violence and violence against women and just how shocking they are. We usually hear the statistic that one woman is murdered per week by a partner or a former partner, but we also know that in recent times it is actually closer to two women per week. We know that family violence is the leading contributor to death and disability in women under the age of 45, and we know that 75 per cent of assaults against women happen in the home.

The scale of this issue is just enormous, and we are all touched by it in some way. I genuinely believe that everybody in this place knows somebody who has been a victim of family violence, has perhaps even been a victim of family violence themselves or at some point in their lives will encounter those sorts of stories about someone they have an association with.

I want to reflect on a few of the points that were raised by a number of speakers that day last year and to reflect

on a few of the issues that really resonated with me at that time. The first that I have identified is the notion of family violence as a gendered issue. I will quote Rosie Batty on this because she said it far better than I ever could, that is:

A lot of people still do not see this as a gendered issue. They still cannot quite grasp how it could be a gendered issue.

She went on to say:

Up to two women a week are being murdered. If you do not see that as a gendered issue, I have no idea what we have to do to convince you. Because right now I do not hear of two men a week being murdered at the hands of their partners. I do not know of one in three men who are violated and physically assaulted by their partners, unless indeed it is another man.

This is a really uncomfortable truth, I think, for our community. It is an uncomfortable truth even for me as a woman. Part of that might be that I am extremely fortunate to come from a family of women. We were the majority in my household. I am one of four girls.

Mr Edbrooke interjected.

Ms WILLIAMS — My dad loved every second of it. I thank the member for Frankston. There were four girls and my mum, so five women in the household — five strong women — and my dad. It was very much a matriarchal structure within my family. So the notion that women could ever be considered inferior or not equal is something that I have reflected on, I suppose, relatively recently in my life.

But in saying that, being one of four girls, and having three big sisters, when I look at the statistics of the number of women that do encounter family violence at some point in their life by a partner or former partner, I look around, as most of us in this place would, and think, 'That could be one of my sisters. It could be more than one of my sisters. It could have been my mother. It could be cousins'. I think about what life might be like behind closed doors of women that I know and love and have known and loved my whole life. It is a frightening prospect to think that often this happens and we have no idea that it is going on behind those closed doors. I think that is one of the most horrifying parts of this horrible issue that our community faces.

I also want to touch on the notion of political leadership. It is obviously something that motivates us in this place to be elected in the first place. We hope that we can be leaders; we hope that we can contribute something valuable to our community and to the state of Victoria. I also want to quote Rosie Batty's comments on this front. She said:

We now have leadership from the political parties that we have been looking for for so long. We cannot afford to let the momentum that we are now starting to gain fall off. We all have to individually be committed to challenge our thinking, challenge our attitudes, challenge our behaviours and look at how we can within our circles of influence change and be open and honest with each other.

I am proud to be part of a government that is taking huge strides towards not just recognition of this issue but active discussion about how we address it. That is through things like the fact that we have a Minister for the Prevention of Family Violence, and a very good minister at that. We launched the first ever Royal Commission into Family Violence in Australia, and there are a number of other programs that other speakers have mentioned that we have invested in to try to get to the heart of this issue or work out how we best respond to it.

In thinking about how to resolve the issue we are often confronted with the failings of the system as it currently exists. Kristy McKellar, another speaker last year, is difficult to forget. Her contribution to that discussion last year was absolutely gut wrenching, and I think we would all agree. Her story cut through me. She talked about vicious attacks, brutal beatings while pregnant, and afterwards beatings as she tried to protect her baby. She also talked about deliberate interferences with her chemotherapy treatment, animal cruelty, and other things. The behaviour that she spoke about was absolutely sickening.

But what really affected me was that she spoke of the failure of the system to protect her and she spoke of the life sentence that she had received in having to move house twice, change cars, live a life where she wears an alarm at all times and has CCTV cameras installed in her house. Meanwhile her former partner is out and about in the community. That is horrifying. It just struck me that disproportionately the inconvenience is attached to the victim in these circumstances, and that happens all too often. That has got to be something that we look at. We have a responsibility as members of this place to rectify this and to protect the vulnerable better than we do currently.

I also want to reflect on the statement that was made about multiculturalism by Joumanah El Matrah, another of the speakers. This really resonated with me because as the member for Dandenong I represent the most culturally diverse electorate in Victoria, and so some of these issues that are identified by Ms El Matrah I have heard about myself within my electorate. She said:

What I have found most difficult in working on violence and what haunts me still and what I hear a lot about still is the constant blame that we continue to find ways to articulate.

'She spoke back', 'She provoked him', 'She doesn't know her place' and 'She's a bad mother'. For immigrant and migrant women we find yet more ways to blame them. 'The problem is that in that culture they're too passive', 'In that culture they're too fiery' and 'They're too domineering'. For Muslim women there is the additional layer of blame: that this is their role in their religion. 'Those Muslims are all a backward lot anyway', 'In their religion it's normal to treat women like that' and 'That religion has a propensity for violence anyway'.

She went on to say:

Blaming women, blaming culture, blaming religion is of course not without its purpose. But blaming culture and religion is not only about the denigration of the culture or religion at hand. I have also come to understand after all these years that it is actually another way to blame women.

That, I thought, was a very powerful quote. My apologies for reading that in full, but I think you need to get the full effect.

As I said, in my community in Dandenong, as the most culturally diverse community in Victoria, with over 60 per cent of the population born overseas, these are the sorts of statements that we hear when women come to us; and these are the sorts of responses we hear from largely the Anglo-Saxon, Anglo-Celtic parts of the community when we talk about family violence in multicultural communities. To give a sense and flavour of my local area, Victoria Police data for the Dandenong area showed an almost 50 per cent growth in reports of family violence in the five years leading up to 2013–14. The Casey City Council area also has significant rates of family violence and it continues to be under-reported.

We also have high rates and significant increases in homelessness, with about a 94 per cent increase between 2006 and 2011, and we know that family violence can be one of the largest causes of homelessness. I sure hope the increase in homelessness is not actually showing some level of correlation with the increase in family violence. That would be very shocking indeed.

As a final note I just wanted to say that all speakers last year made a call to action. They all asked us to do something big, to do something powerful, to make the lives of victims of family violence better. I am very proud to be part of a government that has taken that call to action very seriously and is working hard to ensure that we get better as a community on such a very important issue.

Mr NORTHE (Morwell) — I am pleased to rise to speak on this take-note motion this afternoon. In doing so, firstly, I welcome the comments by all members of

Parliament. It is one of those situations where there is strong bipartisan support. There have been some very emotive contributions and very sound contributions, and I think all of us in this house certainly want to see some of the issues around family violence addressed. My good friend the member for Hawthorn, an ex-Traralgon resident, made a great contribution, I thought, in stating the fact that it is not necessarily always up to government itself to address the issues around family violence; it is the community as a whole. We are not going to make any inroads or dents in the incidence of family violence unless there is buy-in from the whole of the community. That is certainly something that has been recognised, I think, by respective governments and hopefully we can find a way forward into the future.

Thursday, 26 November 2015, in this Parliament was a fantastic occasion. It was a very sad occasion and, again, a very emotional occasion. You can only pay tribute to the courage of all the speakers who stood up in this place and spoke for the first time in such a forum and did it so well and so passionately. I do not think I have ever seen the Assembly pay so much attention to the speakers of the day, and again I endorse the comments of the member for Hawthorn that it was a fantastic occasion in that respect. But as the member for Frankston said, it certainly hit home and gave you a real sense of what victims experience when they go through such a thing. It is just an awful, terrible, cowardly deed, and the courage of those people who spoke on the day was something very profound.

Rosie Batty has been mentioned a lot in dispatches, and rightly so. She is held in the highest regard. Indeed a couple of weeks before she spoke in Parliament, along with her colleagues, she was in Traralgon and spoke at the business breakfast — absolutely the largest ever Gippsland business breakfast I have seen in my life. Hundreds of people attended this breakfast to listen to her speak about her journey and story, and importantly, I think, about some of the work she has done and continues to do at the moment. The audience again was fixated on her journey and what she had done.

Unfortunately from my local community point of view we do see a significant amount of the scourge of family violence. Whilst I am absolutely proud to represent my community in this place, I am actually not proud of the statistics that exist in our region with respect to family violence. Unfortunately in my community the incidence of family violence is very high. It is not a statistic that we should be proud of. It is not something that we should be comfortable about, and we have to do all that we can to make sure we minimise that. By the same token I am actually proud of my community because

there are many who are really trying to make a difference. Whether it is Quantum Support Services, who are delivering family services, Gippsland Women's Health or Victoria Police, a whole range of service providers are doing wonderful things in trying to make a difference in our community.

It is important we do have events such as White Ribbon Day, where males such as me, male members of Parliament, and male leaders in the community can stand up and say, 'This is wrong'. Those who perpetrate violence against women or children are nothing but cowards, and that should be the way they are named. Hopefully in the future that will make a dent. Just last week I was pleased to be at an announcement of the multidisciplinary centre in Morwell, where we have Gippsland Centre Against Sexual Assault and policing department people addressing family violence incidents, which are horrible, in our community.

The DEPUTY SPEAKER — Order! The time for consideration of items on the government business program has expired and I am required to interrupt business. The honourable member will have the call when this matter is next before the house.

JUDICIAL COMMISSION OF VICTORIA BILL 2015

Second reading

Debate resumed from 23 February; motion of Mr PAKULA (Attorney-General).

Motion agreed to.

Read second time.

Third reading

The DEPUTY SPEAKER — Order! I advise the house that I am of the opinion that the third reading of this bill must be passed by an absolute majority. As there is not an absolute majority of members present in the house, I ask the Clerk to ring the bells.

Bells rung.

Members having assembled in chamber:

Motion agreed to by absolute majority.

Read third time.

**RACING AND OTHER ACTS
AMENDMENT (GREYHOUND RACING
AND WELFARE REFORM) BILL 2015**

Second reading

**Debate resumed from 24 February; motion of
Mr PAKULA (Minister for Racing).**

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

**CHILDREN LEGISLATION AMENDMENT
BILL 2016**

Second reading

**Debate resumed from 24 February; motion of
Mr FOLEY (Minister for Housing, Disability and
Ageing).**

Motion agreed to.

Read second time.

Circulated amendments

**Circulated government amendments as follows
agreed to:**

NEW CLAUSE

Insert the following New Clause to follow clause 21—

‘AA Consequential amendments

- (1) After section 277(1)(e) of the **Children, Youth and Families Act 2005** insert—

“(ea) a care by Secretary order applied for under section 289(1A); or (eb) a long-term care order applied for under section 290(1A); or”.

- (2) In section 277(2)(b) of the **Children, Youth and Families Act 2005**, for “paragraph (c) or (d)” substitute “subsection (1)(c), (d), (ea) or (eb)”.

- (3) After section 328(1)(b) of the **Children, Youth and Families Act 2005** insert—

“(ba) the dismissal of an application under section 289(1A) for a care by Secretary order; or

(bb) the dismissal of an application under section 290(1A) for a long-term care order; or”.

- (4) After section 515(1)(c) of the **Children, Youth and Families Act 2005** insert—

“(ca) a care by Secretary order applied for under section 289(1A); or (cb) a long-term care order applied for under section 290(1A); or”.

- (5) After section 525(1)(e) of the **Children, Youth and Families Act 2005** insert—

“(ea) application under section 289(1A) for a care by Secretary order; or

(eb) application under section 290(1A) for a long-term care order; or”.

- (6) After section 557(1)(a) of the **Children, Youth and Families Act 2005** insert—

“(ab) the Secretary applies under section 289(1A) for a care by Secretary order; or

(ac) the Secretary applies under section 290(1A) for a long-term care order; or”.

Third reading

Motion agreed to.

Read third time.

HEALTH COMPLAINTS BILL 2016

Second reading

**Debate resumed from earlier this day; motion of
Ms HENNESSY (Minister for Health).**

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house now adjourns.

Fairhills High School

Mr WAKELING (Ferntree Gully) — I rise to raise a matter with the Minister for Education, and the action that I seek is that the minister provide \$8 million for stage 1 funding for Fairhills High School in the upcoming May 2016 budget. Fairhills High School,

located on Scoresby Road in Ferntree Gully, was built in 1973. Since that date the school has not received any funding for building upgrades or redevelopment. The school has only been provided with minimal funding to complete ongoing necessary building maintenance. The school did, however, have a basketball facility that was constructed on site in conjunction with the Knox Raiders, but the actual existing infrastructure has had minimal or no work.

Given the age of the school, many buildings are outdated and require costly ongoing maintenance and repairs. The school principal, Mr Harvey Wood, and his dedicated teaching staff work exceptionally hard to deliver a first-class education to approximately 900 local students in very tired and trying learning environments. To ensure the students of Knox are given the best possible chance of succeeding, investment must be made in our local schools. Our students deserve the opportunity to learn in environments which enhance their learning experience and where they are able to achieve their absolute best by having access to the most up-to-date technology and learning spaces. The buildings of Fairhills High School are in desperate need of upgrading. The provision of stage 1 funding for Fairhills High School will allow the school to commence its transformation to a modern education facility to support the learning and teaching of our local students.

During the lead-up to the 2014 state election the former coalition government recognised the importance of providing children in Knox with the best possible learning spaces for them to achieve success for their future, and it committed over \$17 million, if re-elected, for the urgent upgrade of schools such as Fairhills High School, with an \$8 million funding commitment; Scoresby Secondary College, in conjunction with the member for Rowville, with a funding commitment of \$8 million; as well as a commitment of \$457 000 for Knox Park Primary School.

It is imperative, if the Minister for Education and Premier Andrews are going to live up to the reputation of making Victoria the education state, that they ensure that students in my electorate are provided with funding. In fact in the last state budget no major capital upgrade was provided to any primary or secondary school in my electorate, and that is simply not good enough. Given the importance of educating our children, I ask the Minister for Education, on behalf of the students, parents and teachers of Fairhills High School in Ferntree Gully, to take action and ensure that the Andrews Labor government will provide the much-needed \$8 million funding commitment in the

upcoming May 2016 budget so that Fairhills can get on with the job of developing its stage 1 rebuild.

Berwick Integrated Care

Ms GRALEY (Narre Warren South) — My adjournment matter is for the Minister for Health, and it concerns Berwick Integrated Care. The action I seek is that the minister visit Berwick Integrated Care to see firsthand the fantastic work it does for many local residents and their families. Just recently I had the great pleasure of turning the first sod for the new \$120 million St John of God Berwick Hospital. Together with the Andrews Labor government's expansion of Casey Hospital, this new hospital means that local residents will soon have access to the very best care right on their doorstep — just like the care that can be found at the recently established Berwick Integrated Care, which is just opposite Casey Hospital and adjacent to the site of the new St John of God Berwick Hospital.

Berwick Integrated Care offers patients a one-stop shop through its specialist clinics, which include breast and endocrine, upper gastrointestinal, diabetic rapid assessment, menopause, hernia, colorectal, pelvic floor and gynaecological, and oncology. These clinics all have surgeons, physicians, oncologists, specialist nurses and allied health professionals attending at the same time, and this allows patients to receive the care they need in one place and at one time. They can meet with one or several specialists and undertake the treatment they need right there and then, instead of having to meet with multiple specialists at different times and at different locations, saving them time, stress and of course money — a holistic approach to patient care. It is to be applauded.

A good friend of everyone in my office, Pam Mamouny, recently visited the centre to meet with one of its fantastic specialists. They spoke for over an hour, and Pam remarked, 'He was just so very informative and caring'. There is no doubt that Pam is in good hands, and I hope she makes a speedy recovery.

I know that the chairman, Leigh Reeves, and his team at Berwick Integrated Care are doing an exceptional job for those in need of care in our local community — a community that continues to grow, with countless families making it their home each and every year. They deserve to have access to the very best health care closer to home. With the expansion of Casey Hospital and the new St John of God Berwick Hospital, we are building them the highest quality health precinct — a precinct that will ensure they receive the care they need, with their families right by their side. This has only

been possible through the work of our indefatigable Minister for Health, and I do hope that she will join me in visiting the outstanding team at Berwick Integrated Care.

Multi-peril crop insurance

Ms KEALY (Lowan) — I raise a matter for the attention of the Premier, and the action I seek is that the Premier make good on his commitment to examine the cost of multi-peril crop insurance for our drought-stricken food producers in western Victoria. In areas of western Victoria our grain, pulse and legume producers are suffering from the lowest ever two-year rainfall levels. On the back of two failed growing seasons, our food producers are increasingly turning to multi-peril crop insurance to guarantee some return on their cropping input costs. However, many farmers are not taking out multi-peril crop insurance due to the high premiums, with some products requiring 10 per cent of the maximum claimable amount.

If our farmers could access an affordable insurance product, there would be far less need and reliance on drought support delivered by the government. The cost of multi-peril crop insurance is increased through taxes, with GST charged on the premium and stamp duty applied by the state. In announcing the state government's drought relief package in November last year, the Premier stated:

I think there is an opportunity for us to work together ... to sit down and see whether we can't develop a better insurance product, a more accessible insurance product.

He also said:

I do think this is worth looking at, but at 10 per cent of your input costs, that is a very expensive policy ...

A simple way for the Premier to take action on reducing the cost of multi-peril crop insurance would be to waive stamp duty on this insurance product. At a state and federal level the policy direction on drought support over the past five years has focused on drought preparedness rather than reactive drought support measures. Waiving stamp duty on multi-peril crop insurance is consistent with this policy direction and will assist by empowering our farmers to better manage their risk profile. I therefore call on the Premier to make good on his commitment to examine the cost of multi-peril crop insurance for our drought-stricken food producers in western Victoria.

Heidelberg Magistrates Court

Mr CARBINES (Ivanhoe) — My adjournment matter is addressed to the Attorney-General. The action

I seek of the Attorney-General is that he ensure that he sees the refurbished Heidelberg Magistrates Court complex completed and opened by the third quarter of 2016. The Heidelberg Magistrates Court complex had a very significant water leak at the end of 2014. Of course when these things happen over the weekend, they can cause some pretty significant damage. I know a lot of assessments were made of the damage to the Heidelberg court complex when people had come back after the weekend. The facility was pretty much decimated.

What is important of course is that just the other week I was with the Parliamentary Secretary for Justice, the member for Niddrie, at the Heidelberg police station. One of the reasons we were there was the custody officer program, which was launched by the Premier at the Heidelberg court complex. It is a great project, with the first squad of police custody officers being deployed at Heidelberg police station, freeing up operational police to get out there on the front line in the Ivanhoe electorate, which is in the Banyule police area.

While we were out there at the Heidelberg police complex for that tour and a briefing from Victoria Police, what became very clear was the work that is being done to make sure that the Heidelberg court complex is reopened. What we know is that without all of those people who attend the Heidelberg court complex — the lawyers and others who attend hearings — a very significant number of people who usually wander up and down Burgundy Street frequenting the local cafes and shops are not doing so. The businesses in Heidelberg are suffering while the Heidelberg court complex is closed for refurbishment works to get it reopened. I know that the Attorney-General has worked very hard to make sure that appropriate funding is made available to fast-track that work and get it done. That gives great confidence to the traders of Burgundy Street.

I also note from talking to the police at Heidelberg that a lot of the Heidelberg Magistrates Court matters are now being dealt with in Melbourne. There is a lot of travel involved, and it is inefficient. We understand and are working very well with the difficult circumstances we are under at this time, but I really encourage the Attorney-General to give some certainty to our traders, some certainty to Victoria Police and some certainty to the team down there at the Heidelberg court and Heidelberg police complex so that we can make sure we get it reopened for the benefit of the community and everyone else. I am really appreciative of the work the minister has done on this so far, and I look forward to hearing an update on that action.

Waurm Ponds train stabling

Mr KATOS (South Barwon) — My adjournment matter this afternoon is directed to the Minister for Public Transport. The action I seek on behalf of my constituent, Mr Stan Larcombe, is for the minister to consider acquiring land options other than Mr Larcombe's property for the new Waurm Ponds stabling yard. The minister announced last year that the rail stabling yards at North Geelong would be moved to Waurm Ponds in the approximate vicinity of the old Boral cement works. The minister has decided to compulsorily acquire the land that has been owned by Mr Larcombe and his family for the last 112 years.

The land is a working sheep farm that at present has the Geelong to Warrnambool rail line going through the property. Mr Larcombe has an occupation crossing licence from VicTrack to allow the movement of livestock. The northern section of the property has the farm's infrastructure on it, including a shearing shed, working sheds, holding yards and Mr Larcombe's home. The minister is seeking to acquire the land south of the rail line and in doing so cut off the farm's working infrastructure from its grazing areas. Incredibly the bureaucrats told Mr Larcombe to simply put his sheep on the truck and move them around.

While I appreciate the need for new stabling yards to be built, there are several other parcels of land — including the old Boral cement works, which was closed by the Gillard government's carbon tax — that can be considered. Mr Larcombe does not want to sell, and he cannot work out why the minister is looking to destroy his family's 112-year-old farming business when there are other options available. I call on the minister to look at other options for the Waurm Ponds stabling yard and to not destroy a family business of 112 years.

My colleague in the other place, Mr Ramsay, also raised this matter in a constituency question on 27 May last year. The minister responded, according to *Hansard*, on 4 August 2015 and advised:

Public Transport Victoria is currently undertaking planning to identify the requirements of the new train maintenance and stabling facility at Waurm Ponds. The land required for this project will be identified as part of this planning process.

Yet in a document obtained under freedom of information the minister signed off on the compulsory acquisition of Mr Larcombe's land on 5 July 2015, which is 30 days before the minister responded to Mr Ramsay that the land had not been identified and the matter was going through a Public Transport Victoria planning process. This is yet another example

of the minister's incompetence, just as is her handling of V/Line. If it is not incompetence, all we are left with is that the minister has misled the house.

Energy bill information sessions

Mr PEARSON (Essendon) — My adjournment matter is directed to the Minister for Energy and Resources. The action I seek is for representatives from the department of resources to conduct an information session at the Flemington and Ascot Vale public housing estates on understanding energy bills. I am so lucky to have such a wonderful and diverse public housing community in my electorate. Many of these residents are from culturally and linguistically diverse backgrounds and may not even be literate or numerate in their native language. Deciphering energy bills can therefore be a real challenge, and this is an issue. Despite this, many residents are able to make informed choices, such as whether or not they can afford to run an air conditioner — a choice many of us have taken, for example, because we recognise the fact that this could contribute to CO₂ emissions and could worsen the effects of climate change. However, developing an improved understanding of energy bills will make a real difference to my residents, and it is something I am very keen to have happen.

Parliamentary broadcasting rules

Ms SANDELL (Melbourne) — Today I am asking the Premier to get his party's agreement to change the rules of the Victorian Parliament so that anyone can share and record a video of their MP speaking in this place. Victoria is actually the only place in Australia where a citizen cannot record or share a video or photo of their MP speaking in their Parliament. You can watch your federal MP waffling on in Canberra through videos on their Facebook page; you can do it in every state and territory. In fact you can do it in Germany, in the US, in India and in Mexico, but in Victoria, unless you can actually come in here in person or watch the live stream, you are blocked — you are actually banned from seeing what goes on in your Parliament. Why are MPs in Victoria so worried about public scrutiny?

The DEPUTY SPEAKER — Order! I need to make the member aware that the standing orders of the house are not the responsibility of the Premier, so I am having great difficulty in adjudicating whether this particular matter is actually in order. I am happy to take advice in terms of how this relates to government business for the Premier, who you have referred it to, in a direct way, otherwise I will need to not listen to you again.

Ms SANDELL — Can I clarify what I was asking?

The DEPUTY SPEAKER — Yes.

Ms SANDELL — I was asking the Premier to seek his party's agreement, which will be needed, to change the standing orders through the committee and through this Parliament.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! This is a very serious matter. I will start to throw members out.

An honourable member interjected.

The DEPUTY SPEAKER — Order! It is not anybody else's turn. I am going to rule on this matter, and I do not need people interjecting across the chamber. I am going to rule this matter out of order, and I will explain my reason. I refer to *Rulings from the Chair* in terms of the adjournment. The matter that the member for Melbourne raised referred to a political party and the referral of a matter to a caucus or a party meeting, and that is out of order. In terms of referring to the proceedings of the Parliament, that is not government business and therefore is not a matter for the adjournment. That is why I will need to rule this matter out of order. Unfortunately I cannot listen any further to the member's adjournment matter. I am happy to talk to the honourable member about the ruling so that this does not occur in the future, but I am not able to hear the honourable member any further.

Mr Burgess — She can continue, can't she, Deputy Speaker, on something else?

The DEPUTY SPEAKER — Order! No.

Ms Allan — On a point of order, Deputy Speaker, during your ruling the member for Warrandyte made an unnecessary and personal slur against my husband, and I ask that he be asked to withdraw that action.

Honourable members interjecting.

Ms Allan — The member made a false allegation about my husband, and I ask the member to withdraw.

The DEPUTY SPEAKER — Order! The honourable member for Bendigo East has requested a withdrawal by the honourable member for Warrandyte. I ask him to withdraw.

Mr R. Smith interjected.

The DEPUTY SPEAKER — Order! The honourable member for Warrandyte needs to be in his place when he withdraws.

Mr R. Smith — I withdraw and seek to show you, Deputy Speaker, my Twitter account, which has all the details — —

The DEPUTY SPEAKER — Order! There is to be no further correspondence, and the honourable member knows that.

Refugees

Ms BLANDTHORN (Pascoe Vale) — My adjournment matter is for the attention of the Minister for Multicultural Affairs. The action I seek from the minister is that he include a section specific to refugee issues in a new multicultural affairs policy statement. The great thing about Victoria, and certainly about my electorate of Pascoe Vale, is that people come from every corner of the globe, every walk of life and are of every age. Certainly the great thing about Victoria is that it is a leader in multicultural affairs, not just in Australia but throughout the world. In the Howard era, when settlement services were abandoned by our federal government, it was Victoria that picked up the slack in this regard and led the way.

But we can do more, and we must do more. There needs to be a coordinated approach to settlement services across Australia. This is something that the previous Labor government was working on quite extensively in the lead-up to the 2010 election, but it was something that was dropped by those opposite. It was not something that they demonstrated any commitment to at all.

There needs to be a coordinated approach to settlement services across Australia. We do have a world refugee problem. There are people across the world seeking refuge, particularly from war-torn places, but there are also economic refugees and a range of others. Australia in particular has committed to take an additional 12 000 Syrians, and hopefully we will ensure that the 267 people who face being sent back to Nauru or who would be sent to Papua New Guinea will be allowed to stay in Australia. It is absolutely essential that we ensure our multicultural policy not only reflects what we do now but sets an example on how we cater for our refugee communities. I ask that the minister take this into consideration when preparing a new multicultural affairs statement.

VicRoads land

Mr T. SMITH (Kew) — My adjournment matter this afternoon is for the Minister for Roads and Road Safety. The matter concerns the sale of a parcel of land at 4 Studley Park Road, Kew, by VicRoads, a statutory body under his purview. The action I seek from the minister is that instead of selling the property at 4 Studley Park Road — the Dorothy Rogers Reserve — it be simply transferred to the Boroondara City Council. Advice was given last year that the Department of Treasury and Finance intended to sell VicRoads properties throughout Victoria. There are two such properties in my electorate, one in Kilby Road and one in Studley Park Road.

I raise this with the Minister for Roads and Road Safety. I am happy to take advice if it is not appropriate to raise it with him if I should be raising it with the Treasurer. But given it is owned by VicRoads, I took the view that it was best to raise it with the Minister for Roads and Road Safety in the first instance.

My simple concern is this: the property at 4 Studley Park Road abuts a neighbourhood residential zone; it is a lucrative site for high-rise development. Kew Junction itself is substantially developed, and we want to ensure that those parcels of land are protected for public amenity and remain a public park. Hence I would like to see that parcel of land simply transferred from VicRoads to the council. The council has indicated that it does not have the resources to purchase this parcel of land. It was given a first right of refusal, and I believe that it has undertaken to do that.

I would simply say again, Kew Junction itself is heavily developed. I have written to local residents who have expressed a degree of concern about the pending sale of this site. I think VicRoads should simply transfer the property, particularly at 4 Studley Park Road, to the council.

The Kilby Road site is obviously of concern as well, but it is not a potential development site given it abuts the Eastern Freeway. Once again I ask the minister to speak to VicRoads to see if agreement can be reached with Boroondara City Council.

Thomastown electorate ministerial visit

Ms HALFPENNY (Thomastown) — I rise to raise a matter with the Minister for Women, who is also the Minister for the Prevention of Family Violence. The action I seek is that she visit the electorate of Thomastown to see and talk to the many amazing women who are doing such great work in the electorate.

There are a number of women and organisations that are working to tackle the hard issues in the area. We have many women and many organisations that are addressing things such as family violence, the isolation of women, education, parenting and disconnection. There are also many women and organisations that are looking at cross-cultural awareness and bringing people together to share different cultures and experiences, as well as trying to reach a deeper understanding.

My request is that the minister come to the electorate to be introduced to the many women there and to look at the work that they do. I am sure that she will be extremely impressed and will admire how courageous, strong and talented many of the women in the northern suburbs are.

Mr Clark — On a point of order, Deputy Speaker, unless you are about to rule on it.

The DEPUTY SPEAKER — Order! No. I was going to continue. The member, to continue with his point of order.

Mr Clark — Deputy Speaker, I did not want to interrupt members' contributions, but I want to draw your attention to an issue relating to the ruling you made earlier about the withdrawal of words that a member found offensive. I draw your attention to standing order 120, which relates to a member objecting to words used in debate. As you will see, there are two separate provisions. One relates to when a member finds words relating to a member of the house personally offensive. The Chair can order those words to be withdrawn and may require an apology:

If the words relate to a member of the house and that member finds them personally offensive, the Chair will order the words to be withdrawn ...

Then there is a further, broader provision that:

If the Chair considers that any other words used objectionable or unparliamentary, the Chair may order the words to be withdrawn and may require an apology.

In the circumstances where the Leader of the House took offence at the words that were said to relate to her husband, it would be necessary for you to form a conclusion under standing order 120(3) that those words were objectionable or unparliamentary, and you could then order that the member withdraw those words.

I think it is important that this issue be clarified, because it does have the potential to cut across a lot of things that are said in this house if members can, as of right, require a withdrawal of any words that are said

about any member of the community whatsoever. I ask you to clarify your ruling on that point.

The DEPUTY SPEAKER — Order! I thank the member for Box Hill for his point of order. The minister did not express her objection terribly well in terms of the specifics of standing order 120 where a member finds words personally offensive, but in a real sense the minister did find those words personally offensive because they related directly to her husband. On that basis the ruling that I made is correct. If there was a matter that was raised and words were used about anybody else in the community who did not have a direct relationship with a member, such as that of a husband or a wife, then I think that neither standing order 120(2) nor standing order 120(3) could be used. I think in this direct case it is appropriate that withdrawal was requested, and it was given. I appreciate that, and I think that would be the end of the matter.

Mr Burgess — On the point of order — —

An honourable member interjected.

Mr Burgess — No, I am not God, but thank you for the compliment.

Deputy Speaker, I think we are getting into very difficult territory if you are going to differentiate between — —

The DEPUTY SPEAKER — Order! I have ruled on the point of order. Is there a further point of order?

Mr Burgess — On a further point of order, Deputy Speaker, I think that if we are going to be in a situation where we are going to differentiate between the relationship of the member that is offended and the party that it was apparently about, we are getting into really difficult territory.

Would it be the same situation if it was about the member's son or the member's brother? Where are we going to draw the line? My submission to you, Deputy Speaker, would be that this needs to be referred off to the Speaker on the basis that I believe the intent of the standing order is really about whether this an insult to the member personally. If you go any further than that, I think it is very hard to differentiate where that particular standing order starts and stops.

Mr Wynne — On the point of order, Deputy Speaker, I have listened to the discourse from downstairs and I appreciate the intervention of the manager of opposition business. Yes, it is right, and I think the minister will concede, that perhaps in raising her concern in relation to the offence that she found, she

could have expressed it in a slightly clearer way, but nonetheless I think the point does stand. The custom and practice of the house, at least in my experience, is very clear: where a member has taken offence at a comment that has been made in the house it is normal custom and practice under standing order 120 — —

Mr R. Smith interjected.

Mr Wynne — I think the standing orders are clear about this — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The minister, to continue.

Mr Wynne — Deputy Speaker, I will not choose to respond any further — —

Mr R. Smith — 'Feckless dogs', he said.

Mr Wynne — He did not say that; he actually said 'dolts'.

Honourable members interjecting.

Mr Wynne — No. Deputy Speaker, I think the practice of the house is clear on this matter: where a member has taken personal offence, as indeed it is articulated in the standing orders, at an action taken by another member, the opportunity is provided immediately for the member who feels they have been offended against to seek redress, and that is what has happened in this case. Given the circumstances of the relationship of the member to her husband in this context, she has taken personal offence to that. The matter is clear in the standing orders, and a remedy is available. That has now been taken, and we should move on.

Mr Clark — On the point of order, Deputy Speaker, I support the submission of the member for Hastings that you refer the issue to the Speaker for a broader ruling on this issue. The opening words of standing order 120(2) are 'If the words relate to a member of the house'. It is not sufficient that the member finds words personally offensive. To rule that close relatives may be covered by that is a significant step. I submit, with respect — this did come up on the fly, and you have had to make a ruling on the fly about it — that I do believe it merits further consideration by the Speaker, and I support the submission that you refer it to him for a broader ruling.

The DEPUTY SPEAKER — Order! I will rule on the further point of order. I will refer this matter to the

Speaker, and it will be up to him as to how he deals with it. I do take the further point of order by the member for Hastings, and the Speaker can bring it back to the house if required.

Responses

Ms ALLAN (Minister for Public Transport) — I am responding to a matter raised by the member for South Barwon. This is a matter that is quite a significant one for the Larcombe family that are involved in this negotiation with Public Transport Victoria around the location of the stabling that has been announced. The government announced in last year's state budget that with the purchase of an additional 21 VLocity carriages we need to provide some additional stabling, and the area of Waurn Ponds has been identified as the location for that. As part of that process there have been a very difficult set of conversations and issues that the Larcombe family have been involved in.

Can I make the point that I appreciate that this matter has been raised with me privately and appropriately by the member for Eastern Victoria Region in the Legislative Council representing the Shooters and Fishers Party in a private way on behalf of the family. This is a matter that I have been involved in and continue to work through, and I would suggest to the member for South Barwon that if he wishes to take that similar approach, where we can have — —

Honourable members interjecting.

Ms ALLAN — No, it actually goes to some very delicate issues about negotiations that are going on around the compulsory acquisition of an individual's property, and I would think, in the interests of the family that are involved, that they would prefer those matters to be undertaken in a respectful way, and that is certainly the approach that we will continue to take.

In regard to the action that has been sought around alternative sites, of course that is being worked through and has been looked at. There continue to be conversations and negotiations, and, as I said, I think it is most appropriate that those matters are dealt with directly with the family. If the member for South Barwon wishes to involve himself further in this matter, I would be happy to talk to him privately and directly as the local member.

Honourable members interjecting.

Ms ALLAN — Clearly there is a level of respect not being shown at the moment on this issue, and I can follow it up with the member outside of the chamber.

Ms D'AMBROSIO (Minister for Energy and Resources) — I thank the member for Essendon for his request of me raised in the adjournment debate, and I certainly acknowledge his very strong interest in energy policy and, more broadly, in terms of how it impacts on members of his community. I do acknowledge of course also his tireless efforts to promote positive outcomes for constituents when it comes to energy and the pressures that ordinary members of the community face when it comes to dealing with their energy bills. I would be very much delighted to organise a workshop in the member for Essendon's electorate regarding energy bills.

A lack of information has existed now for a long time with respect to information for consumers, and it is very much a recognised problem in the energy sector. Many industry players, consumer representatives and financial counsellors also acknowledge that often families and even businesses, small businesses in particular, lack the necessary information to make informed decisions when it comes to their energy needs. That is why it is critical that the government and industry work together to address this lack of information.

The previous government certainly did very little to improve this situation and the provision of information to consumers; we only have to look at the record levels of energy disconnections that were overseen by those opposite. They should actually think twice before they open their mouths on this issue. Having said that, they oversaw certainly an ill-fated and very expensive My Power Planner website. Despite spending over \$2 million on advertising for the website, only 1 per cent of Victorians actually knew that the website existed. That is the situation that was presented by the previous government.

Mr Southwick interjected.

The DEPUTY SPEAKER — Order! The honourable member for Caulfield!

Ms D'AMBROSIO — However, in contrast the Labor government under the Premier's leadership has acted swiftly to improve the information available to consumers. Last October we launched Victorian Energy Compare, which is a fantastic, independent website. It is a one-stop shop for energy offers, and it has services available for culturally and linguistically diverse (CALD) communities, which I know the member for Essendon is particularly concerned to assist.

Mr Southwick interjected.

The DEPUTY SPEAKER — Order! The honourable member for Caulfield!

Ms D'AMBROSIO — CALD community members will be able to avail themselves of a very important online tool, a website. We know that 9 out of 10 Victorians are paying far too much for their electricity bills, which simply means of course that with this new Victorian Energy Compare tool — —

Mr Southwick interjected.

The DEPUTY SPEAKER — Order! If the honourable member for Caulfield continues in that manner, he will be able to go home extremely early.

Ms D'AMBROSIO — The Victorian Energy Compare website is a fantastic tool, and we know that 9 out of 10 Victorians can actually save significant amounts of money. More than 90 000 Victorians have used Victorian Energy Compare since it was launched, and 9 out of 10 Victorians can save money on their power bills. We have already hosted a number of workshops across Victoria, including in Cairnlea, Ballarat and Wodonga, and I am really pleased that the member for Essendon is wanting to host one in his own electorate, and I very much look forward to his doing that.

If I may, Deputy Speaker, in terms of the adjournment matter from the member for Narre Warren South, I have been requested on behalf of the Minister for Health to indicate to the member for Narre Warren South that the minister will be absolutely delighted to visit Berwick Integrated Care with her.

The DEPUTY SPEAKER — Order! The Minister for Energy and Resources is not allowed to do that; the Minister for Health herself would need to come into the chamber and do that. I will just read out the practice from *Rulings from the Chair*:

The practice in the adjournment debate is for the ministers in the chamber to be called to answer matters raised under their jurisdiction and for the minister at the table to respond to all remaining matters.

So the Minister for Public Transport will refer that matter.

Ms ALLAN (Minister for Public Transport) — Eight other members raised matters for various ministers, and those matters will be referred to those ministers for their action and response.

The DEPUTY SPEAKER — Order! The house is adjourned.

House adjourned 5.45 p.m.

WRITTEN RESPONSES TO QUESTIONS WITHOUT NOTICE

Responses have been incorporated in the form provided to Hansard.

Ministerial office capability review

Question asked by: Member for Bulleen
Directed to: Premier
Asked on: 11 February 2016

RESPONSE:

The Government's position on capability reviews remains unchanged. Capability reviews will be conducted when and if required.

