

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

Tuesday, 22 March 2016

(Extract from book 4)

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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

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Deputy Premier and Minister for Education	The Hon. J. A. Merlino, MP
Treasurer	The Hon. T. H. Pallas, MP
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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
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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 (Acting Minister for Police and Acting Minister for Corrections from 9 February)	The Hon. R. D. Scott, MP
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms M. Kairouz, MP

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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

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FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

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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.

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(*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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Tuesday, 22 March 2016

The SPEAKER (Hon. Telmo Languiller) took the chair at 12.04 p.m. and read the prayer.

ACKNOWLEDGEMENT OF COUNTRY

The SPEAKER — We acknowledge the traditional Aboriginal owners of the land on which we are meeting. We pay our respects to them, their culture, their elders past, present and future, and elders from other communities who may be here today.

RULINGS BY THE CHAIR

Members office privacy

The SPEAKER — Order! I request that members be patient; there is a ruling which the Chair must put on the record to respond to issues raised by members in their points of order. On Tuesday, 8 March, the member for Warrandyte and the member for Morwell both raised points of order about matters relating to their offices in Parliament House, including removal of materials from windows and movement of documents, furniture and fixtures.

In preparation for Open Day the President and I directed the removal of all political posters from Parliament House. In particular we directed removal of posters from heritage-value areas, removal of material from walls where that material could damage surfaces and removal of material in the ministerial corridor, which formed part of the public tour route for the day. To ensure we maintained an even-handed approach in these matters the President and I also directed that all similar materials be removed in other areas of Parliament, including the opposition corridor, which was not on the public tour route.

As custodians of this building, the President and I, along with parliamentary staff, are committed to maintaining the heritage value of this building and improving its amenity for members, staff and visitors alike. As everyone is aware, our annual Open Day allows our community to take a self-guided tour through the main areas of the building, under the supervision of parliamentary staff. It is a valuable opportunity to engage the community with our Parliament.

I can assure the member for Warrandyte and the member for Morwell that their offices and the other offices in the opposition corridor were not part of the public tour for our Open Day. Those offices were not visible to members of the public.

The tour route allowed the community to experience the chambers, the library and other historic rooms in the building and also allowed visitors to enjoy the parliamentary gardens. In this regard I have emphasised to our parliamentary staff the importance of ensuring that members are well informed about the tour route for future open days.

In relation to the members' concerns about movement of material in their offices, I have been informed that in the week of 1 March our maintenance staff were required to do some maintenance work to better secure light fittings in members' offices, including in the offices of the member for Warrandyte and the member for Morwell. All of the maintenance work in members' offices was supervised by parliamentary staff.

I have been informed that the maintenance work required power to be turned off to the light fittings in these rooms. The contractors were using the light from the corridor, which could have led to the blinds being opened and some furniture being moved around.

I agree with the member for Warrandyte and the member for Morwell that the furniture and blinds should have been returned to their original positions after the works had been completed. I ask that the members please accept our apology if this incident has caused distress to the members and their families. I would welcome any member discussing with me and/or the President any further queries on this issue or similar matters that members would like to raise.

Mr R. Smith — On a point of order, Speaker, I draw your attention to question time of 24 February when the Minister for Roads and Road Safety was asked a question by the Deputy Leader of the Opposition. The member asked if the minister could confirm that the design of the new Melbourne Metro Domain station would see St Kilda Road permanently reduced from four lanes of traffic to just two.

The minister was quite definitive in his answer. There was no ambiguity at all and no room for misunderstanding. He simply said, 'The answer is no'. Just a few weeks later in the *Herald Sun* —

Honourable members interjecting.

Mr R. Smith — It is a point of order.

The SPEAKER — Order! The member will now make the point of order succinctly.

Mr R. Smith — The minister's office subsequently said the decision had not been made, so I ask for your guidance, Speaker. Given that the minister has clearly

and intentionally misled the house and demonstrated a clear breach of privilege, I ask whether you could give me some advice to me.

The SPEAKER — Order! The Chair will take this matter on notice and will come back later in relation to this matter.

Mr R. Smith — On my advice, Speaker, this is the appropriate time to raise this.

The SPEAKER — Order! I have heard the member for Warrandyte, and the Chair will take this on notice.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Gang violence

Mr GUY (Leader of the Opposition) — My question is to the Premier. I ask: when and how was the Premier first told of the gang riot that took place at Moomba?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question. The events of that Saturday evening into the early hours of Sunday were something that all of us obviously deplore. It was appalling conduct. In terms of being informed about it, I think I had a conversation with staff in the early hours of the Sunday morning. I certainly had a conversation with the Chief Commissioner of Police on the Sunday morning as well and went through a number of different issues with him.

Again, let us be very clear: as a Parliament and as a state let us make no excuses for what occurred that night. Let us understand that some crimes can in fact be explained. There are clear drivers for some of this conduct, and we need, all of us, to work hard in the provision of skills and education and a pathway to employment — all of those things are important. However, no-one who behaved in that riotous, lawless way had to behave in that way. In fact there are many in our community who have had disadvantage in their lives or who have come from troubled parts of the world, and they do not behave in that way.

I would also take the opportunity, given that the Leader of the Opposition has provided it to me, to indicate yet again for the record that this group of people who behaved in this appalling way came from many different backgrounds. This was not an act in the name of a cultural group or a tradition, even a part of Melbourne or a part of the world. The common feature amongst this group of criminals was their conduct.

The important thing here is to support Victoria Police and the chief commissioner. As I made very clear at the time — and I reiterate — if the chief commissioner needs additional resources, he will get them. If the chief commissioner needs additional powers, then he will get them. That is our commitment, and we will deliver on it in full.

Supplementary question

Mr GUY (Leader of the Opposition) — Noting that the riot began at 7.30 p.m. on Saturday night, the Premier has told the house that he was not told until the next day. Noting again that that riot, which was a major threat to the security in the CBD and to families — mums, dads and kids — who were in the CBD at the time, why was the Premier missing in action for 36 hours before he responded in person to the shocking display of lawlessness on our streets?

Honourable members interjecting.

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question. The Leader of the Opposition would seem to suggest that the only work a government does is in front of a camera. In that, he is wrong.

Honourable members interjecting.

The SPEAKER — Order! The member for Warrandyte will come to order.

Mr ANDREWS — Well, I tell you what, Speaker, we stand —

Honourable members interjecting.

The SPEAKER — Order! The opposition asked a supplementary question, and opposition members will ensure that the Premier is listened to. The Premier, to continue in silence.

Mr ANDREWS — We will continue to stand with Victoria Police and will not be taking lectures from people who in every way were missing in action for four long years.

Honourable members interjecting.

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

Ministers statements: sex offender supervision

Mr ANDREWS (Premier) — I rise to advise the house that today our government will introduce new legislation to tighten the net on dangerous sex offenders

in the Victorian community. The safety of Victorians is at all times the no. 1 priority for our criminal justice system. Tragically, we all need to accept and admit the fact that the system failed Masa Vukotic and her family. It failed them, and that is a call to action for us to make the changes, the reforms, the revisions that need to be made so that a sense of safety is the no. 1 priority at every stage and in every way throughout our criminal justice system.

Last year we acted quickly to review every single offender living in the Victorian community under that supervision scheme, and we have seen the number of serious sex offenders under order living in the community go from 54 to some 41 now, so people that were in breach, people that were found to be not acting in accordance with the order, are back inside. They are not part of the Victorian community any longer as an unreasonable risk to community safety. We make no apologies for that tough stance or for the investments we have made in a new purpose-built facility at Langi Kal Kal, a new unit that has a combination of senior Corrections Victoria staff and members of Victoria Police, increasing supervision and increasing our attention on these matters.

Of course we make no apology for introducing new offences, new powers for police, and a mandatory minimum term for anyone who recklessly breaches one of these orders — a 12-month jail stint; that is what they will get — as well as additional powers for police to detain offenders for up to 72 hours. The Acting Minister for Police might go to some of these details a little bit later on in question time, but this is a package that puts community safety at the forefront, where it belongs.

Police resources

Mr CLARK (Box Hill) — My question is to the Acting Minister for Police. With the police association's secretary stating that Victorians can get a pizza quicker than a police officer and police will not always attend, and with the first responders to the Moomba riots being just six sworn police officers, I ask: will the minister now reverse his government's cuts to sworn frontline police numbers?

Honourable members interjecting.

Mr SCOTT (Acting Minister for Police) — Well, in fact the premise of the question is incorrect. The advice I have is that in fact not only have we put in nearly 700 extra police personnel in the last budget, we have put in 400 police custody officers.

Honourable members interjecting.

Mr SCOTT — The advice I have for those who are interjecting is that in fact the number of sworn officers is higher than when we came to government, so the premise of the question is false.

Honourable members interjecting.

The SPEAKER — Order! The minister has concluded his answer.

Supplementary question

Mr CLARK (Box Hill) — I refer the Acting Minister for Police to the fact that around Victoria there has been an 8 per cent rise in crime. We have got gang violence in the CBD, we have got drive-by shootings an almost daily occurrence, and I ask: will the minister now admit that the policy of cutting sworn frontline police members has been a costly mistake?

Mr SCOTT (Acting Minister for Police) — Again the premise of the question is wrong. But further to that, a clear commitment was given to the Chief Commissioner of Police by the Premier that we will provide the resources needed to build on the investments we have already made.

Honourable members interjecting.

The SPEAKER — Order! I call on the Acting Minister for Police to make a ministers statement. The acting minister, in silence — and that includes the member for Caulfield!

Mr R. Smith interjected.

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

Ministers statements: sex offender supervision

Mr SCOTT (Acting Minister for Police) — I rise to inform the house about the details of new initiatives to give powers and response capability for police and corrections in managing serious sex offenders, particularly violent sex offenders under the Serious Sex Offenders (Detention and Supervision) Act 2009. We have been tightening the net around offenders on these orders and will continue to do so.

Firstly, the courts, the Adult Parole Board of Victoria and Corrections Victoria will make community safety the paramount consideration of any decision in respect of supervision orders and their enforcement.

Secondly, violent offending will be prohibited for those on orders under the serious sex offenders supervision scheme. Up until now any violent offending by those on orders has had to be assessed only as it related to sexual offending. This means that the courts and the parole board will have the power to manage the risk of violent offending.

Thirdly, police will get extra powers in relation to search and seizure in following up those on supervision orders. Police and corrections will also be able to share information more easily.

Fourthly, there will be a new minimum mandatory sentence of 12 months for serious breaches of conditions.

Finally, those on orders who demonstrate an imminent risk of breaching those orders will be able to be held by police for up to 72 hours rather than the current 10 hours. This will allow for an assessment of risk to be made and for the order to be reviewed by a court based on the advice of corrections.

These new proposed arrangements add to those already put in place by the current government: the presumption against bail for anyone on a supervision order who is charged with an indictable offence; new powers for Victoria Police, including the ability to conduct drug and alcohol tests; and the establishment of a joint police and corrections task force as outlined previously by the Premier. These efforts will strengthen the response to serious sex offenders, particularly those who are violent.

Police resources

Mr CLARK (Box Hill) — My question again is to the Acting Minister for Police. I refer the Acting Minister for Police to the task force established by Victoria Police following the Moomba riots, and I ask: can the minister confirm that because of the cut to sworn frontline police numbers Taskforce Ares has only 10 sworn members attached to it?

Mr SCOTT (Acting Minister for Police) — I cannot confirm that because there have not been cuts to sworn police.

Honourable members interjecting.

Supplementary question

Mr CLARK (Box Hill) — Given the minister's refusal to confirm the numbers in the Taskforce Ares squad, I refer the minister to the fact that these shocking Moomba riots terrorised families and law-abiding

citizens, with 200 gang members involved in an uncontrolled brawl, committing serious crimes, including assault, the use of chairs as weapons, the baiting and taunting of police and even an attempted gun grab, and I ask: it is now a week and a half since the riot, how many of the 200 gang members involved in this disgraceful lawlessness have actually been arrested?

Mr SCOTT (Acting Minister for Police) — Obviously the issue of exact numbers of arrests is an operational matter. I will provide further information.

Honourable members interjecting.

The SPEAKER — Order! I will not warn the member for Malvern again. The minister is entitled to silence.

Mr SCOTT — In terms of Operation Tense, which is a related matter, the last advice I had is that there have been at least 35 arrests, but I will provide further information to the former minister.

Ministers statements: Safe Schools program

Mr MERLINO (Minister for Education) — I rise to inform the house of a new initiative of the Andrews government in response to the disgraceful attack on the Safe Schools program by the Turnbull government. The new initiative — —

Mr T. Smith interjected.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Kew

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

Honourable member for Kew withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Ministers statements: Safe Schools program

Questions and statements resumed.

Mr MERLINO — The new initiative is, firstly, our announcement that we will not adopt the recommendations of the Turnbull government following the review of Safe Schools; and secondly, if the Turnbull government cuts the Safe Schools

program, Labor will step in and fund it fully. The Andrews government will fund the additional \$200 000 to \$300 000 per year so this life-saving program can continue.

Over the past six weeks we have witnessed an ugly, divisive and sustained attack on this critical antibullying program with no thought or care about the impact on vulnerable young people. Rather than being captive to the bigots in the Liberal Party, Malcolm Turnbull and the Leader of the Opposition should consider these facts — —

Mr Wakeling — My point of order, Speaker, is on the issue of relevance. The minister may perhaps wish to explain to Victorians why he will not allow school communities and families to decide whether their children will participate in this program.

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

Mr MERLINO — So the shadow education minister stands with the bigots in the federal Liberal Party. Same-sex-attracted young people are six times more likely to attempt suicide. Seventy-five per cent of LGBTI students are bullied, and the vast majority of that occurs in our schools.

Mr R. Smith interjected.

The SPEAKER — Order! I have warned the member for Warrandyte. I will not warn him again.

Mr MERLINO — Listen to people like Carter Smith, who says, and I quote:

Kids are being hurt when they hear this entire debate ...

That is driving kids to hurt themselves, that is driving kids to kill themselves.

It takes leadership and decency to stand up to bigots in this debate, something the Leader of the Opposition and the Prime Minister have failed to do.

Mr R. Smith interjected.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Warrandyte

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

Honourable member for Warrandyte withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Questions and statements resumed.

Police resources

Mr CLARK (Box Hill) — My question is again to the Acting Minister for Police. With crime up over 8 per cent to nearly half a million crimes a year, does the minister agree with the Chief Commissioner of Police that the crime rate would likely get worse before it gets better?

Mr SCOTT (Acting Minister for Police) — In terms of the crime rate, I will make a few general comments before returning to the specifics of the question. Firstly, the crime rate trended up over the last five years, and this is a significant issue for society. There are significant issues, particularly around ice and methamphetamines, where there has been an increase in crime in relation to both the possession and the trafficking of methamphetamines. There are also significant issues in relation to family violence.

Now, there are significant investments that have been made by this government in terms of both the ice task force and bringing forward the family violence royal commission. There are significant issues that relate to both of those issues which we have taken steps to address, but I would not seek to forecast the crime rate moving forward.

What I would say is that the Chief Commissioner of Police will have the support, the resources and in fact the powers he needs, and that commitment builds on the investments we have already made, particularly the police — —

An honourable member interjected.

Mr SCOTT — And police numbers have not been cut. I know Pavlov's dogs opposite, members opposite, wish to repeat something, but I should not respond to interjections.

It is important to say that we have created significant investments: an increase of 700 police personnel, including 400 police custody officers. Sworn police numbers are up. We will make available — and there will be further announcements in the budget — the resources that are required to give the police commissioner the resources he desires in order to address crime in this society.

Supplementary question

Mr CLARK (Box Hill) — I refer the minister to the fact that assaults are up by 4 per cent, burglaries are up by 9 per cent, thefts are up by 11 per cent, gun offences are up by 17 per cent and drug dealing is up by 18 per cent, and I ask: how much worse does it have to get before the government ends weak sentencing for these offences, stops cutting police numbers and reopens closed police stations?

Honourable members interjecting.

Mr SCOTT (Acting Minister for Police) — Firstly, in terms of sentencing matters, largely that is the responsibility, obviously, of the Attorney-General. In dealing with the substantive matters of the other two elements of the question that was asked by the manager of opposition business, firstly, in terms of police resources, we are not cutting police resources. This fiction has been repeated; I do not know how many times the opposition has repeated it. We are putting in extra police resources to ensure that all police are on the front line. I know it is something that — —

Honourable members interjecting.

The SPEAKER — Order! The minister is entitled to silence. The minister to continue.

Mr SCOTT — In terms of the powers and the numbers of police resources that are required — and again to repeat something I said earlier — we have given a clear commitment to the commissioner to provide what is required and what he desires. In terms of the allocation of police resources, which the member mentioned, I know that members opposite do not understand the clear separation of powers relating to police resources, but we do, and the decisions relating to them by the executive government and the commissioner.

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

Ministers statements: abortion clinic safe access zones

Ms HENNESSY (Minister for Health) — I rise to update the house on the progress of the Public Health and Wellbeing (Safe Access Zones) Bill 2015 and the date upon which it will come into effect. Speaker, you will recall that members of both this chamber and the other chamber passed this law last year and the law had a default proclamation date of 1 July 2016. We have been working very, very hard with Victoria Police to try to bring that law into effect earlier.

Victoria Police has needed adequate time to train its members and work with everyone to ensure that everyone is clear about their rights and obligations under the new legislation. I am very pleased to advise the house that we are now in a position to bring that law into effect. I am very pleased to announce today that we will bring that legislation into effect on 2 May this year.

We have heard a lot about being on the front line here today, but I can say that I am very, very proud of our government, that we are on the front line when it comes to the interests of Victorian women and ensuring that they are able to access health services without fear of harassment or intimidation. I am very proud to be part of a government that constantly legislates to ensure that women's rights, and in fact the rights of all Victorians, are enshrined in equality and that people are treated with decency. I am very proud to be part of a government that is always on the front line when it comes to the interests of all Victorian patients and all Victorian hospitals.

I know we have heard the Leader of the Opposition say that, when it comes to Malcolm Turnbull, he will be out campaigning on his front line as well. In light of the vicious cuts to the Victorian health system — —

Honourable members interjecting.

Mr Clark — On a point of order, Speaker, the minister is now proceeding to debate matters, not — —

Ms Green interjected.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Yan Yean

The SPEAKER — Order! The member for Yan Yean will withdraw from the house for a period of 1 hour. The manager of opposition business is entitled to silence, and the Chair is entitled to hear the question.

Honourable member for Yan Yean withdrew from chamber.

**QUESTIONS WITHOUT NOTICE and
MINISTERS STATEMENTS**

**Ministers statements: abortion clinic safe access
zones**

Questions and statements resumed.

Mr Clark — The minister is now proceeding to debate issues and to depart from the requirements of sessional order 7. I ask you to bring her back to compliance with that sessional order.

The SPEAKER — Order! The minister will come back to making a ministers statement.

Ms HENNESSY (Minister for Health) — In conclusion, I am delighted to confirm for the house that this law will take effect on 2 May. It stands in strong contrast that when you stand up for Victorians and not for Malcolm Turnbull you can in fact make a difference.

Police resources

Mr GUY (Leader of the Opposition) — My question is to the Premier. Police stations are closing at Nunawading, Minyip, Burwood, Somerville, at nights at Hastings, on weekends at Carrum Downs, Springvale for the first time ever, down in Cranbourne in one of the fastest growth corridors in Australia, yet the government is spending money on new ministerial offices for Gavin Jennings, for the Minister for Public Transport and on new furniture for the Premier, and I ask the Premier: why are new ministerial offices and buying himself new furniture the priority of the government at the same time when he is closing police stations right across the state?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question. Victoria Police have the strongest budget they have ever had, delivered under a Labor government.

Mr Guy interjected.

Mr ANDREWS — You get to ask questions like that when you are prepared to fess up and tell us how much did the Ventnor settlement cost?

Honourable members interjecting.

The SPEAKER — Order!

Mr Guy interjected.

The SPEAKER — Order! I warn the Leader of the Opposition. The Chair is on his feet. The Leader of the

Opposition understands well the standing orders. The Premier, to continue in silence.

Mr ANDREWS — The Leader of the Opposition says is that is all I can come up with. How much did he come up with? How much did he pay out — —

Honourable members interjecting.

The SPEAKER — Order! Both the Premier and the Leader of the Opposition will resume their seats when the Chair is on his feet.

Ms Ryall interjected.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Ringwood

The SPEAKER — Order! The member for Ringwood will withdraw from the house for a period of 1 hour. The member for Ringwood is a senior member of this house and understands that when the Chair is on his feet, the house will remain silent.

Honourable member for Ringwood withdrew from chamber.

**QUESTIONS WITHOUT NOTICE and
MINISTERS STATEMENTS**

Police resources

Questions and statements resumed.

Mr Guy — On a point of order on relevance, Speaker, the question was very clear: why is the government spending money on new ministerial offices but closing police stations right across our state?

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

Mr ANDREWS (Premier) — Thank you, Speaker, for your guidance. I am very pleased to be able to inform the Leader of the Opposition that I was out at the police academy last week, meeting with new — —

Mr Guy interjected.

Mr ANDREWS — The police academy. The Leader of the Opposition wants to go out there and have a look and meet new, sworn officers who graduated last Friday and the latest batch of police custody officers, in full delivery of our government's commitment before the election. If the Leader of the

Opposition does not want to take my word for it, I can do no better than point to Ballarat police inspector Bruce Thomas, who in the Ballarat *Courier* — oh, they don't want to hear from police.

Honourable members interjecting

The SPEAKER — Order! I warn the Premier. The rule applies to the Premier in the same way as it applies to the Leader of the Opposition. The Chair is on his feet.

Mr Guy — On a point of order, Speaker, again on relevance, half the Premier's time has expired and not once has he talked about a single one of the police stations that he is closing.

The SPEAKER — Order! The Premier to continue and to be responsive to the Leader of the Opposition.

Mr ANDREWS — I am pretty sure that Ballarat police inspector Bruce Thomas works out of a police station and that he would know a bit more about these things than the failed former minister sitting over there. As Inspector Bruce Thomas said in the Ballarat *Courier* talking about a new custody officer whose name is Marcus Cassells, and I quote:

Even this morning, because Marcus is working this morning, that has enabled us to free up a sworn person and go about investigation duties or patrol duties.

We have a set number of people that look after prisoners, to have Marcus working today has allowed us to free up a member on the roster, which is very pleasing.

That is what the police are saying. Extra custody officers in full delivery of our commitment, a stronger budget in full delivery of our commitment, 88 counterterrorism specialists as requested, extra protective services officers and transit police as part of the night network and the strongest budget Victoria Police has ever had in full delivery of our commitment to give to Chief Commissioner Ashton all that he needs to fight crime and keep our community safe. That is where the government stands. That is our commitment, that is our bond and we will keep delivering everything that Graham Ashton needs to do his job — and we will not be taking our community safety advice from this lot opposite.

Supplementary question

Mr GUY (Leader of the Opposition) — Given the Premier has spent over \$600 000 on ministerial office refurbishments, will he now commit to putting community safety first and spending what is needed to keep those stations open rather than building new

offices for that minister, Gavin Jennings, and new furniture for himself?

The SPEAKER — Order! The Premier to be responsive to the Leader of the Opposition on a supplementary question.

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his supplementary question. It is all in the delivery — the angrier you get, the more convincing you are, apparently. Not today, and perhaps never. This government is giving to Chief Commissioner Graham Ashton and every one of the brave and dedicated members of Victoria Police the resources they need, the powers they need and the support they need to fight crime and keep our community safe.

Honourable members interjecting.

The SPEAKER — Order! I will not warn members again. The Premier is entitled to silence. The Premier, to continue.

Mr ANDREWS — This sort of cheap politics is not what Victoria Police needs from this half-smart excuse for a Leader of the Opposition.

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Malvern

The SPEAKER — Order! The member for Malvern will withdraw from the chamber for 1 hour.

Honourable member for Malvern withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Police resources

Supplementary question

Questions and statements resumed.

Mr ANDREWS (Premier) — We will keep investing, we will keep delivering and we will back our police with everything they need to fight crime and keep our community safe. I again say: do not hold your breath waiting for us to take our advice from you, my little friend.

Ministers statements: government financial management

Mr PALLAS (Treasurer) — I rise to inform the house about the achievements of the Andrews Labor government in securing the financial strength of our state. On 11 March I released the *2015–16 Mid-Year Financial Report*. The report reaffirms the Andrews Labor government's management of Victoria's financial position. The surplus for the first six months of the current financial year was \$1.5 billion. These numbers reaffirm the ratings agencies' decision to give a solid AAA rating to the state of Victoria. It is a healthy set of numbers, which reflects the strength of the Victorian economy and also the strong financial management that we in government have brought to this state.

But we are certainly getting no help whatsoever from Canberra or Malcolm Turnbull. Our share of commonwealth infrastructure funding has been cut to below 10 per cent. Despite all of this, our net infrastructure investment for the first six months of the financial year was \$2.2 billion. That is \$201 million more than in the last half of 2014.

National partnership agreements designed to help and educate our kids and provide care for the sick who desperately need it have been ripped up by the federal government. Despite this, we have delivered the largest education budget on record, with additional equity funding for disadvantaged schools.

The perpetrators of these outrages have been too consumed by chaos and dysfunction to even start a conversation about why these cuts were justified. They are unjustifiable. The Leader of the Opposition has been promising to be on the front line campaigning for the Sydney-centric political lords and masters.

RULINGS BY THE CHAIR

Constituency questions

The SPEAKER — Order! On 10 March the member for Eildon raised a point of order regarding a constituency question asked by the member for Eltham on 8 March. The point of order was whether the question focused on a constituency issue, which is admissible, or a broader method of public policy, which is not. Having reviewed the question, I uphold the point of order and rule that the question asked by the member for Eltham is inadmissible. I direct all members to my ruling of 24 February 2015, which makes it clear that constituency questions must relate to constituency issues and not encompass broader policy issues.

Further, on 10 March the member for Burwood raised a point of order regarding the constituency questions asked by the members for Niddrie and Cranbourne that day. The point of order centred around whether the questions sought information or asked the minister to undertake action. I have reviewed the questions, and I uphold the point of order in relation to the question asked by the member for Cranbourne. I do not uphold the point of order in relation to the question from the member for Niddrie, however, as that question sought information. In addition I rule that the constituency questions asked by the members for Ferntree Gully and Morwell on 10 March are inadmissible as they asked the ministers to undertake actions.

CONSTITUENCY QUESTIONS

Croydon electorate

Mr HODGETT (Croydon) — (Question 6997) My constituency question today is directed to the Minister for Roads and Road Safety, and it relates to a vacant pocket of land in my electorate, which I believe was part of the land set aside to construct the Healesville freeway. The land in question is located next to Yarra Hills Secondary College, Mooroolbark, and runs between Cardigan Road and Cambridge Road. I have been contacted by several constituents who have been led to believe this land will soon be rezoned for housing.

This issue is of great concern for residents with properties abutting this land who are concerned there might be high-level density developments in their backyards. Therefore my question to the minister is whether or not residents are in fact correct and this land will be rezoned, or if not, what the government plans to do with this land in future?

Narre Warren South electorate

Ms GRALEY (Narre Warren South) — (Question 6998) My question is to the Minister for Education, who I am pleased to see is in the house. It concerns Berwick Fields Primary School in my electorate. I ask: when will construction begin on this outstanding local school's Eco-Cubby? It is a unique and innovative learning and play space that is now set to become a reality, thanks to a \$100 000 grant from the Andrews Labor government. It will form the centrepiece of the Berwick Fields Primary School sustainability and environmental education programs. In fact, learning about the environment was identified as a key priority during the school's establishment and remains an important part of what the school does each and every day. This is a school community that cares

about the environment and teaches our young people about the importance of sustainability and healthy living. Principal Stephen Wigney and his team do outstanding work, and I simply cannot wait to see what they get up to in their very own Eco-Cubby.

Mildura electorate

Mr CRISP (Mildura) — (Question 6999) My question is for the Minister for Health. I ask on behalf of Jennifer Purkiss and others who have had their elective surgery cancelled due to ward bed shortages at Mildura Base Hospital. In Mrs Purkiss's case, she was en route to the hospital when she received the call, and the specialist surgeon had arrived in Mildura from Melbourne. Mrs Purkiss had been waiting for her surgery for 14 months. The reason for the bed shortage was high overnight admissions at the accident and emergency department, something that is becoming increasingly common at Mildura Base Hospital. I ask: when will the minister fix the ward bed shortage at Mildura Base Hospital?

Dandenong electorate

Ms WILLIAMS (Dandenong) — (Question 7000) My constituency question is for the Minister for Multicultural Affairs. I ask: what programs is the government funding to encourage social cohesion and youth engagement in diverse and multicultural electorates like Dandenong? Dandenong is the most multicultural electorate in Victoria, and our diversity is our greatest strength. About 60 per cent of residents in Dandenong are born overseas and have embraced Victoria as their new home. Part of the ongoing success of a multicultural state like ours is due to government programs that develop social cohesion by encouraging engagement, particularly with the youth of our community. There are few, if any, other places in the world that provide a better example of a thriving and harmonious multicultural city like Dandenong — and long may this continue. My constituents are keen to know what programs the government has in place to enhance social cohesion, particularly to engage the diverse youth of Dandenong.

Caulfield electorate

Mr SOUTHWICK (Caulfield) — (Question 7001) My constituency question is for the Acting Minister for Police. As the minister will be aware, there has been an 8.1 per cent surge of more offences in Victoria over the past year, with drug dealing and trafficking offences up 17.7 per cent. Glen Eira is in desperate need of more police and crime prevention resources, with crime rising 21.36 per cent over the past year, well above the

state average. In Glen Eira, drug use and possession crimes are up 77.8 per cent, in addition to weapons and explosives offences, which have risen 56.2 per cent. What is the minister doing to increase police numbers and implement better crime prevention strategies to stop surging crime rates in Glen Eira?

Sunbury electorate

Mr J. BULL (Sunbury) — (Question 7002) My question is for the Minister for Multicultural Affairs. Last week the member for Yuroke and I met with the Hume Interfaith Network (HIN) and received its report on the youth community connections project called One Community Many Faiths — Understanding Social Cohesion in Hume. The project aimed to build youth engagement with HIN and strengthen social cohesion. It targeted young people from diverse faiths and cultures who lived, worked and studied in Hume. I ask the minister for information on what multicultural grants are available that would assist the HIN and other multicultural groups in the Sunbury electorate.

Sandringham electorate

Mr THOMPSON (Sandringham) — (Question 7003) My question is directed to the Minister for Education. Prior to the 2014 state election the coalition government had announced commitments of over \$17 million to reinvest in Sandringham electorate schools, including Sandringham East Primary School and Sandringham College, both the Holloway Road and Beaumaris campuses, which is more than double the ALP commitment. I ask on behalf of local families and educators: will the government match the coalition commitment to public education in the forthcoming state budget?

Broadmeadows electorate

Mr McGUIRE (Broadmeadows) — (Question 7004) My question is to the Minister for Industry and Minister for Energy and Resources. Constituents have raised with me the request for further information on plans to make better use of large factory sites in Broadmeadows for new industries, job and growth. The context is that the manufacturing of passenger vehicles at the iconic Ford site in Broadmeadows will cease in seven months, leaving a site the size of a suburb under-utilised.

Last week the minister unveiled strategies to grow priority sectors of the Victorian economy and the sector growth fund under the \$209 million Future Industries Fund. Melbourne's north, and its capital, Broadmeadows, has enormous potential to convert

some of the factories to create new businesses, jobs and growth. I want Broadmeadows to be remembered for the rise of CSL, not the demise of Ford, and I have spoken to the medical technology sector about following CSL's lead of retaining its brains trust in Parkville and the manufacturing arm in Broadmeadows to help Victorians transition into new industries, jobs and growth in the future.

The DEPUTY SPEAKER — Order! I do not know what the question was there. I will review that presently.

Brighton electorate

Ms ASHER (Brighton) — (Question 7005) My constituency question is to the Acting Minister for Police. My question is: why will only one railway station in the Brighton electorate — that is, Brighton Beach station — have protective services officers (PSOs) throughout the government's 24-hour public transport trial, while every other station on the Sandringham line in the Brighton electorate will not? The context of my question, to assist the minister, is that Gardenvale, North Brighton, Middle Brighton and Hampton stations will not have PSOs. The Premier said PSOs would be deployed across the network. I actually asked this question to the Minister for Public Transport on 9 December 2015, and she provided an answer to me on 22 January 2016 declining to answer, saying that PSOs are the responsibility of the police and advising me to ask the Minister for Police, and I have.

Carrum electorate

Ms KILKENNY (Carrum) — (Question 7006) My question is for the Minister for Education, whom I see is in the house. What is the government doing to make sure all secondary schools in my electorate are safe and free from bullying, discrimination and harassment? Our young people will be stronger and more likely to reach their full potential if they are educated in schools that also uphold and practise the principle that every person has the right to live free from discrimination or harassment because of their gender or gender diversity, culture, race, ethnicity or sexuality. To ensure that young people are able to thrive and reach their best at school and in life, Victorian schools need to be safe and inclusive environments for students. Many students and towns in my electorate do not want to see changes to the Safe Schools program. They know this program works, and they are looking forward to the minister's answer.

EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2016

Introduction and first reading

Mr MERLINO (Minister for Education) — I move:

That I have leave to bring in a bill for an act to amend the Education and Training Reform Act 2006 and for other purposes.

Mr WAKELING (Ferntree Gully) — I wish to ask the minister for a brief explanation.

Mr MERLINO (Minister for Education) — The bill seeks to provide for the secretary to terminate the employment of an employee of the government teaching service without holding an inquiry — that is, summary dismissal — if the secretary believes that the employee has engaged in serious misconduct. This arises out of the IBAC hearings over the last 6 to 12 months. It also deals with a couple of commonwealth issues, ensuring Victoria complies with its obligations under the commonwealth Australian Education Act 2013 to have adequate debt recovery arrangements in place in respect of the commonwealth's funding for schools. Also it expands the definition of sexual offence to include additional offences included as part of the criminal code of the commonwealth. They are the main provisions of the bill.

Motion agreed to.

Read first time.

SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (COMMUNITY SAFETY) BILL 2016

Introduction and first reading

Mr SCOTT (Acting Minister for Police) introduced a bill for an act to amend the Serious Sex Offenders (Detention and Supervision) Act 2009, the Sentencing Act 1991, the Sex Offenders Registration Act 2004, the Corrections Act 1986 and other acts to further protect the community from sexual offending and for other purposes.

Read first time.

LIVESTOCK DISEASE CONTROL AMENDMENT BILL 2016

Introduction and first reading

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

That I have leave to bring in a bill for an act to amend the Livestock Disease Control Act 1994 to amend provisions enabling orders to be made, to provide further for vendor declarations when livestock are moved, to provide further for the feeding of certain materials to pigs and for other purposes.

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

Ms ALLAN (Minister for Public Transport) — As the house has probably now observed, this is an agriculture bill and is the responsibility of the Minister for Agriculture. Its purpose is to strengthen provisions to prevent disease outbreak, particularly around livestock being moved. It also addresses issues that have been raised in recent times about certain feeding materials that are being provided to pigs and addressing the legislative issues that arise from that incident.

Motion agreed to.

Read first time.

PETITIONS

Following petitions presented to house:

Christmas carols in schools

To the Legislative Assembly of Victoria:

The petition of residents in the Brighton electorate draw 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 Ms ASHER (Brighton) (27 signatures).

Christmas carols in schools

To the Legislative Assembly of Victoria:

The petition of residents in the Murray Plains electorate draw 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 WALSH (Murray Plains) (39 signatures).

Christmas carols in schools

To the Legislative Assembly of Victoria:

The petition of residents in the Warrandyte electorate draw 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 R. SMITH (Warrandyte) (198 signatures).

Lakes Entrance seine netting

To the Legislative Assembly of Victoria:

The petition of citizens of the state of Victoria draws to the attention of the Legislative Assembly of Victoria that the Lakes Entrance community is opposed to the current practice of seine netting in Cunningham Arm, Lakes Entrance, to the detriment of the local tourist industry.

The petitioners therefore request that Legislative Assembly of Victoria stop the current night-time activity that is adversely impacting on tourist based recreational fishing in Lakes Entrance, and we request that the existing net fishing restriction in North Arm also be applied to Cunningham Arm as a matter of urgency.

By Ms COUZENS (Geelong) (6679 signatures).

Public pathology services

To the Legislative Assembly of Victoria:

The petition of medical scientists in Victoria draws to the attention of the house that continued cuts to health care by successive state governments has resulted in many public pathology laboratories being contracted out to private providers only interested in making profits.

We are very concerned that Victoria's public hospitals may be unable to maintain required world-class healthcare standards while pathology continues to be treated as a non-essential service with a race to the bottom attitude from private providers in public hospitals

The petitioners therefore request that the Legislative Assembly of Victoria place a moratorium on the contracting out of public pathology services and instigate a full investigation into the procurement practices in public hospitals with respect to pathology services.

By Ms SANDELL (Melbourne) (192 signatures).

Gippsland rail services

To the Legislative Assembly of Victoria:

The petition of the residents of Victoria and Gippsland draws the attention of the house to the failure by the Victorian Labor government to either commit to or implement upgrades to improve V/Line services and capacity on the Gippsland rail line.

In addition to substantial investment on the Gippsland rail line whilst in government, the Liberal-Nationals coalition prior to the 2014 election committed to delivering a number of projects that would provide greater reliability for commuters who utilise V/Line services in Gippsland. Some of these initiatives include:

additional V/Line rolling stock to reduce overcrowding;

duplication of tracks to improve reliability;

more weekly services including peak services to increase flexibility; and

removal of level crossings and signalling upgrades to improve punctuality.

The Labor government ignored Gippsland when it initiated its regional rail link project and it still has not committed to any major investment that would improve the Gippsland V/Line rail service, its reliability or capacity.

The petitioners therefore request that the Legislative Assembly of Victoria direct the Labor government to adopt the Liberal-Nationals coalition's plan to invest in major rail infrastructure projects and service improvements to deliver a better public transport link for the Gippsland region.

By Mr NORTHE (Morwell) (159 signatures).

Special religious instruction

To the Legislative Assembly of Victoria:

The petition of residents in the Murray Plains electorate draws to the attention of the house that the government has scrapped voluntary special religious instruction (SRI) in Victorian government schools during school hours.

Prior to the last election, Daniel Andrews and Labor said they would not scrap SRI during school hours in Victorian government schools. Daniel Andrews and James Merlino have announced that as of next year they will break this promise.

The petitioners therefore request that the Legislative Assembly of Victoria ensure that the Andrews government reverses its broken promise and allow students attending government schools to attend SRI during school hours, as has been the case in Victoria for decades.

By Mr WALSH (Murray Plains) (48 signatures).

Special religious instruction

To the Legislative Assembly of Victoria:

The petition of residents in the Sandringham electorate draws to the attention of the house that the government has scrapped voluntary special religious instruction (SRI) in Victorian government schools during school hours.

Prior to the last election, the Labor Party said it would not scrap SRI during school hours in Victorian government schools. The Labor government has announced that next year it will break this promise and will only allow SRI to occur outside school hours or during lunch breaks.

The petitioners therefore request that the Legislative Assembly of Victoria ensure that the Andrews Labor government reverses its broken promise and allows students attending government schools to attend SRI during school hours.

By Mr THOMPSON (Sandringham) (69 signatures).

Special religious instruction

To the Legislative Assembly of Victoria:

The petition of residents in the Warrandyte electorate draws to the attention of the house:

- 1 That the government has scrapped voluntary special religious instruction (SRI) in Victorian government schools during school hours.
- 2 Prior to the last election, Daniel Andrews and Labor said they would not scrap SRI during school hours in Victorian government schools. Daniel Andrews and James Merlino have announced that as of next year they will break this promise.

The petitioners therefore request that the Legislative Assembly of Victoria ensure that the Andrews government reverses its broken promise and allow students attending government schools to attend SRI during school hours, as has been the case in Victoria for decades.

By Mr R. SMITH (Warrandyte) (8 signatures).

Residential planning zones

To the Legislative Assembly of Victoria:

The petition of the residents of Black Rock, Bayside and metropolitan Melbourne notes with alarm the massive loss of neighbourhood amenity resulting from the development of large commercial childcare centres being given approval to be established in neighbourhood residential zones.

The impact of three-level structures, industrial air-conditioning noise, breadth of site coverage, visual bulk, loss of amenity and drop-off traffic underneath the building for a 102-place childcare centre is destroying the amenity of residential neighbourhoods.

The petitioners therefore respectfully request that the Legislative Assembly of Victoria calls on the Labor

government to amend the planning scheme to require municipal councils and VCAT to consider whether it is more appropriate for such centres, owing to the size, bulk, and scale use, to be located in a general commercial business zone as opposed to a neighbourhood residential zone.

By Mr THOMPSON (Sandringham)
(271 signatures).

Mentone activity centre

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the 2015 decision by the Victorian Labor government to apply a discretionary height limit rather than a mandatory height limit of four storeys for the Mentone activity centre.

This decision was made without consultation and made without regard to the historic features of the precinct, existing levels of development and the differentiated approach to Mentone activity centre planning to best protect the area and keep Mentone marvellous.

The petitioners therefore request that the Legislative Assembly of Victoria calls on the Victorian Labor government to reverse its decision by reinstating mandatory height limits for the Mentone shopping centre.

By Mr THOMPSON (Sandringham)
(209 signatures).

Tabled.

Ordered that petition presented by honourable member for Melbourne be considered next day on motion of Ms SANDELL (Melbourne).

DEPARTMENT OF EDUCATION AND TRAINING

New schools public-private partnership project

Mr MERLINO (Minister for Education), by leave, presented project summary.

Tabled.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 4

Ms BLANDTHORN (Pascoe Vale) presented *Alert Digest No. 4 of 2016* on:

Confiscation and Other Matters Amendment Bill 2016

Corrections Amendment (No body, no parole) Bill 2016

House Contracts Guarantee Repeal Bill 2016

Sex Offenders Registration Amendment Bill 2016 Treasury and Finance Legislation Amendment Bill 2016

together with appendices.

Tabled.

Ordered to be published.

DOCUMENTS

Tabled by Clerk:

Commissioner for Environmental Sustainability Act 2003 — Strategic Audit: Implementation of Environmental Management Systems in Victorian Government 2014–15

Essential Services Commission — Report into Supporting Customers, Avoiding Labels

Financial Management Act 1994 — 2015–16 Mid-Year Financial Report incorporating the Quarterly Financial Report No 2 for the period ended 31 December 2015

Inquiries Act 2014 — Report of the Victorian Fire Services Review: Drawing a line, building stronger services

Municipal Association of Victoria — Report 2014–15

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

Ballarat — C189, C199

Buloke — C31

Cardinia — C162

Casey — C206

Glen Eira — C144

Glenelg — C78

Greater Geelong — C248, C324

Greater Shepparton — C185

Indigo — C65

Kingston — C128

Knox — C131

Melbourne — C286

Melton — C161

Mornington Peninsula — C188 Part 2

Whitehorse — C155

Yarra — C196

Yarra Ranges — C138, C151

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 5.

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

Kardinia Park Stadium Act 2016 — Whole Act — 16 March 2016 (*Gazette S55, 15 March 2016*).

ROYAL ASSENT

Messages read advising royal assent to:

15 March

**Children Legislation Amendment Bill 2016
Education and Training Reform Amendment
(Victorian Institute of Teaching) Bill 2015**

22 March

**Delivering Victorian Infrastructure (Port of
Melbourne Lease Transaction) Bill 2015.**

APPROPRIATION MESSAGES

Message read recommending appropriations for:

**House Contracts Guarantee Repeal Bill 2016
Treasury and Finance Legislation Amendment
Bill 2016.**

BUSINESS OF THE HOUSE

Program

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

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 5.00 p.m. on Thursday, 24 March 2016:

Crimes Legislation Amendment Bill 2016

Fines Reform and Infringements Acts Amendment Bill 2016

Integrity and Accountability Legislation Amendment (A Stronger System) Bill 2015

Parliamentary Budget Officer Bill 2016

Sex Offenders Registration Amendment Bill 2016.

I will speak for a few brief moments on the business program motion I have moved and which hopefully will be endorsed by the chamber this afternoon. Members will note that there are five bills. They contain a number of important and significant changes

to pieces of legislation that cover a range of issues around implementing election commitments by the Andrews Labor government, particularly around the integrity and accountability legislation and the Parliamentary Budget Officer Bill 2016, and also a range of bills that are about addressing issues in the justice area. It is important that this program is endorsed and these bills are passed this week so they can make their way to the Legislative Council and seek its support and endorsement and then hopefully be implemented. Some of these things have some longer lead-in times and they can be proclaimed and implemented accordingly.

The government is also continuing to introduce a number of bills, as has been noted already in the course of today. It will hopefully be a more regular week than what we have experienced over the last few weeks, now that the legislation around the port of Melbourne bill has been passed through both houses of the Parliament. We will wait and see if any other bills come back from the Legislative Council with any potential amendments for consideration, but at this stage this is the program we are proposing is dealt with by 5.00 p.m. on Thursday.

Mr CLARK (Box Hill) — It is remarkable that each and every one of the bills that this house is being asked to consider this week is based on the work of the previous coalition government. In other words, the current government, months into its term of office, is still being reactive to the work that was done under the previous coalition government. If it were not for that work, this house would not have any of this business before it this week. It is ironic that from time to time the government continues to trot out the same old tired rhetoric about the previous government having done nothing, yet at the same time everything that this house is being asked to address this week is building on — or in some cases undermining — the work that was undertaken by the former coalition government.

I had the privilege of being involved in one way or another in each of the matters that has given rise to these bills before this house. Each and every one of them deals with important topics that are worthy of careful consideration by this house. We have the Fines Reform and Infringements Acts Amendment Bill 2016, which for the most part seeks to build on the coalition's initiatives to ensure that fines are fair and enforced. We have the Sex Offenders Registration Amendment Bill 2016, which continues to build on a report of the Victorian Law Reform Commission commissioned under the previous government.

We have the Crimes Legislation Amendment Bill 2016, which in large part builds on the statutory minimum sentencing regime that was put in place by the former government and was subject to much criticism at the time. We have the Integrity and Accountability Legislation Amendment (A Stronger System) Bill 2015, which seeks to build on the IBAC reforms made by the former coalition government that for the first time gave Victoria an independent broad-based anti-corruption commission, something that the previous Labor government refused to do during its entire 11 years in office. Last but not least, we have the Parliamentary Budget Officer Bill 2016, which picks up on legislation that again was introduced under the previous coalition government and which the then Labor opposition, combined with the then member for Frankston, shamefully voted down in the last Parliament.

These bills all deal with important topics. As I said, in many respects they build on the work of the previous government. Unfortunately in some respects they seek to undermine and reverse initiatives that were taken under the previous government. All those matters will come to be explored when the bills are debated. What is certainly striking about a number of these bills is that they deal with complex topics that deserve careful scrutiny. I remind the house of the government's election promise that it would make consideration in detail a standard feature for bills in the Assembly. I again remind the house of the government's flagrant and continued breach of that election promise.

To single out but one of the five bills by way of example, the Parliamentary Budget Officer Bill 2016 in many respects tackles matters differently to the way they were tackled in the bill introduced by the previous coalition government. If we want to get that legislation right, it deserves consideration in detail. The government needs to answer the question: what is it seeking to hide? This bill was introduced by the Treasurer rather than the Minister for Finance. The Treasurer was the shadow Treasurer at the time of the bill introduced by the previous government. Why is he not prepared to come and sit at the table to deliver on the government's election promise and allow clause-by-clause scrutiny in this house rather than to yet again leave it to the Special Minister of State or another minister in the upper house to do all of the hard work that should be being done by the Treasurer? The opposition will continue to oppose this government's failure to deliver on its election promises. We oppose this week's government business program.

Mr McGUIRE (Broadmeadows) — We have heard it all. On one hand the opposition wants to claim the

glory for the government business program and on the other it wants to oppose it. This is its conflict. Those opposite are in opposition. They had their chance. They had a four-year term. We had two years of little activity followed by two years of chaos. Now they are in opposition. This is relevance deprivation at its worst. That is the point. This is as shallow an argument as you can get.

I am delighted to speak in favour of the Andrews government and the business program it has brought to the Parliament today. This is a government that is agile, one that can bring a budget forward by a week just like that. We are getting on with doing things. We are delivering on the big picture that the state of Victoria wants — economic development, jobs and growth and everything. We are just getting on and getting it done, and all we hear in response is this continual narking and arguing and, 'We want to claim the glory, but we didn't make it happen'. I am sorry, but there is no dividend for not making it happen. The votes have been cast, the result is in. That is the reality of what has happened.

With this government business program we again go to key themes about safety, especially for women. We see that in the Sex Offenders Registration Amendment Bill 2016. What we have there are tighter controls around sex offenders, highlighting Labor's commitment to keep the community safer. There is new minimum mandatory sentencing. We have extended custody periods to allow for assessment of risk, which I think is a really important proposition, and improve community safety. There are new powers for Victoria Police — further evidence of this government's ability to work with police and provide resources.

This legislation also provides appropriate powers to the courts. The last time we had issues about powers to the courts and what was going on with baseline sentencing, remember the response of the Court of Appeal and the Crown prosecutor? This was not the *New Left Review*. What did they say about what happened in the former government and its record? They shredded it. In all my time as a journalist or as an MP I have seriously never seen a more severe criticism of what goes on in public life in Melbourne. It is now a case study on how not to do it for the juris doctorate students at the University of Melbourne. Let us get the context right about who is delivering the legislation and who is actually delivering on the issues and things that the people of Victoria want.

Then we will consider a raft of reforms that should be welcomed by the community, and we see also that the police and the judiciary will back these, particularly the Sex Offenders Registration Amendment Bill 2016 but

also the Crimes Legislation Amendment Bill 2016, which continues the theme of increasing protection and reducing violence. It introduces statutory minimum sentences for attacks on custodial officers on duty. This is a further expansion of protection. It is important because the Andrews government will recruit, train and deploy 400 police custody officers in 22 police stations during the next three years. I am sure the community will also welcome this initiative.

Then we have other bills. The Parliamentary Budget Officer Bill 2016 delivers on the government's election commitment by establishing the Victorian Parliamentary Budget Office as an authoritative, independent and credible body. We are getting on with it. I am sure this bill will pass as well. I think that is of great significance and in the public interest.

Then we have the Integrity and Accountability Legislation Amendment (A Stronger System) Bill 2015, building a stronger system, improving scrutiny, accountability and compliance. Again, that is another proposition of what the government is actually delivering, and this is the major theme. This is a government that is getting on with it, that can adjust to issues seemingly outside its control and that is delivering on economic development and delivering on the big picture.

I just note for the record that in the last government business program debate the manager of opposition business used the word 'specious', but it was changed in *Hansard* to 'spurious'. I just make the comment in passing that in terms of the response so far from the opposition to this government business program both words are actually appropriate.

Mr KATOS (South Barwon) — I rise this afternoon to make a contribution on this week's government business program. As the manager of opposition business said, we will be opposing the government business program this week. One bill I will focus on is the Parliamentary Budget Officer Bill 2016. A similar bill was in fact voted down by the now government, then in opposition, with the help of the then member for Frankston. We now have this bill before the house, but it has had a number of substantial changes, which, as the manager of opposition business said, certainly need scrutiny. There have been quite a few changes to the bill that we presented to the house in the previous term of government, and this bill should be scrutinised.

As we have said many times, the government made a commitment to make consideration in detail a standard practice of this house. That would mean that, unless otherwise stated, all bills would go into consideration in

detail, but we are still not seeing that, and in fact we will probably also see a motion before the house this week to bring forward the budget date to, I believe, 27 April.

Ms Allan interjected.

Mr KATOS — We will certainly be discussing that this week in the house, but in the future there will probably be another attempt to gag the opposition and to stop scrutiny of the government's budget by making the opposition wait until the following week to do that. As the manager of opposition business has said, we continue to not have consideration in detail as a standard practice, which was an election commitment of this government, and we will continue to oppose the government business program on that basis.

Mr PEARSON (Essendon) — I would like to make a few brief comments in relation to the government business program. Before us this week are five bills, and I think that is a fairly consistent workload for the Parliament at this time in the cycle. I look back at where previous governments at this particular point in the cycle were at in their first term. In a sitting week in March 1994 six bills came before the house. If you look at a sitting week in March 2001, you see there were four bills. Even if you look at a sitting week in March 2012, you see there were five bills. So what is before us is entirely consistent from a work rate point of view.

But I do want to take up a comment that the manager of opposition business, the member for Box Hill, made. He said that if it were not for the fact that, in his words, we were implementing the former government's agenda, there would not be any work for the house. I think the member for Ripon and I would agree on one thing — simply introducing legislation for the sake of it is not necessarily good for democracy or good for this place. I am reminded of comments made by a former minister, the Honourable Bob Cameron, who described legislation as a bit like opening up a can of paint. You think, 'All right, here's a bill. We'll do a bit of work here and here and here and here'. The questions that Bob Cameron often posed were, 'Is that a good, efficient use of time? Does it make sense to legislate? Do you have to legislate?'. Often you do not have to legislate. I would take up the point made by the manager of opposition business, who said that the work rate in terms of bills does not necessarily reflect an efficient and well-run administration or Parliament.

It was interesting to listen to the contribution of the manager of opposition business and then the contribution of the member for South Barwon. There seemed to be a degree of confusion. The manager of

opposition business said, ‘All you’re doing is fulfilling the work of the former government’, whereas the member for South Barwon indicated that, in terms of the Parliamentary Budget Officer Bill 2016, there are major changes. Either we are doing what the manager of opposition business is saying, which is basically doing the work of the former government — and I do not agree with that — or we are doing what the member for South Barwon is saying. There are some bills where there has been some commonality from the respective major parties about doing something or acting in a certain way. These bills that are before us build on and refine earlier thinking, and that is a good thing, because you do not want to not put something up if a proper process has been gone through and people have considered what is good legislation and what is best practice in that regard.

The legislation before us this week includes a mix of bills which fulfil the government’s election commitments, such as the follow-the-dollar powers in relation to the Parliamentary Budget Officer Bill 2016, but they also deal with issues that arise from time to time that administrations must deal with and confront in the normal course of business. That is no different to the past. If I look back at business programs for previous governments at the same time in the cycle, you see they are a real mix of issues that clearly relate to fulfilling election commitments but also to responding to the demands of the day. It is a good business program. It is consistent with past practice. It has a good balance and mix between fulfilling and discharging our election commitments and obligations as well as responding to issues that are current and contemporary and warrant action. I commend the government business program.

Mr HIBBINS (Prahran) — In this instance the Greens will not be supporting the government business program. I am sorry to disappoint members opposite. On most occasions we are more than happy to support the government business program. I remind the member for Essendon that if voting on the same side as these guys were a crime, you would be doing life without parole after having sided with them to flog off, in a Kennett era-type sell-off, Victoria’s biggest public asset.

The DEPUTY SPEAKER — Order! The honourable member through the Chair. When you refer to ‘you’, you refer to the Chair, and to refer to another member in that way is unparliamentary. I ask the member to do the right thing. The honourable member, to continue.

Mr HIBBINS — In my contribution on the government business program in the last sitting week I listed a number of the bills that are up this week and cautioned against putting them all into the same program because I felt a number of them were significant and worthy of going into consideration in detail on. We have had no indication from the government that it is prepared to go into consideration in detail on these matters.

I just pick up on one point that the member for Essendon raised and that is the issue of workload — that this was a reasonable workload. Well, if we are not going into consideration in detail, if we do not have the minister in here going through each bill clause by clause, what workload is that? I am sure the minister at the table, the Attorney-General, is very capable and would love to go through some of these bills clause by clause and answer questions. Let us put the ministers and the non-government side to work. Let us increase this Parliament’s workload and let us go through some of these bills clause by clause by going into consideration in detail.

The Greens will not be supporting the government business program in this instance. We are not the ones who came out with the election commitment that we were going to make consideration in detail a standard feature of bills. We have been prepared to weigh up each bill on a case-by-case basis and in this instance there are a number of significant bills that need to be gone through in detail, so we will not be supporting the government business program in this instance.

House divided on motion:

Ayes, 45

Allan, Ms	Kilkenny, Ms
Andrews, Mr	Knight, Ms
Blandthorn, Ms	McGuire, Mr
Brooks, Mr	Merlino, Mr
Bull, Mr J.	Nardella, Mr
Carbines, Mr	Neville, Ms
Carroll, Mr	Pakula, Mr
Couzens, Ms	Pallas, Mr
D’Ambrosio, Ms	Pearson, Mr
Dimopoulos, Mr	Perera, Mr
Donnellan, Mr	Richardson, Mr
Edbrooke, Mr	Richardson, Ms
Edwards, Ms	Scott, Mr
Eren, Mr	Sheed, Ms
Foley, Mr	Spence, Ms
Garrett, Ms	Staikos, Mr
Graley, Ms	Suleyman, Ms
Green, Ms	Thomas, Ms
Halfpenny, Ms	Thomson, Ms
Hennessy, Ms	Ward, Ms
Howard, Mr	Williams, Ms
Hutchins, Ms	Wynne, Mr
Kairouz, Ms	

Noes, 39

Angus, Mr	O'Brien, Mr D.
Asher, Ms	O'Brien, Mr M.
Battin, Mr	Paynter, Mr
Blackwood, Mr	Pesutto, Mr
Britnell, Ms	Riordan, Mr
Bull, Mr T.	Ryall, Ms
Burgess, Mr	Ryan, Ms
Clark, Mr	Sandell, Ms
Crisp, Mr	Smith, Mr R.
Fyffe, Mrs	Smith, Mr T.
Gidley, Mr	Southwick, Mr
Guy, Mr	Staley, Ms
Hibbins, Mr	Thompson, Mr
Hodgett, Mr	Tilley, Mr
Katos, Mr	Victoria, Ms
Kealy, Ms	Wakeling, Mr
McCurdy, Mr	Walsh, Mr
McLeish, Ms	Watt, Mr
Morris, Mr	Wells, Mr
Northe, Mr	

Motion agreed to.**MEMBERS STATEMENTS****Lara Food and Wine Festival**

Mr EREN (Minister for Tourism and Major Events) — I was pleased to officially launch the Lara Food and Wine Festival on Sunday, 20 March. The Lara Food and Wine Festival is the perfect chance to showcase some of the amazing produce on offer in our region, from wine and cheese to olive oil, organic produce and honey. I would like to congratulate Vivian Fry, the manager of the Lara Community Centre, and all the volunteer event organisers who make the festival a reality. I would also like to thank the local community, sponsors, groups and festival friends who offer strong support for this event and without whom this event would not be the huge success that it is currently.

Rosewall Neighbourhood House

Mr EREN — I am really excited to announce that Rosewall Neighbourhood House, in my electorate, was successful in its application to the Capacity and Innovation Fund grants program. Congratulations to Gabby Brennan, manager, and the team at Rosewall Neighbourhood House, which is going to use the \$50 000 grant to better support students transition into accredited training at the Gordon.

Hazara community of Geelong

Mr EREN — Congratulations also to the Hazara community of Geelong, which received a grant from the multicultural festival and event grants program. It was a pleasure to meet with some of the Hazara

community members on Monday, and I am sure their event will be very successful.

VetRide 2016

Mr EREN — I would also like to pay tribute to and acknowledge the organisers and veterans who participated in VetRide 2016. VetRide 2016 commemorated the 50th anniversary of the Battle of Long Tan and the Vietnam War. The ride commenced on Monday, 14 March, in Seymour and travelled through to Euroa. Well done to all concerned.

Mornington Peninsula ambulance services

Mr MORRIS (Mornington) — The time has come for the Andrews government to live up to its rhetoric on ambulance services and specifically to fund the construction of a new ambulance station at Bentons Road, Mount Martha. The government has been big on talk about ambulance services, but it just has not delivered. If you do not live in the city, you do not get the service.

The contrast between the Mornington Peninsula and Labor's own seats could not be clearer. The 15 September response data shows that in the Premier's seat of Mulgrave, in the City of Monash, almost 85 per cent of code 1 calls receive a response within the 15-minute benchmark. In the seat of the Minister for Ambulance Services, Altona, in the City of Hobsons Bay, almost 82 per cent of calls meet the benchmark, but on the Mornington Peninsula that figure is less than 69 per cent.

In 2014, following extensive Ambulance Victoria modelling to determine the best available site to reduce response times, the Napthine government purchased land for a new station in Bentons Road. The site was cleared, and a new \$2 million station was designed to house two 24-hour ambulance crews and five operational vehicles. Then came the 2014 election, and work stopped. No doubt the available funds were reprioritised to pay for Labor's election promises in its own seats. Wherever the money went, it was not used to build the station.

Our long-suffering local ambos deserve better working conditions than this government is prepared to provide. The peninsula community should not have to wait longer for an ambulance simply because they do not live in the seat held by the Premier or the seat held by the Minister for Ambulance Services. It is time this government found the money, got on and built this ambulance station. The budget is coming; it should get it done now.

Safe Schools program

Ms KILKENNY (Carrum) — I am saddened by the level of debate led by the federal Liberal government on the Safe Schools program and that the government's decision to change the program. My sadness comes not from debate. True debate can be a healthy thing, but we are not dealing with true debate here. Sadly, what we have got is our Prime Minister, Malcolm Turnbull, caving in to a revolt by right-wing members within his own party whose views are harmful and damaging to some already vulnerable young people, who now, more than ever, need our support and understanding.

What is really sad is that behind the so-called criticism of Safe Schools is this message from Liberal Party members and the federal government that there is something fundamentally wrong with young people who are anything other than heterosexual and that same-sex-attracted young people are offensive. I am ashamed of our federal Liberal government. At best this is ignorance, but in reality this is arrogance and homophobia.

So how fortunate we are to live in Victoria, and how immensely proud I am of the Andrews Labor government! We will not be making any changes to the Safe Schools antibullying program. We will not be making any changes because we know that same-sex-attracted people are six times more likely to commit suicide. We know that 75 per cent of same-sex-attracted young people are bullied, and mostly at school, and that too many same-sex-attracted young people suffer from mental illness. We also know that the Safe Schools program works.

Malcolm Turnbull is not changing the Safe Schools program to make it better. He is changing it to appease ultraconservative, bigoted, homophobic members of his own party. So I say to the Federal Liberal government and the state opposition: if the Safe Schools program saves one life, it is worth it. Carter Smith, who appeared last night on *Q&A* thinks so, and so do we.

Wild dogs

Mr T. BULL (Gippsland East) — Farmers in my electorate of Gippsland East will feel the effects of the government's decision to go against advice of the now disbanded Wild Dog Advisory Committee and not bait for wild dogs this autumn, I was disappointed to see that the committee's advice that baiting occur in both autumn and spring — or in autumn, if only baiting once — has been ignored. It is also a shame the committee, which had strong East Gippsland representation, is now disbanded.

It is clear that these decisions are being made in offices in Melbourne by people who know next to nothing about the problem and who are not listening to local advice. I understand that this is a complex problem and that there is no easy fix. However, to sack the source of local knowledge and go against its advice just makes no sense. Cancelling autumn baiting is the latest blow following the axing of the successful wild dog bounty and the sudden sacking of the community advisory panel. Wild dog control needs an integrated approach using all proven methods, but Labor just keeps cutting, and it is undoing all the good work of the community-led wild dog action plan.

Gippsland East electorate cricket finals

Mr T. BULL — Congratulations to the Bairnsdale Cricket Association premierships teams on the weekend's results: Lindenow South Glenaladale in A grade, Lucknow in B grade, Buchan in C grade and Lucknow in C reserve. A special mention to my good mate, Scott Davidson, who won his first A-grade premierships after five losses, and congratulations to the West Bairnsdale under-16s, who also won. Orbost also deserves mention for having three teams in the finals, although unfortunately none were successful.

Tom Prior

Ms COUZENS (Geelong) — I want to pay tribute to and acknowledge the life of Tom Prior, who sadly passed away on Saturday morning surrounded by his loving family. Tom was a kind and gentle man who lost his battle with cancer. He was a real friend and supporter of mine. My heartfelt condolences go to Tom's sister and my great friend, Annie Morrison, their mum, Anne Prior, and Tom's other sister Carol and her family. Vale, Tom Prior.

Geelong Trades Hall Labour Day dinner

Ms COUZENS — On another matter, it was a great honour to attend the Geelong Trades Hall Labour Day dinner on Friday night. Around 200 unionists attended the dinner to hear guest speaker Gary Maas, Victorian branch secretary of the National Union of Workers. For 107 years the Geelong Trades Hall has celebrated the 8-hour day with unionists from across Geelong and district. We toasted 8 hours labour, 8 hours recreation and 8 hours rest. Labour Day is not just a celebration for us today but also of what those before us achieved. The rights that many workers take for granted today were hard fought for. Hours of work, sick pay, holiday pay and penalty rates were fought for by those before us. If the Turnbull government gets its way, workers

face losing their right to penalty rates — another fight for workers and their unions.

I want to congratulate Tim Gooden, secretary of the Geelong Trades Hall, Nada Iskra, office manager, and Jackie Kriz, president, for another successful Labour Day dinner. I also want to congratulate Adele Welsh, who was awarded the Women Unionist Award. Adele is an Australian Services Union member and delegate who is committed to workers rights and supporting her union and colleagues.

Cockatoo Primary School

Mr BATTIN (Gembrook) — I would first of all just like to put on record that the member for Ivanhoe is wearing a fantastic tie. I wish Geelong all the best this season; it should be a very exciting season of AFL.

I had the pleasure of visiting Cockatoo Primary School this week and meeting with its young leaders and also grade 5 and grade 6 students. I discussed with these young people their leadership aspirations. The skills they already have at a young age are fantastic, and the input they want to have to the community is something we should all encourage by going out, visiting schools and working with these kids so that they can develop those skills further.

The other thing we had the pleasure of doing was dividing up the classroom into two houses of Parliament and putting through a piece of legislation. I am pleased to say the legislation did go through — it has been signed off by the Governor — and we have now banned homework in Victoria. This is a fantastic outcome for the kids in Cockatoo. They think this was a fantastic result. I have to say the vote went through almost unanimously, although we did explain to them about party politics as well. We explained to them that sometimes you need to toe the line et cetera and work within our political system. It was a very interesting discussion.

Emerald Secondary College

Mr BATTIN — I would also like to congratulate Emerald Secondary College for tackling the issue of use of drugs and alcohol by young people in its community, particularly those in the 12 to 13-year-old age group, which is quite scary. It is fantastic to see young people out there trying to come up with decisions to prevent alcohol-fuelled violence.

McKinnon Secondary College

Mr STAIKOS (Bentleigh) — In his maiden speech new Liberal Senator James Paterson suggested he was

not a typical Liberal because he went to public schools. He followed this up on Wendy Harmer's radio program, referring to what he called 'the left-wing public school' that he attended and saying that parents are choosing private schools because they believe they are 'better at conveying the values of a good work ethic, caring for your community and your neighbours'. The so-called left-wing public school that Senator Paterson was referring to is McKinnon Secondary College in my electorate.

I say to Senator Paterson that he should be proud to be an alumnus of McKinnon. As a senator he joins an illustrious list of former McKinnon students — people like oncologist Professor Jim Bishop, AO; actor Deborra-Lee Furness; choreographer Gideon Obarzanek; soprano Elena Xanthoudakis; Major General Peter Dunn, AO; and constitutional law academic Professor Helen Irving. I could go on and on.

Make no mistake, the students and teachers at McKinnon Secondary College have a vigorous work ethic. In fact the school outranks most private schools. It is an inclusive environment. Each of the 2000-plus students is incredibly community minded and looks out for their peers — values that have been instilled in them by their dedicated teachers. I know that despite Senator Paterson lamenting that he attended a public school, McKinnon Secondary College is very proud that one of its students has made it to the Australian Senate.

Gas-boosted solar hot water systems

Mr SOUTHWICK (Caulfield) — The coalition supports practical steps for introducing clean energy opportunities for all Victorians, especially when it also reduces power bills. It was a pleasure to join Vic Solar and Gas owner, Darryl Lucardie, at his operation in Warragul to look at some of his great initiatives around gas-boosted solar systems. An average household will use around a quarter of its total energy on heating water. Changing solar water from electric to gas-boosted solar halves the carbon emissions. That is like taking 88 cars off the road for a year. It is great to see this sort of initiative in innovation, and I commend Mr Lucardie and all of those that are moving towards offering that to consumers.

In One Voice festival

Mr SOUTHWICK — It was also a pleasure to join the celebrations of In One Voice over the weekend, a great festival in my electorate of Elsternwick run by Renata Singer, festival organiser Judith Kirszbaum, and a number of others on their committee. This is the second time it has been held in Elsternwick, after

moving from Caulfield Park. There were probably over 5000 people who attended over the day, with lots of different events — from school choirs to comedy and food. Probably the highlight for me was a pollies versus the community sports activity, and the youngsters beat the pollies, so there you go!

SunFest

Mr J. BULL (Sunbury) — On Saturday and Sunday just past I had the great pleasure of attending the 40th anniversary of SunFest. SunFest originated from the now famous Sunbury Rock Festival of 1976, which I know a number of members are aware of and some members may have even attended. I joined the federal member for McEwen, Rob Mitchell, and a fantastic team of volunteers for a wonderful weekend of show bags, rides, balloons, a street parade, live music, stalls and even a fun run.

Earlier this year SunFest won the Hume Community Event of the Year award, and it is certainly not hard to see why. Run by a fantastic organising committee and a group of extremely hard working volunteers, this is a truly great event.

I particularly want to thank Maureen Kear and Graeme Handly Smith for their outstanding work and the entire committee, whose members give up their time to make sure SunFest happens. I met and spoke with hundreds of people, who were all putting their views forward. They were thrilled to be out there enjoying the sunshine on both days.

I also met a baby piglet called Tiny, who I may say will not stay tiny for too long, and I enjoyed some of Sunbury's finest food at Vics on Saturday night. There was great music with many local bands, in particular the strong and outstanding Rock N Roll Exchange, a local band getting it done loud and strong. On Sunday I took part in the fun run and offered to donate \$10 for each runner who came in ahead of me over 21 kilometres. I am very pleased that I ended up donating an amount of \$200.

Country Fire Authority district 27

Mr NORTHE (Morwell) — I am pleased that the Minister for Emergency Services is in the house because on 1 April last year the launch of Country Fire Authority (CFA) district 27 was made by the Labor government with much fanfare. CFA district 27 was an initiative of the coalition, which sought to bring together fire brigades within the Latrobe City municipality. The rationale for doing so was to underpin and recognise the uniqueness of the Latrobe

Valley's firefighting activities, particularly given some of our major industrial assets. Unfortunately what we have seen since the government's launch last year is a lack of action that now sees the district short of the resources that were promised at the time. My understanding is that two brigade administrative support officers and one training officer were to be recruited to ensure adequate resourcing of the district; however, the government has still not provided these important resources which would support all brigades in the Latrobe region.

It is simply not good enough that the government is providing only token support for our firefighters, who have done an incredible job in serving and protecting our community in very difficult circumstances in recent years. The failure to provide these resources to district 27 comes on top of the failure of the government to answer any of the 14 parts to the question on notice I have previously raised with the minister on behalf of my local firefighters. There has been scant detail and communication from the government on a whole range of areas, such as resourcing or indeed where and how a new Morwell fire station will be built. These are questions to which firefighters and the broader community deserve answers, and it is about time the Andrews government started communicating and delivering on these commitments.

Selandra integrated community centre

Mr PERERA (Cranbourne) — It was with great pleasure that I joined the Minister for Local Government early this week in announcing funding for a \$5 million project that will deliver an integrated community facility within the Selandra Rise neighbourhood activity centre in Cranbourne East. The facility is expected to commence construction in June 2016. Casey City Council will deliver the project in partnership with the Andrews Labor government. The Andrews Labor government will contribute a total of \$2.5 million through the Interface Growth Fund program. The new facility will provide for a range of multi-use activities, consultation, event and meeting spaces to cater for council services, community groups, small business, community service organisations and non-government organisations.

Australian Animal Rescue

Mr PERERA — I also had great pleasure in representing the Minister for Agriculture in the other place in announcing that Australian Animal Rescue, located in Devon Meadows, had been approved to receive an Andrews Labor government grant for the

amount of \$10 000. Australian Animal Rescue is a non-profit, volunteer-run, non-government organisation which was formed in April 2009 following the Black Saturday fires. Australian Animal Rescue specialises in rescuing both wildlife and domestic animals, and also undertakes fundraising activities for disaster relief and other shelters. The funded project will enable Sharon Williamson and her team to fit out a triage shelter for the treatment of injured and rescued animals.

Eastern Health lymphoedema services

Mrs FYFFE (Evelyn) — Lymphoedema is a side effect of cancer treatment which can occur when lymph nodes are removed to prevent cancer from spreading. The impacted limb fills with fluid, which can be reduced using massage techniques that require nurses to receive specialist training. If sufferers cannot access treatment, their lives are adversely impacted. In February, without warning, Eastern Health closed down its lymphoedema services, leaving cancer patients having to travel to Ringwood, Heidelberg or Moorabbin to receive treatment. Eastern Access Community Health, or EACH, at Ringwood only has one trained person who is now expected to manage a double case load. Treatment will only be offered three to four days a week, resulting in a waiting list that has ballooned.

In 2010 the then Labor government announced the opening of the local lymphoedema clinic based on the obvious need in the area. Less than six years later the clinic has closed under this government's watch, with Eastern Health saying it has to live within its means. That is code for state government funding cuts. It is essential that the government fund Eastern Health to return lymphoedema services to Lilydale.

Benvenuti Festival

Mrs FYFFE — I was pleased to attend the Yarra Valley Italian Cultural Group's inaugural Benvenuti Festival at Killara Estate on Sunday, 13 March. As part of the festivities I helped launch Anthony McAleer's latest literary styling *The Vagabond in the Yarra Valley*, a collection of stories written by John Stanley James. The festival was a great event, and I congratulate everyone involved in organising the day.

Safe Schools program

Ms WARD (Eltham) — Yesterday federal member Jenny Macklin, MP, and I did something the Liberal Party does not appear to have done — we listened to kids. We went to Eltham High School, one of the original foundation Safe Schools Coalition (SSC)

schools, and this is what they said and what these fantastic kids stand for:

An accepting and open-minded society. We need to stop going backwards and start moving forwards on LGBTI issues. We should educate our young people so they feel safe.

The incredible support that SSC provides. Thank you.

Protecting those who feel unsafe in their identities.

We know that it helps people, so why remove it?

Everyone deserves to be who they want to be and love who they want to love.

Letting people be whoever they are and want to be regardless of what anyone says.

Everyone being themselves without the fear of getting bullied and judged.

Educating our young people so they feel safe.

The end of sexuality-based bullying, self-harm and suicides.

These were just some of the great contributions we heard. I want to congratulate the students, staff and community of Eltham High School for backing this program, backing equality and saying no to bullying.

Research Eltham Collegians Cricket Club

Ms WARD — I congratulate the Rubies from the Research Eltham Collegians Cricket Club on their eight-wicket victory in the under-15 girls Anna Lanning stars shield. This is a great result for local girls' cricket and demonstrates just how good our girls are. I also congratulate the Rubies on their upcoming Sri Lanka tour along with girls from Plenty Valley Cricket Club. Along with playing cricket in Sri Lanka, these fantastic girls will also visit two children's homes to make donations and transport clothing and cricket gear to distribute. This demonstrates the great leadership shown by these girls in both cricket and social justice.

The grand final-winning Rubies were Shania, Scarlett, Isabelle, Mia, Ellie, Michaela, Amy, Brianna, Sandra and Jessica. The coaches were Sophia Field, Peter Garriga and my old classmate Adam Dale.

Wesley of Warragul

Mr BLACKWOOD (Narracan) — Last Sunday I attended the 10th birthday celebration for Wesley of Warragul. Wesley of Warragul is the former Wesley Church that has been restored by the Warragul Heritage Preservation Association, which was formed in 1998. Wesley was purchased by the association on behalf of the community from the Uniting Church in 2002 with the financial support of the broader community, Baw

Baw Shire Council, the Uniting Church of Warragul and the state government. The quality of the restoration is so good that Wesley is considered to be the finest 19th century church in Gippsland. Great credit must go to the tradesmen — many of them local volunteers — and the preservation association, which planned and supervised the enormous task of renovation. I congratulate president Helene Armour and her committee on a fantastic birthday concert and afternoon tea and on their commitment to the preservation of this iconic building and to ensuring that it can be used by our community today and for many years to come.

Gippsland rail services

Mr BLACKWOOD — V/Line services on the Gippsland line returned to normal yesterday and gave very welcome relief to long-suffering Gippsland commuters. This is only the first step in ensuring Gippsland train users get a train service that is reliable and capable, a service the regional rail link has provided for Bendigo, Ballarat and Geelong. Gippsland passengers must no longer be treated like second-class citizens in taking second place to metro and consistently having to endure unreliable and overcrowded services. The Minister for Public Transport has to ensure that the level crossing program includes a third and fourth track for Gippsland trains from Pakenham to Caulfield and that this budget funds the duplication of the Longwarry and Bunyip section of track.

Melbourne Legacy

Mr BROOKS (Bundoora) — Legacy is a great organisation founded in 1923 to support the widows and families of servicemen who were lost in World War I. It continues to do great work looking after the families of our service men and women. On Sunday I was honoured to represent the Premier at the annual Melbourne Legacy presidents luncheon. Every two years a new president is officially installed, and on this occasion Legacy honoured the work of the outgoing president, legatee Ian Harrison, and welcomed his replacement legatee, Graeme Plumridge.

Melbourne Legacy is the largest of the 13 autonomous Legacy clubs in Victoria. Combined these clubs have 30 staff and 550 volunteers who provide support to 13 085 widows and 300 dependents, and the organisation estimates an increase of 800 new widows annually. Of the 300 dependents assisted by Melbourne Legacy, 271 have a disability, with a majority aged between 50 and 60 years of age. The most recent figures show that Melbourne Legacy's welfare programs total \$1.9 million per annum and encompass

support for widows' welfare and activities, support for young people and support for dependants with a disability. The enduring strength of Legacy is shown by public donations, bequests, corporate sponsorship, charitable funds and grants making up over 80 per cent of its annual revenue.

The outgoing president, Ian Harrison, who is a constituent of my electorate of Bundoora, joined Legacy in 2001. Despite not having a background of military service, Ian has made a great contribution during his time as president. I wish him and his wife, Derithe, all the best for the future. Graeme Plumridge has been involved with Legacy since 2008 and in the last two years has served as treasurer and director. He is a very successful businessman and a dedicated volunteer at the Wangaratta Lions Club, where he had a great record of attendance.

Blackburn South Cricket Club

Mr ANGUS (Forest Hill) — I recently had the great pleasure of attending the 50th anniversary celebrations and annual presentation night for the Blackburn South Cricket Club. It was a great night of celebrating and reminiscing about the last 50 years, including announcing the teams for the first and second 25 years. Current club members were also honoured for their achievements during the season as well as other awards, including life memberships, being made. I congratulate the club president, Mark Lane, and all the other volunteers who have contributed to this club over the last 50 years.

Nunawading Swimming Club

Mr ANGUS — Early last Saturday morning I had the pleasure of again attending the Nunawading Swimming Club, where club members came together for breakfast after training. This was followed by a presentation to club members who are heading off in April to compete in the Australian Olympic trials and Age Championships in Adelaide. I wish all those competing, together with their coaches, well for their events at these trials. My congratulations and thanks also go to the volunteers who devote their time and energy to assist the club in so many ways, including cooking breakfast for many hungry swimmers.

Port of Melbourne lease

Mr ANGUS — I congratulate the coalition shadow ministers who worked so diligently to protect Victorian taxpayers and whose hard work resulted in a good outcome in relation to the lease of the port of Melbourne. The Labor government was again prepared

to sell out future generations of Victorians to get a quick buck. A 70-year monopoly, as originally proposed by Labor, would have been a financial disaster for all Victorians, particularly as another port will be needed in Victoria within that time. The claim Labor members made to Victorians before the election that they would build a second container port at Bay West has now been proven to be yet another Labor lie.

Budget

Mr ANGUS — The decision by the government to bring forward the state budget to precede the federal budget represents another broken Labor promise. At the Public Accounts and Estimates Committee (PAEC) hearings in 2014 the then member for Lyndhurst said that Labor in government would agree with the PAEC recommendation and move the state budget to be after the federal budget, particularly given that so much of the state's revenue comes from the commonwealth.

Westbreen Primary School

Ms BLANDTHORN (Pascoe Vale) — Westbreen Primary School is a fabulous school in my district led by the dedicated and inspiring Mr Cerra with the support of the fantastic Mr Daly. Last week I had the pleasure to attend the school and recognise the student leadership team for this year. In particular I would like to acknowledge the newly elected school captains. These two people, who had to give a speech to their peers and succeed through an interview with the principal, are Geetanshika Sharma and Alex Heffernan. Shika, as she likes to be called, is a beautiful and articulate young woman full of ideas for her school community. Alex is an inspiring young man committed to looking out for his fellow students and making sure they have every opportunity.

The house captains for Wattle house are Nada and Ayman, for Jacaranda house they are Danyella and Nicky, for Grevillea house they are Eleora and Aaron and for Waratah house they are Amina and Hashir. The class captains are Muaz and Janita, Malachi and Inaya, Rameen and Jacob, Charli and Bailey, Ty and Jasmine, Kaan and Mekala, Vaibhav and Roukaya, Khadija and Syed, and Sien and LeGrand. I was also very pleased to be formally inducted into Team Westbreen, which is indeed a great honour — although I am not so sure about the Collingwood teddy bear I was given as part of the induction. I may yet have a Richmond surprise in store for them.

Norval Dam

Ms STALEY (Ripon) — Today I need to talk about Norval Dam, a dam first built by goldminers and used by generations to provide water for stock, firefighting water and recreational water. Norval Dam is just outside of Ararat, and it is in bad shape. The repeated dry seasons have meant there has been no significant inflow into the dam for about five years. It is as empty as locals have ever seen it. There is now a very small window available before the autumn break comes and makes any work on Norval Dam difficult, and a number of works are urgent — removing tree stumps so firefighting aircraft can use the dam, de-sludging the mud and repairing the spillway, a spillway built by hand over 100 years ago.

Norval Dam is on Crown land and is the responsibility of the Department of Environment, Land, Water and Planning. The Ararat Rural City Council has confirmed that although it has maintained the water pump and has itself drawn water from the dam in the past, it is not a council asset. Grampians Wimmera Mallee Water (GWMWater) charges some amounts for landholders who draw water, and it seems to me this means GWMWater shares some responsibility for maintaining the dam. But overwhelmingly this is another country water asset abandoned by the Andrews Labor government. Local residents, firefighters, the council and business owners have been trying to get something done about this dam for months. Sally Hinchcliffe and Ian and James Brady, amongst others, are actively trying to get through to the Labor government that action is needed now. It is time the government started listening and acting.

Essendon Fields Dialysis Centre

Mr PEARSON (Essendon) — I was delighted recently to attend the opening of the renal dialysis centre at Essendon Fields. This fantastic initiative is being funded by the government — \$350 000 delivered on time and on budget. It is going to be a fantastic community asset. I would like to acknowledge the great work of Dr Gareth Goodier, the chief executive of Melbourne Health; Professor Stephen Holt, who is the director of the unit; and Associate Professor Nigel Toussaint, who is the assistant director. This is a fantastic investment in our facility. There will be 15 chairs that will treat 60 patients a week. It is a great use of the asset.

Moonee Ponds Primary School

Mr PEARSON — I was pleased to attend the Moonee Ponds Primary School fete on the weekend. It

was great to catch up with Matthew Bott, the principal. The school is going extremely well.

Farah Warsame

Mr PEARSON — I would like to acknowledge the great role played by Farah Warsame, who runs Somali Community Inc. of Victoria. The Somali cultural night was held last week, and it was a great opportunity to celebrate all the great things that the Somali community does in our great state.

Harmony Day

Mr PEARSON — Finally, I attended Harmony Day in Flemington as part of Cultural Diversity Week. There was a great turnout in terms of senior officers from Victoria Police as well as many senior community representatives. This is a real showcase of what can be achieved when people sit down and work together collectively and collaboratively, because a few years ago the relationship between members of the community and Victoria Police was in a very bad state. Harmony Day was a great day.

Diamond Valley College

Ms GREEN (Yan Yean) — The campaign to obtain better facilities and classrooms at Diamond Valley College has gone up a notch, with school leaders getting on board in a big way. I had a refreshing meeting with the school leadership team last Friday. These students have great plans. They plan to hold street stalls during their Easter school holidays to gather signatures on petitions throughout Diamond Valley, Doreen and the nearby ranges and also at St Andrews market.

I want to acknowledge and thank these student leaders, in particular Jorja Ozimek, Chelsea Clapton, Daniel Elward, Kevin Twan, Lochie Robinson and Sophie Olson. Being year 12 students, they will obviously not be the beneficiaries of any future buildings, but they are so civic minded that they are interested in those who come after them. I would ask that everyone throughout Diamond Valley, whether they be traders, parents, supporters of the school or ex-students, look out for these current students, who will be asking everyone in the community to get on board for Diamond Valley College. I ask everyone to sign a petition and join the Facebook page to make Diamond Valley College a school for the 21st century. I want to really commend those great students at Diamond Valley College.

NOTICE OF MOTION

Withdrawal

Mr WYNNE (Minister for Planning) — I request that notice of motion 1, government business, be removed, because obviously the Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015 has now passed through the Parliament.

FINES REFORM AND INFRINGEMENTS ACTS AMENDMENT BILL 2016

Second reading

Debate resumed from 24 February; motion of Mr PAKULA (Attorney-General).

Mr PESUTTO (Hawthorn) — I am delighted to speak today on the Fines Reform and Infringements Acts Amendment Bill 2016. This is a very important topic. At any one time there are hundreds of millions of dollars that Victorians owe in respect of not only court fines but also infringement fines. We are talking about substantial amounts of money. We are talking about significant rights of people who are in breach of court orders or who commit infringements.

As we know, there are differences between court fines and infringement notices. Court fines obviously represent a more serious dimension to sanctions for wrongdoing. Infringements, as we know, are a very important way that people who break laws in more minor circumstances can be sanctioned while trying to minimise their involvement in the criminal justice system.

For many decades our state, like other jurisdictions, has faced the problem of having two different regimes for the enforcement of sanctions — for breaches of court fines on the one hand and defaults on infringement penalties on the other. The bill before the house today really builds on a substantial body of work that the previous government undertook, particularly in 2014, and it began when the then Attorney-General, my colleague the honourable member for Box Hill, provided a reference to the Sentencing Advisory Council to look into the management and enforcement of court fines and infringement penalties in this state. The Sentencing Advisory Council came back with a fairly substantial report, and it was off the back of that report that a substantial reform package was brought before this Parliament in May 2014.

I might just take a moment to go through some of the key features of that reform package, which my

colleague the honourable member for Box Hill brought in at that time. It was a reform package which was intended to overhaul fine collection, create a simpler and fairer system for those in breach of orders and infringement penalties, and also deal with serial fine evaders. A key feature of the package was to consolidate all fines into one account, which would allow people a clearer understanding of what they owed and a pathway of management of those debts. It was also designed to winnow out those who would not pay, those who could not pay and those who refused to pay and to provide a wider range of options, particularly for vulnerable people and those suffering from disadvantage. We know that many people are in those circumstances and are the key beneficiaries of the reform package which passed this house in 2014. They, I am quite content to say, will also benefit to a considerable degree by passage of this bill.

If I can just go back to the 2014 package, its key features were inclusive of the following: to provide a single integrated system to track and collect infringement fines, court fines, victim compensation orders and civil judgement debts; to provide a simpler and shorter time line and notifications process for the collection and enforcement of fines; to enable a greater focus on the total amount owed by individuals rather than on the separate debts for each fine or infringement; to improved arrangements for the payment of debts by instalments; and to ensure earlier intervention — an important matter — when individuals accumulated multiple fines or large debts.

That is a key reason why many people find themselves facing spiralling debts: they just lose control of their own capacity to manage the debts they owe. Finally, one of the key features of the 2014 package was to provide improved options for people to clear their debts through community service when they could not pay fines or infringement penalties up-front or by instalments. It was backed by a substantial package of nearly \$35 million of both capital and recurrent funding over four years for the upgrade of IT systems and to improve enforcement capacity. Importantly, that package included the replacement of the Infringements Court with the director of Fines Victoria to oversee our fines regime in this state.

The fines reform package of 2014 also included a couple of other things, which I will touch on now. They go to some amendments, which I understand are in the process of being finalised but we do not quite have them. I will turn to those proposed amendments in a moment. The 2014 package, importantly, also did the following. It closed a loophole allowing prisoners to have their outstanding fines extinguished at the same

time — that is, concurrently — with service of a sentence for another non-fine-related offence. It included the introduction of work and development permits, allowing vulnerable people to enter work programs to clear their fines or to receive medical or drug and alcohol treatment, and a greater ability for the sheriff's office to recover civil debts.

So you can see from just the key features of the 2014 package, which I just worked my way through, that it was a substantial reform package that was changing our approach to the imposition of fines, the management of fines and the enforcement of fines. This bill tends to build on those matters, and I will turn to those in a moment.

I should just say in terms of the amendments, which will be circulated hopefully while I am on my feet but it may be at a later stage of the debate, the opposition has only one objection to the bill. We do not oppose any other part of it, but we do object to the reinstatement of the time served component. We will be moving an amendment that that be omitted from the bill, but otherwise we do not oppose the bill. I do have some concerns which I will turn to in a moment, but that is the essence of the amendment that I will be moving. It consists of one key proposed change, which relates to clause 89, but there is a series of consequential amendments that will flow from that. As you can imagine from the nature of the bill, the time served component is referred to throughout much of the bill.

The bill before the house, as I said, builds on the 2014 reform package in a number of respects. In relation to the work and development permits, we think the direction of the changes in relation to those matters are sound, although I do want to make a couple of cautionary notes about that. One of the key changes around the work and development permits in this bill is to extend them to people who are in default of infringement penalties or court fines. At the moment you can apply for a work and development permit so long as you are not in breach. The opposition simply points out to the government that it should keep an eye on what this does to the general approach of those who might be eligible persons for a work and development permit and that this does not have the consequence of diminishing the level of attention that those in breach of infringement penalties have to the availability of these permits.

Ideally what we want is people to give early consideration to their capacity to discharge the debts they have been sanctioned with. If that is going to be relaxed so that a person can, for example, blithely allow their debts to spiral out of control and to accumulate to

the point where they lose complete control of their ability to manage their debts, that is not an ideal scenario, and it should not be supported by the system. The opposition is not opposing the change, but I do want to bring to the government's attention that I hope and trust that the government and the agencies concerned will keep a very close eye on whether this has adverse effects on those who are eligible.

As we know, when we are talking about people who are eligible for these work and development permits, we are talking about people who are suffering from physical or mental disabilities or they may be suffering from an addiction to alcohol or illicit drugs. So they will usually have a condition or a disability which renders them clearly incapable of managing and discharging their debts. It is a very important part of the scheme and we do not want the incentives, perversely, to discourage acute attention to the existence and management of those debts.

Another section that I just want to touch on — there are a couple that I just want to touch on — is the ICT system. The bill is proposing a deferred start date for the scheme in many respects, although many aspects of the bill will be brought forward. The start date for the Fines Reform Act 2014 is proposed to be deferred from the middle of this year until the end of 2017, and we in the coalition are quite content to accept the government at its word, that this is necessary to allow for systems upgrades to prepare agencies for the advent of the new system and also to permit the finalisation of the ICT contract process. We are prepared to accept, as I said, the government's word on that. We will be keeping a close eye to make sure that there are no further delays in respect of that. We want this system bedded down, quite clearly. We had obviously allocated quite substantial funds to this scheme. The delay is substantial, but as I said, we will take the government at its word.

I have already addressed the work and development permit scheme. I just want to turn now to the amendment and that part of the bill with which we have most concern. That relates to the time served component. During the last Parliament we changed the regime so that you could not be serving a sentence for, let us say, a non-fine-related offence and have your fine-related or infringement-related offence discharged concurrently with that non-fine-related sentence. What this bill does, as I said a few moments ago, is to reinstate the time served component, and we think that is something which should not form part of this bill.

I can understand at one level the arguments of the advocates who say that the best prospects for an

offender who has served a long prison sentence is to be discharged from prison without debts. Yes, at a superficial level that might make some sense, but you also need to be conscious of the consequence of telling offenders that there will be no sanction whatsoever for ignoring penalties by way of infringements or court fines that other people — ordinary people — have to deal with on a daily basis. It does not send the right message to those offenders, I do not think. It is also potentially something which breeds cynicism in the justice system, because everybody else observing this is looking at it and saying, 'Well, you do not bear any sanction for potentially thousands and thousands of dollars of fines, whereas I, an otherwise law-abiding citizen, do'.

What this bill does is simply reinstate that time served component, and consideration is not even given to whether there might be a reduced sanction in the form of a cumulative but reduced sanction on top of the non-fine-related sentence, or whether there should be some requirement to work it off after you are discharged from a custodial facility. To simply say to offenders, 'You are free to go, and by the way your \$50 000 consolidated debt, which consists of traffic infringements, speeding fines, parking fines — the whole box and dice — is discharged without any kind of sanction', we think is undesirable in terms of public policy. Even though at one level I can understand some of the reasons that advocates invoke to support this change, I do not think this change should form part of this bill, and our argument is that the change that my predecessor, the honourable member for Box Hill, introduced in 2014 should be retained.

Opposition amendments circulated by Mr PESUTTO (Hawthorn) under standing orders.

Mr PESUTTO — The amendments I have circulated would simply give effect to what I have been saying — namely, that the current arrangements should be retained but that otherwise the bill should proceed.

The only other matter that I wish to address in relation to work and development permits relates to the guidelines. Proposed section 10L of the Fines Reform Act, which is on page 17 of the bill and which is inserted by clause 6, relates to work and development permit guidelines. It provides that:

- (1) For the purposes of this Part, the Attorney-General must make guidelines specifying—
 - (a) the circumstances of a person who has been served with an infringement notice ...
 - (b) the work-off rates for satisfaction or part satisfaction of an infringement penalty ...

- (c) the criteria that makes an organisation an appropriate organisation for accreditation for the purposes of supervising and supporting eligible persons under work and development permits ...
- (d) the information and any documents required to be included in any application to become an accredited agency or accredited health practitioner ...
- (e) the details to be included in any proposed work and development permit ... and
- (f) any other matter the Attorney-General considers appropriate for inclusion in the guidelines.

All of that is fine. What I want to point out to the house though is that we are concerned that the government needs to make sure that these guidelines are not simply a 'tick and flick'. We do not want people simply to turn up to a course without any kind of rigorous participation in that course and without any kind of rigorous evaluation or assessment of that person's participation in that course, because at the end of the day we are discharging them from the debts that they owe. These are serious sanctions that they have incurred. They are being given the opportunity, which is desirable, to work off or otherwise discharge their debts other than by way of payment and other than by way of service of a custodial sentence. We just want to make sure that these guidelines are not only rigorous but that they are regularly reviewed, so that we simply do not have a revolving door of those with infringements simply turning up to courses or to sessions — whether it be a counselling session or some similar activity — and being discharged. We are very concerned to make sure that is quite rigorous.

They are my concerns about the bill. As I said, the opposition does not oppose the bill, but it has circulated amendments. We hope the government will give consideration to them. The changes which my predecessor carried forward in 2014 in relation to time served should be given at the very least some time to work through the system. The government could have its bill, could have all of these changes which we are happy to see passed through this Parliament, but we hope that it will give due consideration to the amendments that I have circulated in the interests of ensuring that we do not send the wrong message to those who have accrued debts.

As for the argument from advocates that those who serve their custodial sentences should be free to return to the community with as few hindrances as possible, while it has some prepossessing appeal, you can achieve the same thing by other means and in fact promote the interests of justice by finding alternative ways in which prisoners who have served their time

may be able to re-enter the community maybe without debts but with an obligation to work off those debts in some other way. But simply to discharge those debts concurrently without that person feeling any of the retributive or denunciatory effects, for example, that sentencing is supposed to have, I think is counterproductive. On that note, I conclude my remarks.

Mr CARROLL (Niddrie) — It is my pleasure to rise and speak on the Fines Reform and Infringements Acts Amendment Bill 2016. I want to begin by congratulating the Attorney-General, the Premier and the cabinet on this important legislation. This legislation really is about values and what a government stands for. I think all of us, as members of Parliament, on a weekly basis have someone enter our office with an issue involving a fine and seeking some sort of assistance. Often they are people who may have a mental illness or may have an incapacity and who come to us, as elected members of Parliament, in need.

In my preparation for this bill I reflected on when I used to work at the North Melbourne Legal Service; often it would be dealing with fines and people in need. This bill is very much about social justice. It is about making sure that we build on some of the previous Attorney-General's reforms in this area. I grant that a large body of work was done by the member for Box Hill in this area, but fines reform is a massive undertaking. When you read through the bill you will see why we are essentially staggering a lot of the reforms and a lot of the improvements. There is a whole body of work that needs to be undertaken with the Department of Justice and Regulation, with community bodies and with community organisations, indeed with the whole ICT system, in setting up a whole new body to manage fines.

I do want to address the member for Hawthorn's amendments, which were recently circulated, and I will come to them in a moment. But I do believe that the implementation of a new fines recovery model does require a modern system and modern processes. We need to make sure that the government and our enforcement regimes bring the community with them to ensure that our courts and the more than 120 enforcement agencies work with the community sector and have sufficient time to review systems and implement any changes that are required. The government — I think very much so — is looking forward to bringing forward a range of social justice reforms so that vulnerable people are not disadvantaged by the deferred implementation of a new fines recovery model.

Fines reform in many respects refers to a new fines recovery model. Central to the fines recovery model is going from a quasi-judicial model of fines recovery to a streamlined administrative system. Under the new proposed model the newly created role of director, Fines Victoria, will be undertaking the collection and enforcement of both court fines and infringement notices. The director will be supported by a new administrative unit to be based within the Department of Justice and Regulation called Fines Victoria. We are very much looking forward to a transition from the current transaction-based approach to a debtor-centric approach, and there is a whole range of social justice initiatives that are embedded in this legislation.

There is going to be the expanded work and development permit (WDP) scheme. That will essentially be bringing forward the WDP scheme, which will be very much vested in the director of Fines Victoria, prior to the commencement of the Fines Reform Act 2014 on 31 December 2017. This will ensure new and better procedures to properly recognise people with an incapacity, perhaps a mental illness, or who in some way are suffering hardship. This will be the first of its kind in Victoria, and the Department of Justice and Regulation is to be commended for its work in working towards getting this scheme up and running. This approach very much aims to assist our most vulnerable in dealing with their unpaid infringements and fines at an earlier stage to reduce the number of these matters that are progressing towards warrant and arrest.

There is also the reinstatement of an improved time served scheme for prisoners, which the member for Hawthorn touched on. There is also the harmonisation of court powers to deal with fine defaulters, improvements to the internal review process for infringement notices, and the introduction of a new internal oversight function.

The opposition's amendments have been circulated, and I have a copy of them in my hand. Hearing the remarks from the member for Hawthorn, essentially he said we should basically completely omit the time served component of this legislation. In some ways it does not surprise me that the Liberal Party would want to do that, because it is not the party of social justice. The time served scheme that is embedded in this legislation is really about reinstating the sheriff prison program but building upon its key features to improve it to assist our most vulnerable. It will assist prisoners to rehabilitate and reintegrate into the community upon release. It will also reduce the possibility of re-imprisonment for infringement fine-related debt.

Imagine if we did what the member for Hawthorn wants and took away and omitted the time served provisions. If you were recalcitrant in some way and were racking up a lot of debt, a lot of fines, you would go into prison to serve your time to reduce those debts and fines, but that is not enough for the member for Hawthorn. He wants you to come out and to still have those fines. How would you then pay for those fines? You would see an increase probably in burglaries and 7-Eleven-type hold-ups. These are people who are going to come out, who may have a mental illness. They will probably have a housing issue more than anything else, and then they are going to have high levels of fines hanging over their heads.

We will have a look at the amendments put forward by the member for Hawthorn, but from where I sit, as the parliamentary secretary for justice in the party of social justice, I certainly do not support removing the time served scheme provisions that the Attorney-General has in this legislation. I really do believe that it is reasonable that we support prisoners, where appropriate, in order to rehabilitate them and reintegrate them into the community upon release. We do not want to see a revolving prison door, where people come out only to go back into prison for infringement fine-related debt.

I will say one thing to the member for Hawthorn: he should probably catch up with the former Premier and member for Burwood, Jeff Kennett. I had the pleasure to be with former Premier Kennett only a month ago to launch the Torch Project, which allows Indigenous prisoners to work off their debts by legally selling their artwork from prison. This helps them in terms of their rehabilitation when they come back into the community because they do not have large debts hanging over their heads. The member for Hawthorn should go and catch up with Mr Kennett, because I think Mr Kennett might have some wise advice for the member for Hawthorn.

I believe this legislation is very much about what the Andrews Labor government went to the election on — putting people first. We acknowledge the large body of work that was done by our predecessors in the area of fines reform. But we believe in rolling up our sleeves and getting the ICT components working for fines reform and ensuring that the Department of Justice and Regulation and the secretary, in the interim, do the work to ensure that all the key components of the new body, Fines Victoria, are in place once the legislation is passed.

When I think about this legislation and the overlap between the Sentencing Act 1991 and the Infringements Act 2006, I note that it is about getting

the balance right. Sometimes fines can lead to other sorts of crimes. We should bring back the time served provisions to give people the best chance and opportunity to rehabilitate themselves when they come out of prison so that they do not come out of prison with a whole new level of debt hanging over their heads that they are going to have to work off.

I commend the Attorney-General on bringing this legislation forward, particularly the social justice initiatives involved, such as the work and development permits. I believe the time served provisions are welcome and that they should be supported.

As the member for Niddrie, a week does not go by without someone coming into my office to seek my assistance in relation to fines. I am always happy to help them. For the majority of people — 90 per cent of constituents who come through my office with a fine — it is a one-off. Often they have a mental impairment. As local MPs, we are all there to help ensure that a fine does not lead someone into the prison system. We should do everything we can to ensure that we get the balance right and that when we look through the lens of this legislation we see it for what it is worth. It is very much about social justice and putting people first. I commend the legislation. I commend the bill to the house.

Mr CLARK (Box Hill) — As the member for Hawthorn indicated, there is a large degree of agreement across the chamber on many measures in this bill. The acknowledgement by the member for Niddrie, the parliamentary secretary for justice, that this builds, in many respects, on the work of the previous government is welcome.

The key point of disagreement, as the members for Hawthorn and Niddrie have referred to, is the intention of this legislation to reinstate a so-called time served scheme for prisoners. The provisions in the bill are actually quite complicated; they revolve around clause 89. Indeed the second-reading speech and the explanatory memorandum rather fudge what is going on. In essence the 2014 reforms put in place under the previous government had scheduled amendments that would have got rid of the opportunity for debts to be cleared under a time served scheme so that that would no longer be possible. However, the bill before the house prevents that reform from coming into operation and instead reinstates with a somewhat different structure a time served model under both the Infringements Act 2006 and the Fines Reform Act 2014.

If you leave aside these technicalities, the key issue is the question of principle — namely, if somebody has racked up a long list of fines and then they end up being jailed for some other offence, be it a crime of violence or a sexual offence or anything else, should they then be able to get off their fines for free? That is the key policy question. The way in which the proposals in this bill are constructed, that is exactly what will happen. The offender will be able to ask the sheriff to go along to the court and make an application that it be deemed that their time in jail is time that is being spent to work off their fines. It is shades of the suspended sentences regime, which went through the charade that they were custodial sentences when in fact offenders were out there walking free in the community.

The principal issue is that you should not be able to clear your infringement debt simply because you end up in jail for some other offence. Our view on this side of the house, which was reflected in the 2014 legislation, is that you should not be sent to jail as a punishment for simply not paying your debts or for being unable to pay your debts and you should not be able to clear your debts in any circumstances by being in jail. Rather, jail should be reserved as a punishment for those who wilfully refuse to pay their debts thinking they can get away with escaping their liabilities even though they have a capacity to pay. Our view is that in those circumstances people should be jailed for that wilful contempt for the law, and when they come out of jail those fines should remain. They should not be able to clear their fines by serving time in jail.

Instead, for those who are genuinely unable to pay their fines there should be a range of alternatives, such as whether to pay by instalment or to pay by work served arrangements. We put a lot of those alternative measures in place. It is pleasing that those measures are being extended and even built on. But to say to the community that somebody can get off whatever fines they might have accumulated if they happen to be sent to jail for a street brawl or a street riot or whatever it might be sends entirely the wrong message. It sends the community the message that rogues and violent criminals still can get let off their fines but that honest citizens have to pay them. It undermines respect for the law and reinforces the conclusion that unfortunately the community is already fast reaching — that the Andrews government is soft on crime and is not prepared to properly protect the community and uphold respect for the law.

Whatever the context, the law needs to operate to drive home the message that people must respect one another and they must respect the law. That can be done with a variety of sanctions in a variety of contexts. The

sanctions can and should target the offender and the offending, but in each and every context the sanctions that are imposed need to send a message to the offender that actions have consequences and that where people fail to respect the law the consequences for them will be unpleasant. When that does not happen, it undermines respect for the law.

The member for Niddrie, who is the parliamentary secretary for justice, referred to people coming out of jail but still having fines outstanding and that that was potentially likely to lead them into reoffending. That is something that the second-reading speech also refers to off the back of the Sentencing Advisory Council study that talks about offenders who leave jail with debt being more likely to return to prison.

In the first instance there is an issue about cause and effect in terms of what the drivers actually are for these differential recidivism rates. But in relation to fines, the more compelling point is that with the other reforms that have been made under the 2014 act, and which are continuing to be made under the bill before the house, there will be a wide range of opportunities for offenders who are discharged from jail to clear their debts without any suggestion of the fact that having an outstanding infringement debt is going to drive them to reoffending. As I have referred to, there will be opportunities for them to clear debt such as by instalments or by performing work in lieu.

The member for Niddrie referred to a scheme for Indigenous offenders to help clear their fines debt by selling Indigenous artworks and applying the proceeds to that debt. I take the description of that at face value from the member for Niddrie, and I would say, on his description, that is actually an example that supports our conclusion in relation to this matter rather than the need for the reinstatement of a time served scheme. If you are going to say that there should be an opportunity for offenders who are in jail to do additional work on top of what they would do as an ordinary consequence of their being sent to jail and to use that additional work to help pay off their fine, then in principle that would be a laudable arrangement. We would have no objection to it. It would reinforce the fact that there are consequences for actions; that people cannot get off their debts and fines scot free but need to make reparation to the community in order to clear them. That is the sort of way forward that we ought to be looking for.

Certainly we want to provide every opportunity for people to do the right thing and clear their obligations, and insofar as it is possible — unfortunately we know from sad experience that it often is not possible — for

an offender who wants to break away from crime to learn the error of their ways and to do the right thing, we want to help them to do that. If they are willing to clear their debts while in custody through performing some extra work or undertaking extra activity, that is a laudable way forward.

But I return to the point with which I started — that we should not be having a scheme whereby rogues can be let off their fines if they end up in jail for some other offending, while honest citizens still have to fork out and pay their fines. There need to be consequences for people's actions. If people have incurred fines, they need to clear them either by paying them or by performing work or by making some other reparation to the community; they should not get off them scot free. That is why I strongly support the amendments put forward by the member for Hawthorn.

Mr EREN (Minister for Tourism and Major Events) — I too would like to make a contribution on this very important bill, the Fines Reform and Infringements Acts Amendment Bill 2016. At the outset I would like to indicate that postcode 3214, which includes Corio and Norlane in my electorate, is ranked as one of the top three highest postcodes in a social disadvantage index.

Of course this is one of the reasons why the opposition just does not get it. The member for Box Hill just outlined some of the things that he just does not get. We are in this place at the moment with this bill before us, and I congratulate the minister on coming up with this bill, a very important bill, refining it and making it better, like we have done on many different occasions. When those opposite were in government they proposed a bill, they got it wrong, and we have to fix the mess right here. That is exactly what we are doing with this bill.

This bill aims to defer commencement of the Fines Reform Act 2014 from 30 June 2016 to 31 December 2017. As part of the implementation of the new fines recovery model, the support of a new debtor-centric ICT system is required. In June 2014 it was determined that Tenix, which was engaged to build a system to replace the current Victorian infringement management system, was unable to deliver this IT solution. A new tender for the delivery of this customised off-the-shelf IT solution was released on 6 January 2016.

The government is here to fix this mess that those opposite created, and it is getting it right. That is exactly what we on this side of the house are doing — bringing their mess to the house, refining it and making it better. What opposition members do not understand is the fact

that some of the people that are affected by these fines are the people that are the most vulnerable in our state. You create a society of vulnerable people by doing what they did for four years — nothing — and not creating employment opportunities. The unemployment rate went sky-high, and when you consider the cuts associated with education, all of these things meant that the group that is most vulnerable was growing under their government. What we are now trying to do is fix their mess. Our unemployment rate is going down. Our economy is the strongest in the nation. If you want to get rid of bills like this bill before the house, you should create job employment opportunities for those people so they can actually afford to pay the fines that they get.

We are talking about people with serious mental illness, with mental disabilities or with addictions and people who are experiencing homelessness — they live in their car. There are people out there that live in their car. It is unfortunate. As a government we need to do all that we can to make sure that we eliminate homelessness, collectively. When you consider all of the things that those opposite did not do when they were in government, you realise that now we are fixing their problems and refining the legislation, making a fairer and more just society. Those opposite do not understand what social justice is, and that is why they are proposing the amendments they have circulated. That is what is so frustrating from our end — we are not only fixing their mess but also refining the legislation to accommodate those people that need the help of governments.

When you consider the amendments the opposition has circulated, you realise they are nonsensical. Opposition members want people to serve time and still owe a debt when they come out. They want to burden these people. Opposition members just do not get it. That is exactly why they lost government after one term — because they just do not get it. Our government believes in social justice and believes that people that live in their car do not do it because they want to do it. This is not a handout; this is a hand up. Everybody goes through a stage in their life when they are doing it tough. The opposition just does not get it.

Mr Wynne interjected.

Mr EREN — That is exactly how they feel. He cannot help that; that is inherently how they feel. That is why as a government we are very responsible in making sure that we do not put a further burden on these people that have real problems in life at the moment. We want them to be performing members of society with meaningful employment and to get treatment for their mental health problems. This is what

governments need to do — not put further burden on communities so you push them further down the line. That is exactly what this opposition intends to do. We are not that way inclined. We on this side of the house are fixing up the opposition's mess and refining it to make better legislation.

When I think about the people in my electorate I get coming into my office with their complaints, like the member for Niddrie and many others on this side, clearly they are generally concerned about it. They want to be law-abiding citizens. Do you think people want to have debts and go to jail? No. Nobody does. It is a reality of life.

By way of example, an article in the *Geelong Advertiser* of 24 December 2015 states that Geelong residents owe \$38 million in fines and details that the state total for unpaid fines was almost \$1.7 billion. These figures are rising and it is alarming. There is no question of that. But you do not solve this problem by making people worse off. The member for Niddrie was right when he said that people resort to other means and governments should not encourage that. Governments should be helping people when they need help and determining whether certain people can or may be able to pay off their debts. That amendment has created a domino effect of problems, and you are going to see more people going back into the justice system. That is not fixing the problem. That is creating a bigger problem, and that is exactly what the opposition intended to do.

We on this side of the house are on the side of being fair but just with those people, particularly the vulnerable in our society who need help, making sure that governments do assist where they can. With those few words, I wish this bill a speedy passage. I wish also that the opposition at some point in time gets the fact that there are people out there who are vulnerable not because they want to be vulnerable but because of the cards they were dealt. It is as tough as that. We need to understand that, but opposition members do not understand that. Governments are about helping people. If those opposite do not want to help people, they may not be in government for a long, long time.

Mr McCURDY (Ovens Valley) — I rise to make a brief contribution to the debate on the Fines Reform and Infringements Acts Amendment Bill 2016. I concur with the words of the members for Hawthorn and Box Hill when I say that we are not opposing the bill. However, we do have some concerns about it. I will start by going through some of the detail in the bill. The purpose of the bill is to introduce a new work and development permit scheme, alter the commencement

date of the Fines Reform Act 2014 and — this is the most contentious part of it as we see it — make changes around the time served provision. I, like the previous speakers on this side, have some concerns with that.

Clause 3 amends the commencement date of the Fines Reform Act from 30 June 2016 to 31 December 2017, which is fairly straightforward. Clauses 4 and 6 amend the Fines Reform Act to provide for a new work and development permit scheme enabling eligible persons to participate in unpaid work, education, treatment, counselling or mentoring instead of paying fines. This changes the current situation where only those who are not in default can be granted permits. Again that is fairly straightforward. Clause 89 is the contentious clause. It reverses the changes made in 2014 to the Infringements Act 2006 to close the loophole allowing prisoners to have their outstanding fines wiped at the same time they are serving sentences for other offences.

The bill's focus is on engaging those with infringement debts earlier in the enforcement process, not only to reduce debts owed to the state but also to help them to avoid jail. That is fair enough. But we oppose the time served component. It allows criminals to serve sentences for non-fine-related offences and concurrently have their infringement fines wiped clean. Hence the amendment circulated by the member for Hawthorn that the time served component set out in clause 89 be removed from the bill.

When we talk about reforms in fines and infringements we are talking about law and order and changes to safety in our community. I take the opportunity to mention that most of the changes are straightforward, except for the time served clause, and they were flagged clearly by the member for Hawthorn in his contribution. The member for Niddrie in his contribution said the bill is about values in our community and social justice reform. Those on the other side probably do not agree that we still need to be accountable for our actions, and that is the point we are trying to make on this side. The member for Niddrie also said that the coalition parties are not the parties of social justice. Clearly we do support social justice, but we also support accountability by individuals as opposed to sending the wrong signals to people.

The Minister for Tourism and Major Events spoke about vulnerable and disadvantaged communities. He needs to understand that you are not helping those who are vulnerable or disadvantaged by letting them off the hook. Of course we want to make it easier for them to pay or reduce their fines, but letting them off the hook is clearly just another way of going soft on crime, which we on this side of the house do not agree with.

Safety in our community is paramount. As members know, in the previous government an extra 1700 police members were employed along with 940 protective services officers. Sadly, those numbers are deteriorating, and that is a concern in our communities. I know Wangaratta police numbers are in fairly good shape, but I still have concerns about our one-man police stations. They are still very important, and also a 24-hour police station within the Moira shire is an aspiration of our Murray River towns, particularly in the summer holiday peak periods.

Returning now to fines and infringements, no doubt they accumulate for a multitude of reasons, whether they are speeding fines, parking fines, council fines or registration fines. Whatever they might be, we need to be accountable as individuals. If we cop the fine, we should pay the money. Or if we do not pay the money, we should take an alternate way of paying, which could be deferred payment, part payment or serving time in jail. There is nothing like the hip-pocket nerve to keep you doing the right thing. This legislation allows someone to avoid their fines if they are going to jail for other reasons. Instead of paying the fines, they do jail time in lieu. If someone has, say, \$1000 or \$5000 in accumulated fines, you are clearly sending a signal that you are going soft on crime by allowing them to serve time already spent in prison.

Personally I think we should be made accountable for accumulated fines, and if you choose jail time versus paying the fine, you need to do that jail time. We have matured as a society and there are various options for paying those fines. As I said, there is a payment period, there is deferred payment, there is a lump sum or there is jail time in lieu. We should not soften our stance on individuals being accountable in our communities. You are not helping them if you just let them off the hook. You can help and support people through that fines process, but not by just scrapping the fines and letting them get off the hook scot-free. As we saw recently in Federation Square, people want to be safe and they want to feel safe in their community, and that is important.

To me, anything that waters down the rules is going soft on crime. The member for Box Hill said it best when he said that law-abiding citizens are still accountable and still need to pay their fines and infringements. But some of those who are offenders in our community will get off scot-free. We support making it easier for people to clear their debts and assisting them to do so. When the Minister for Tourism and Major Events spoke about supporting vulnerable people, I concurred with that. There are ways that you can repay the community, but it is not by eliminating

those fines altogether and allowing people to walk away from them, because you are not doing anyone any good at all if you allow them to become unaccountable.

As you are aware, Acting Speaker, we are not opposing the bill. We have concerns around clause 89. But I will conclude my remarks right there.

Ms GREEN (Yan Yean) — I take pleasure in joining debate on the Fines Reform and Infringement Acts Amendment Bill 2016. There are reasons for the fines we have in this state. When members joined this Parliament they took an oath to uphold the laws of this state and this country, but there are times when members of the community find themselves in real difficulty and when unpaid fines can get on top of them. I have seen that firsthand. Post the Black Saturday bushfires a lot of people lost everything and had to move around regularly. Some of the fines they incurred were legitimate; others were not. But the regime that has been in place in the past has meant it has often been very difficult for people to appeal those fines or to know how to negotiate their way through them.

The member for Niddrie, who is the Parliamentary Secretary for Justice, and the member for Lara, who is Minister for Sport and Minister for Veterans, have noted that some of their constituents have come into their offices with a real burden of unpaid fines. A number of people may have had drug and alcohol issues. They may have suffered a family breakdown. I have met many women who as a result of fleeing family violence have not updated their address on official records because they needed to keep their address secret. Their partner might have known their drivers licence number, and I would say to anyone: keep your drivers licence number to yourself, because if someone else knows it they can get onto the VicRoads website and divert your mail. That has happened to a number of women who are fleeing family violence, and as a result, they have the additional burden of fines.

I was quite disturbed by the amendment proposed by opposition members, and some of the comments they have made that are recorded in *Hansard*. I was also disturbed by some of the interjections, particularly those by the member for Box Hill, who is the manager of opposition business in the house and a former Attorney-General. I thought it was beneath someone who has been in this place for such a long time to be describing people who find themselves in great difficulty with the burden of fines as 'rogues'. Members should try to walk in the shoes of people who have found themselves in such a situation, and they should reflect on their time in office.

This is particularly so considering the former government's cuts to VicRoads. One of the first things I heard the incoming member for Polwarth say on the radio was that consideration needed to be given as to whether car registration stickers should be sent out when cars are registered. That was the great achievement of the former members for South-West Coast and Polwarth! Their policy on motor registration involved a giant registration sticker. It took the two of them to carry it out to the gardens at the back of Parliament House. They cut it in half. It was so large that it was like a billboard. I am surprised that the incoming member for Polwarth could have failed to be aware of that policy, because not many other policies were elucidated, or indeed implemented, by those on the other side while they were in government, but that was one. The first public pronouncement that I heard from the incoming member for Polwarth was that registration stickers should be reintroduced.

With regard to the cuts to VicRoads, VicRoads itself has admitted that some of its mail went astray and that people did not receive notifications to renew their car registration. There have been a number of inadvertent problems with fines and adherence to those sorts of matters, especially for those who have not updated their contact details. I know people who have updated their details and for some reason their mail has still gone astray. Every IT system has its issues, but when you make the sorts of cuts that those opposite made to the VicRoads budget it is not surprising that those sorts of things occurred.

Young people are starting out their lives in the commercial world having to deal with paperwork and not always having a great understanding of it. It may be that they did not have great role models in life in their parents or that their education may have been affected by the cuts to school or TAFE education, which could have meant they did not have the same opportunities as other people. The member for Lara talked about people in his electorate who have been impacted by such issues. Fortunately my electorate has one of the highest employment participation rates in the state. On the face of it there would seem to be fewer disadvantaged people in the electorate of Yan Yean, but I still have had numerous people come to me for assistance with this issue.

I particularly want to mention a great friend of mine, Leo Mollasi, who is an absolute champion of the disadvantaged. Leo always wants to see social justice objectives achieved in any sort of public policy. Leo is a Doreen resident, and he has been particularly concerned about the impact of the fines regime and the powers that sheriffs have in collecting fines when

warrants have been issued. I want to assure Leo that this bill will address those issues. It defers commencement of the Fines Reform Act 2014 from 30 June 2016 to 31 December 2017, while also allowing a number of initiatives with a social justice focus to commence earlier. It also extends the work and development permit (WDP) scheme to infringement fines that have reached enforcement stage and provides for other amendments to the work and development permit scheme.

It introduces the time served scheme to ensure prisoners have a non-financial means of expiating their fines, allowing them to exit prison with a clean slate and start their lives again. The bill seeks to harmonise court powers to deal with fine defaulters, including providing that imprisonment be a sanction of last resort for infringement fine default, and it seeks to make a range of minor and other amendments.

The social justice initiatives for early commencement include, as I said, the introduction of the expanded WDP scheme, because the government knows that vulnerable people need options and support at all stages of the infringement cycle, not just at the beginning. Another initiative is the introduction of a new internal review ground when a person is unaware of the infringement notice having been served. This may include, for example, some of those people that I talked about before — those that might have had to move home because of natural disaster or family violence or because of just being a bit down on their luck.

Other social justice initiatives include the repeal of the automatic referral to the Magistrates Court of refused special circumstances applications, and this will help keep vulnerable people out of court; the oversight of internal review decision-making by enforcement agencies by the director of Fines Victoria; the harmonisation of court powers to deal with fine defaulters to help ensure people are treated the same regardless of whether they have court fines or infringement fines; and the introduction of a time served scheme to replace the deemed-served scheme, which the former government tried to get rid of in the Fines Reform Act 2014. The Andrews Labor government believes it is important to give prisoners the chance to expiate their debts while serving their sentence, and the government has not only re-established this scheme, it has improved it. The new time served scheme will help ensure people get out of prison with a clean slate and that their risk of reoffending is reduced. I would like to commend the Attorney-General on this reforming piece of legislation, and I wish the bill a speedy passage.

Mr THOMPSON (Sandringham) — I am pleased to contribute to the Fines Reform and Infringements Acts Amendment Bill 2016. In commenting on the bill I would just like to run through a number of narratives. Turning to the first case, in recent memory I am familiar with a lady whose daughter was acutely ill and who had to forgo her work in order to transport her daughter to a series of medical appointments over several years. Her financial capacity was significantly diminished, and as she travelled around Melbourne she incurred a range of traffic fines, which placed her licence in jeopardy. She accumulated a range of debts — utility bills and outstanding rental payments — but her focus was always on trying to work. She was a teacher by vocation but she worked in retail, and no matter how hard she worked to establish an independent life, she was not able to meet her financial obligations. She faced significant fines on our freeway linkage system.

Case no 2 concerns a person who had a series of warrants out for his arrest for the non-payment of fines. He had managed to secure employment on a night-time road construction work crew. I received a call from him when he was in the Glen Waverley lock-up. It was something of an irony because he had been locked up when he had made an inquiry and sought to make his own arrangement with the sheriff's office to discharge his fines. They worked out there were warrants out for his arrest, and he was taken to the police station and locked up for the non-payment of his fines. The irony was that he needed his job the next day to enable him to meet his financial obligations, and yet he was incarcerated by way of penalty. His fines had accumulated to a massive degree, which in some ways was out of proportion to his personal circumstances and his mental health.

There were other occasions too. For example, in relation to a red light traffic camera in the Sandringham electorate on the corner of Nepean Highway and Karen Street or Nepean Highway and Bay Road, in the early stages of, I think, 2007 over 1000 people were being fined a month. It is interesting to note that that figure has now dropped to below 100 people being fined a month. I am still of the view that further investigative work needs to be done in relation to that intersection as a result of the angle of the turn and the speed of approach, and there are some expert opinions in relation to it, including the commentary of a magistrate.

Through my office I had conversations on this matter with over 700 people. There was a story of a bus driver who faced the loss of his livelihood through his inadvertence or through less than the regulated time being allowed for the right-hand turn. I heard from

people whose employment was in jeopardy as a consequence of not being able to drive and not being able to meet their debts, including fines. There was another example of a taxidriver who was on 12 demerit points. He was charged by a policeman in Bay Road, Sandringham, with having gone through a stop sign without stopping. He had a mortgage to meet of over \$200 000, a wife with an illness and two children to support, and he was facing the loss of his livelihood. You meet these real-life examples of people who are placed in significantly difficult circumstances.

I note that the purpose of the bill is:

- (a) to further provide for work and development permits; and
- (b) to further provide for the ability of a person to apply for an order to serve a period of imprisonment in default of payment of outstanding fines under infringement warrants; and
- (c) to provide for outstanding fines under infringement warrants against a person to be converted and for the making of an order in respect of any remaining amount of outstanding fines; and
- (d) to provide for an amount of registered infringement fines against a person to be the subject of an application of the Director, Fines Victoria to the Magistrates' Court—
 - (i) for the making of an order that the person serve a period of imprisonment in default of payment of the amount of registered infringement fines; and
 - (ii) for an order in respect of any remaining amount of registered infringement fines ...

There are a number of other provisions.

The difficulty we face as legislators is to get a balance between what represents justice and the upholding of the law to enable our systems to work well, whether it be in relation to traffic infringement fines or parking fines. We need to provide access to all people in an equitable and fair-handed manner, while being able to take into account what might be called necessitous circumstances or circumstances which might sometimes be beyond the control of people.

I note the definitions clause of the bill. Under clause 4(1) 'eligible person' means a person —

- (a) served with an infringement notice; and
- (b) who —
 - (i) has a mental or intellectual disability, disorder or illness; or

- (ii) has an addiction to drugs, alcohol or a volatile substance within the meaning of section 57 of the **Drugs, Poisons and Controlled Substances Act 1981**; or
- (iii) is experiencing homelessness in accordance with the prescribed criteria (if any); or
- (iv) is experiencing acute financial hardship.

That covers a range of circumstances which we often confront in our offices with people who seek representation and assistance as they make their way through the justice system. My office has had occasion to write numerous letters to local government to seek the waiver of a strict liability fine in such circumstances where, in one case, a sign had been pushed over or two people had sought to do the right thing but had misread the street sign that had led to the imposition of the fine, or in wider circumstances where people have confronted serious personal circumstances such as mental illness or homelessness as set out in the section to which I have just referred. I note that this bill has a focus on trying to improve outcomes in a range of areas and, I think, seeing matters through the eyes of those people who confront these challenging circumstances.

A number of years ago within the Sandringham electorate there was the opportunity for Office of Corrections work crews to outwork a fine through community service. Unfortunately it took a lot of effort to draw the work crews together, and if a minivan that could carry 12 people turned up, sometimes only 6 or 8 would turn up for a particular task at hand. Implements were to be provided by the worksite operator or they could sometimes bring their own tools, but sometimes when we needed a workforce of 12 people to clean the foreshore or to paint over graffiti, a lesser number came along to ultimately discharge the work. But it did provide an effective method of cleaning up graffiti.

I note along the Sandringham and the Frankston rail lines there are large tracts of graffiti, which obliterate the single-colour paintwork on back fences. Some outstanding work has been done by some bayside residents who have taken it upon themselves to clean up the corridors in areas in which it is more difficult for the Office of Corrections, under community-based orders, to undertake the work due to the proximity of high-voltage wires or proximity to the railway track. I note also the excellent work done at the heritage bus stop in Sandringham, just near Trentham Street in Sandringham, where on a fortnightly basis there has been an Office of Corrections crew that has cleaned up the graffiti that regularly defaces this particular precinct. It is a pity that community resources are diverted to that particular undertaking on a regular basis

and that people are not better able to use their artistic talents through other methods that might be more productive and without representing an impost upon the community when we triage the competing needs within an area and where resources are required.

Ms KAIROUZ (Kororoit) — I rise also to contribute to the debate in relation to the Fines Reform and Infringements Acts Amendment Bill 2016. This bill amends the Fines Reform Act 2014 and the Infringements Act 2006, and it makes further consequential amendments to the Children, Youth and Families Act 2005 and the Privacy and Data Protection Act 2014. The Infringement Act 2006 provides the current framework for the issuing and enforcement of infringement notices in Victoria. The system of infringement notices is an important facet of our justice system, providing a mechanism for people to deal with minor criminal offending by paying a fixed lower penalty without having to go to court and risk recording a conviction.

In June 2014 the former government enacted the Fines Reform Act 2014, and this act, upon commencement, establishes a new fines recovery model for the collection and enforcement of both court fines and infringement fines. The responsibility for fine enforcement will vest in the director of a new administrative body to be known as Fines Victoria. The forced commencement date for the Fines Reform Act 2014 is in June 2016, which is not that far away. The bill amends the Fines Reform Act 2014 and the Infringements Act 2006 to enable the earlier commencement of a range of social justice initiatives, and these initiatives are intended to make Victoria's fine system fairer and more equitable for vulnerable and disadvantaged members of our community. They include changes to the internal review provisions of the Infringements Act 2006 and to the oversight function in respect of those internal review provisions, the introduction of a new work and development permit scheme, the harmonisation of court powers with respect to fine defaulters and the introduction of a time served scheme for prisoners in relation to unpaid infringement fines.

Further the bill will make a range of minor, technical and consequential amendments to ensure the efficient and proper operation of the new fines recovery model to be established by the Fines Reform Act 2014. The bill will allow for sufficient time for the development of a new information communication technology system necessary to support the new fines recovery model. The additional time will also enable the government to implement a range of necessary regulatory operational and organisational changes to accommodate the

introduction of that model and ensure the enforcement agencies and the courts have sufficient time for implementation.

The nature of civil society demands that we adhere to rules that are devised for the greater good or we face sanctions. Serious crime, of course, warrants removal from society for a time, in part to deter others from committing the same or similar crimes and in part as a punishment and hopefully to rehabilitate. For minor transgressions a system of infringement notices and accompanying fines strike a reasonable balance between seeking to punish transgressions and the lofty aim of behavioural change without severely impacting on individual freedoms. I know, Acting Speaker Pearson, that every time you get up and speak you give us a bit of a history lesson, so hopefully I will be able to provide a short one today also because the concept of imposing financial penalties as a way of meting out punishment is a consistent fashion which dates back as far as ancient Mesopotamia.

In the year 1750 BC the Babylonian King, Hammurabi, is said to have created his code of some 282 laws designed to protect the weak from the powerful. They included set punishments and compensation for particular acts. For example, if a man detains another, that man shall be imprisoned and he shall weigh and deliver 15 shekels of silver. For cutting off the foot, 60 shekels; if he shatters a bone, 60 shekels; if he cuts off the nose, 40 shekels; or if he knocks out a tooth, 2 shekels.

The Roman Empire also employed a range of statutes which included set penalties. Developed around 450 BC, these statutes were contained in a series of 12 tablets which were said to be cast in bronze and posted publicly, so all Romans could read them and know them. These ancient systems of fining people were initially schemes to compensate wrongs against individuals. However, over time the state became the beneficiary. During the 10th and 11th centuries, particularly in what is now continental Europe, monarchies did not have sufficient power to collect their share of the wergild that had been set by law, and fines were determined increasingly by agreement or judicial decision. Gradually, however, certain crimes became no longer expiable by compensation. Criminals, particularly in cases of felony, were punished by the local authorities, usually by death or mutilation.

So back to the present where while our system of infringement notices and fines works for the majority of people, it has its challenges in responding appropriately to vulnerable people and those who cannot afford to

pay. Under the automated system if a fine is not paid by a certain date, the matter continues to escalate. This can be quite difficult for people to navigate, particularly vulnerable people in our community. I will give members an example. Imagine the scenario of a young woman who is homeless and who has been couch surfing with various friends until her welcome wears out. She is issued with an infringement notice for not travelling with a valid myki and gives the address of where she is staying. A few days later the infringement notice arrives, but not before she has had to move on. She now cannot be contacted, so the notice remains unopened. The system responds as if the notice has been ignored and the costs continue to escalate. Six months later a warrant is issued for her arrest.

The impact of non-payment of infringements can be far reaching, particularly if court action ensues and a conviction is recorded. A conviction can have a serious impact on current employment, future employment, the ability to obtain licences — for example, a security or firearms licence — or international travel plans. In short, a conviction can limit a person's future life opportunities, and I am sure that is not the outcome we seek when a fine is issued for a minor infringement. It is therefore entirely appropriate that this bill contains measures designed to make Victoria's fines system fairer and more equitable for vulnerable and disadvantaged members of our community. This is consistent with the government's commitment to enhance the responsiveness of the criminal justice system to meet the needs of vulnerable people, to reduce the rates of reoffending and imprisonment and to make Victoria a safer place to live.

Few people go through life without so much as a parking ticket. Most will pay and get on with their lives, like me — I have had several parking tickets, but I have paid right away. I have muttered a few words under my breath, but I have certainly paid and moved on. There are those who do not pay, but nobody expects to go to jail for non-payment. One of the gratifying aspects of this bill is that imprisonment will be a sanction of the last resort for an infringement fine default. That is consistent with the Sentencing Act 1991 provisions for court fine defaults. This is not a soft option and nor are we going soft on minor crime; rather it is a recognition that jail is not the place for defaulters. Prison spaces are at a premium thanks to the previous government, so they should be reserved for those who thoroughly deserve to be in jail, those who are putting people's lives at risk in our community.

This bill is another example of this government's commitment to social justice by reducing the impact of infringement fine debt on vulnerable people, reducing

the risk of imprisonment for minor offending and providing for fairer social justice outcomes. I commend the Attorney-General for putting such a bill in place, and I commend the bill to the house.

Mr CRISP (Mildura) — I rise to make a contribution to the debate on the Fines Reform and Infringements Acts Amendment Bill 2016. The purpose of the bill is to introduce a new work and development permit scheme, to alter the commencement date of the Fines Reform Act 2014 and to reverse the 2014 legislation on time served changes. The provisions in the bill are essentially around clauses 3, 4, 6 and 89. Clause 3 amends the commencement date of the Fines Reform Act from 30 June 2016 to 31 December 2017. This allows further time for some ICT changes. Clauses 4 and 6 amend the Fines Reform Act 2014 to provide for a new work and development permit scheme, enabling eligible persons to participate in unpaid work, education, treatment, counselling or mentoring instead of paying fines. This changes the current situation where only persons who are not in default can be granted permits.

Clause 89 reverses the 2014 changes to the Infringements Act 2006 to close the loophole allowing persons to have their outstanding fines wiped at the same time as they are serving sentences for other offences. This is of some concern, particularly as the bill's focus is on engaging those with infringement debts earlier in the enforcement process. This is very welcome and very wise in reducing those debts that are owed to the state but also in helping people avoid jail. However, I am concerned about the time served component, which allows criminals to serve sentences for non-fine-related offences and concurrently have their infringement notices wiped clean. I think that is a concern.

This raises issues, too, around our police, and I do want to commend the police in Mildura for the work they do. They are in fact a great team. However, we in Mildura do have issues, and it is not just with infringement fines. I think our police have better things to do than chase people about infringement fines, because we have issues with domestic violence, drugs and other violence as well as petty crime. Law and order is always a challenge, so to be able to limit some of the work of our law and order system is of course welcome.

When we look at unpaid work, as in all areas there is plenty of unpaid work that is available. What this bill aims to do is change lives, particularly for people who have accumulated large amounts of these fines. They will have an opportunity to engage with the system and start with a clean slate with some work. Like all

communities, we have a graffiti problem, and graffiti is something that the community does want to see cleaned up. A few years ago a former minister, Andrew McIntosh, visited Mildura and we rolled out some graffiti cleaning kits that were kept at the back of the justice centre. I think for those who are trying to do that those kits are still there and available to be used.

There is also cleaning up in public places, and while we wish people would not litter, litter is a major problem. I still cannot figure out what people have got about shopping trolleys and water. Every now and then we lower the weir in Mildura, and the number of shopping trolleys that are in the river amazes me. I do not know what the shopping trolleys have done wrong in this world for them to turn up in some really interesting places. However, it is a place for people to swim as well, and there have been a number of volunteer groups that, when the weir is lowered and the river drops substantially and exposes the bank, have had a number of clean-ups there. I am sure for people involved some more hands would be extremely welcome in that task.

Then of course there are environmental works that can be done as well. If the government is looking to use this to change people's lives, I note that catchment management authorities, particularly the Mallee Catchment Management Authority (CMA), have experience with drought and flood programs for people who need work and experience. I think to add some of these people to those programs could well have some very positive benefits because they are working mostly with farmers, doing environmental work, who have been affected one way or another. Mentoring can occur at that level as well. I will put in a plug for the Mallee CMA because it has been very good at these programs in the past.

There is one issue I want to raise that could be applicable in some of these cases, but not all of them, and that is the difficulty of many fines going to residential addresses and not postal addresses. In country areas this is something that comes up regularly when you do not have a postal delivery service. Civic Compliance Victoria will send correspondence to your residential address, but where there is no residential address, as mentioned by the previous speaker, even if you do not receive the correspondence, the default assumption is that you are ignoring it.

This has been a challenge in my office on a number of occasions when we have endeavoured to raise the issue with Civic Compliance Victoria to find a way for people to have their postal addresses from their VicRoads information used by Civic Compliance Victoria. The first thing many of these people know

about a fine is when the sheriff pulls up in their driveway to say, 'Congratulations. You are now in really big trouble'. These are mostly law-abiding people who are totally unaware of their situation until it has escalated to a considerable amount of money being owed. If there is one thing we could change in this area, it would be to use post boxes for those who do not have a postal delivery service to their residential addresses — something very common in the country. To get those infringement notices delivered to those post boxes would save quite a deal of grief.

This bill contains some welcome changes. As I said, I am dissatisfied with criminals being able to pay off their fines; however, that is the will of the government of the day. I think many people will see it as a convenient cop-out for those who have committed greater crimes as well. With that, I commend the bill to the house and once again put in a plug for postal addresses.

Mr PEARSON (Essendon) — I am delighted to make a contribution in relation to the Fines Reform and Infringements Acts Amendment Bill 2016. Early on when I became the member for Essendon I started wandering around and talking with the Moonee Valley Legal Service and Melbourne City Mission, and I learnt that so many people who are poor, who are isolated and who are disadvantaged incur these fines, and they become an unshakable burden. They basically lock people onto a pathway in their lives which is very difficult to break away from. I am really pleased to be able to speak on this bill because it will provide a mechanism for people to deal with minor criminal offending by paying a fixed lower penalty without having to go to court and risk a conviction.

The reality for most of us is that when we get a fine, we are able to pay. Most of us in this place are fortunate enough to have above average earnings and the capacity and ability to discharge these obligations when they fall to us. Unfortunately, however, that is not the case for everybody. Sometimes people might be suffering significant trauma or significant mental health issues. There was a report published in the *Age* recently about a couple who are actually constituents of mine. They contacted me, but by the time they did so, it was far too late. They had a \$20 000 credit card debt that escalated to about \$180 000. They were evicted from their home, and they lost everything. This happened quite recently. For whatever reason, they were not in a great space. Their son had complex needs, and their debt just got away from them. It was a small problem which could have been nipped in the bud. In the article they mention that they had the capacity to discharge that obligation when it was first incurred, but it got

away from them, and then there was this huge, terrible outcome.

This bill finds a sensible balance. I have spoken with Sherri Bruinhout from Melbourne City Mission and the lawyers down at Moonee Valley Legal Service, and it just seems crazy for a government to keep fining people when there is no prospect of ever collecting that money. It is just lunacy. Yes, at one level you can turn around and say, 'They must pay. They have broken the law, or they have committed an infringement, so they must be compelled to pay'. But when these things escalate, it is just crazy. There are homeless people who will ride the trains during the day to sleep because it is safe, but they do not have a myki card, and they rack up \$20 000, \$30 000 or \$40 000 worth of fines, and the state keeps chasing them for that. It is just a waste. It is a wicked waste of taxpayer funds and resources, and it makes no sense.

Moreover, when you have got such a crushing burden placed upon you, where is the incentive to try to reform and change? Where is the incentive for a person to turn around and say, 'I'm going to try to start anew', when they have a \$30 000 debt against their name? When you are looking at someone who is homeless or someone who has very low earnings, it is the equivalent to a backbencher being told, 'You've got a \$100 000 debt that you have got to repay in order for you to start anew'. In all likelihood that person will regress, go back to past practices and behaviours and associate with people who might be reinforcing negative social aspects. That is not an incentive.

I note the commencement will be dependent in part upon a new ICT system, which will be delivered at the end of 2017. I think all of us know that at times ICT systems can be a bit fraught. When preparing for this contribution one thing I thought about was whether there is that capacity for people inside the department to be able to look at developing their own IT system around this. I was reminded in fact that there was a podcasting company called Odeo which was going broke in the early 2000s. Its management sat down and said, 'Right; we've got two weeks to come up with a business plan; otherwise, you're all out of work', and that led to the creation of Twitter. People turned around and said, 'Right; let's create Twitter', and that has obviously worked well. I guess there would be talented people inside that department who understand the infringement system well, who understand about enforcement and who understand some of the complexities, and I wonder whether there is that capacity where you could turn around and say to people internally, 'Look, if you can devise something like this

that will work, off you go, and you can become an entrepreneur and we can license it'. It is just a question.

In terms of the bill, it is about recognising the fact that we have to try to lighten the load of people who are at risk and we have to look at ways to incentivise people who can start anew. It is also important that this is a hallmark of a progressive society. I remember a few years ago having lunch with a senior executive from a major US private equity company. We were out to lunch at a very nice restaurant in Sydney. I remember sitting down and being quite incredulous listening to this person who would clearly have been earning probably half a million US dollars a year and was probably paying 5 per cent or 10 per cent tax.

Mr Richardson — Did he pay for lunch?

Mr PEARSON — He did pick up the bill, I am pleased to say. But he attacked progressive taxation as a form of communism, and he said so with a straight face. He said, 'Well, all men are created equal, and all men should not only be taxed equally but they should pay the same amount of tax'. It was a double whammy: not only should you have the same percentage rate applied, whether you are earning \$20 000 or \$2 million; you should actually pay the same dollar sum. I remember being quite stunned that someone could actually put that forward as a reasonable proposition with a straight face. It was like that French novelist in the 19th century who said, 'The rich and poor shall both equally face the full force of the law for sleeping under the bridges of Paris'. It is the notion that you can basically not have that distinction, not have that differentiation and not have that understanding about the fact that the reality is that people have different experiences in life and that there are needs and there is a requirement at times to make sure that the law reflects that.

It is interesting to note that Lenore Taylor last Friday in the *Guardian* wrote an article about the importance of progressive economic solutions. She included a quote, which was:

... if the income share of the top 20 per cent ... increases, then GDP growth actually declines over the medium term, suggesting that the benefits do not trickle down. In contrast, an increase in the income share of the bottom 20 per cent ... is associated with higher GDP growth. The poor and the middle class matter the most for growth ...

You might say, 'Who said such a thing? Was it *Pravda*? No. It was not the Chifley Research Centre. It was not Per Capita. It was actually the International Monetary Fund. It recognises that if we are talking about trying to have good, strong economic growth for a modern progressive society, then we need to try to

find ways in which we can support the middle class and the poor. I think we should look at the way in which we can craft legislation to recognise that we are not all the same, that there are those differences in place and that there are people who, for whatever reason, are poor, distressed, disadvantaged, might have mental health issues or might just have had bad luck — like the couple that lost their home. I am sure a few years back they probably would have looked like just a normal, ordinary family. They made a couple of bad calls; they made a couple of bad decisions. Those bad decisions escalated and that led to a catastrophic outcome for those people.

We need to make sure that we find a way to ensure that the poor and the disadvantaged are protected and there are essential measures in place to ensure that occurs. But it also about recognising the fact that the role of the government is changing and it is not a case of just letting market forces rule; it is about recognising that market failures exist and that as a state we have a responsibility to try to step in and address that. If we can do that — if we are a compassionate and progressive society and if we make sure that we look after the people who are poor and isolated, as well as the middle class — then we will have stronger economic growth, and we will have a fairer and more progressive community. I commend the bill to the house.

Ms KILKENNY (Carrum) — I am really pleased to rise to speak on the Fines Reform and Infringements Acts Amendment Bill 2016. Fines and infringements are issued every day, and they are generally issued for minor criminal offences. Upon prompt payment of a fine, a matter will go no further, and that is usually the end of contact with the criminal justice system for most people. In this way the infringement system is meant to be an efficient and cost-effective mechanism for, if you like, enforcing certain conduct. The penalty acts as a deterrent to stop us behaving in ways that are considered either antisocial or unlawful. For example, fines and infringement notices will be issued for failing to produce a valid ticket on public transport, offensive conduct in public, drinking in public, speeding, running a red light — you name it.

But we know that the infringement system, while efficient and cost effective, is a one-size-fits-all system. Because of this, there are always going to be people who fall through that system and for whom that system is not entirely appropriate. What is so good about this bill that is being debated today is that a major component of it looks at social justice and social policy initiatives and ways that we can address the inequality

in the current criminal justice system in the way that infringements apply.

Before I go on I just want to pick up on some of the comments the member for Box Hill made earlier. He made some relatively inflammatory remarks about one aspect of this bill, which concerned the time served, and in so doing he spoke about respect for the law. But when we talk about respect for the law and about the criminal justice system, that criminal justice system has to be responsive to the needs of all members of the community, and that includes the needs of those most vulnerable in our community and those who are disadvantaged. This one-size-fits-all system or a system that does not properly and adequately address and respond to those people is not a system that I want to see, and it is not a system that this government wants to see.

The time served provisions are not, as the member for Box Hill called them, a ‘get-off-scot-free path’. These provisions are really a reflection of the fact that we are often dealing with very vulnerable and disadvantaged members of our community who have special circumstances, and it is proper that those special circumstances be taken into account in the criminal justice system — whether by a magistrate or other judicial officer — in a determination of whether those time served provisions should apply.

Generally, though, when we are looking at infringements, as I said before, penalties are a way to enforce certain conduct or to change patterns of behaviour. I do just want to mention this one event that I recall from when I was working in the Sydney CBD. This is evidence of an offender who actually believed the benefits of offending outweighed the cost of compliance. He used to park his Rolls Royce in a no-standing spot every day. Occasionally I would see an infringement notice tucked neatly under the windscreen wiper. As it turned out, this fellow believed that it was better for him to risk occasionally copping a fine than paying what was then \$75 a day in parking fees in the CBD. Thankfully not all of us feel the same way or exhibit that kind of arrogance.

Significantly, we have heard that this bill will actually delay the introduction of certain aspects proposed in the Fines Reform Act 2014, and that is to enable sufficient time for appropriate processes and mechanisms to be put in place for the fines reform model. What is important is that this bill will actually bring forward certain social justice initiatives. One of the main social justice initiatives being brought forward is the work and development permit scheme. This is an excellent initiative, and I do want to acknowledge the former

government for the work it did in bringing this scheme forward, but we are here to make the scheme even better.

What is the work and development permit scheme? It is a scheme that will give certain eligible Victorians, primarily vulnerable and disadvantaged Victorians, an option to extinguish or discharge their infringement debts via non-financial means, whether that is through approved activities or undergoing treatment, for example, for drug or alcohol abuse. Certain people are going to be eligible; for example, people with intellectual or mental disability or addiction, and also people who are experiencing homelessness or severe financial stress. I think the minister in his second-reading speech also indicated that this may extend to people experiencing or fleeing family violence, which is a very important aspect of this as well.

This is great, progressive policy and a tremendous social justice initiative of which we should all be very proud. But, as we have heard, one thing that the government is going to address is a limitation in the current scheme. Under the Fines Reform Act 2014 the scheme will only be available to eligible people who are not yet in default or whose infringements have not yet reached enforcement stage. This bill will fix that limitation. Why are we doing this? Because the evidence shows, and the reality is, most vulnerable people do not even face the infringements system until their matters have reached enforcement stage.

As it turns out, I just read yesterday in our local *Frankston Standard Leader* paper that the Peninsula Community Legal Centre, a wonderful organisation based in Frankston which assists and helps many people in my electorate, has recently opened a specialist clinic to deal with the incredible and growing numbers of people who are racking up hundreds of dollars in unpaid fines. The centre confirms that many of the people it sees in trouble over unpaid fines have mental health problems, are homeless or unemployed, or have fled family violence. But, importantly, the centre also notes that the people it sees come to it only after they have been contacted by the sheriff's office or told that their registration or drivers licence will be cancelled.

The current provisions in the Fines Reform Act would not reach these people, and that is a severe limitation of that scheme, so I am pleased to see that this bill will address that and will extend the availability of the work and development permit scheme to infringements that have reached enforcement stage. This will go a long way to helping to relieve the sheer distress that many people — some vulnerable and disadvantaged

people — in our communities experience over unpaid fines and infringements.

There was a recent case that I just wanted to touch on in the Frankston Magistrate's Court, that of a woman who was subject to an infringement payment plan. She had made her first two payments but missed the third due to significant personal issues. These included substance abuse, mental health problems, domestic violence and homelessness. For failing to make the third payment she was automatically issued with an imprisonment warrant to go to jail for 60 days. Thankfully in that case the magistrate at the Frankston Magistrate's Court agreed with Victoria Legal Aid and her imprisonment warrant was recalled. But it is important that women like this — there will be so many like her out in our communities — do not become caught up in the infringement cycle.

In summary, we are putting in place a mechanism to ensure that the infringement system is a much more fair and equitable one for the most vulnerable and disadvantaged people in our communities, because the last thing we should be doing is compounding disadvantage in our communities. This government is all about addressing disadvantage and creating opportunities for all, and I commend the bill.

Ms GRALEY (Narre Warren South) — It is a pleasure to rise to speak this afternoon on the Fines Reform and Infringements Acts Amendment Bill 2016. I would like to preface my commentary on the bill by just saying that the administration of justice requires a very delicate balancing act, because it deals with complex and critical issues. It deals with us very interesting characters as human beings who are keen to express our rights and make sure that we live up to our responsibilities. I do not think it can be condensed to some arguments like those I have heard from those opposite around whether we are 'soft' or 'hard' on crime. The administration of justice — the legal system — cannot just be considered in terms of a hard or soft dichotomy; it has to be a fair, just, enforceable and enforced area for us, as human beings and community members, to be able to work wisely and fairly in.

This bill before us is an attempt to get the balance right. It is an attempt to make sure that we have a system that is fair but also enforceable and enforced. I am a great fan of this quote from Martin Luther King, Jr:

Injustice anywhere is a threat to justice everywhere.

I think that in this system that we live in it is very important that in trying to enforce things we do not create injustice, because as Dr King pointed out in the

famous speech from which the quote was taken, if we allow injustice to spread, the whole system can become corrupt and it can become very much vulnerable to collapse.

This bill, in dealing with fines and infringements, is tackling what is not a small problem, I must say; it is actually a very big job that this bill has taken on. If you just look at the statistics, you see that court fines are overwhelmingly the most common sentence imposed in Victoria. In 2012–13, 40.1 per cent of those sentenced received a fine, amounting to 114 034 court fines imposed in that year. In 2012–13, just under 6 million infringement notices were issued in Victoria. This is a big issue. It is something that we really have to tackle because, as I know, in the City of Casey we are not doing well with paying our infringements and are not doing well with paying our court fines.

In fact an article in the *Berwick Leader* in January at the start of this year headed ‘Thousands in a fine mess’ says:

Justice officers are chasing south-east residents for close to \$200 million in unpaid fines.

Casey residents had 351 407 warrants issued for them in the 12 months to June 2015 — the highest in the state by almost 100 000 — and owed more than \$123 million, averaging more than \$4000 a debtor.

In fact, the state sheriff said the fine numbers were concerning, and he pointed out there was a lot of ‘correlation between growing populations’ and the fines.

I know that many people in my electorate are experiencing mortgage stress and finding it very difficult to pay their bills. I raised this matter with the Attorney-General prior to the introduction of this bill — that is, that with many people experiencing mortgage stress and having difficulty paying their bills unfortunately some of those bills are infringement notices or court fines.

I have a wonderful organisation in the electorate called the Casey North Community Information Support Service. Its representatives have met with me and the Attorney-General is going out to meet them in coming weeks just to talk about how dire the circumstances are of many of the people in my electorate who are grappling with paying the accumulation of fine amounts they have incurred. They are having great difficulty in paying very large fines.

The Casey North service has given me a couple of case studies, and I will tell members what dire circumstances people are in and why this bill is very important. For

example, Lucy and Michael have four children. The youngest is six months old. They have approximately \$4500 in toll fines. Michael was diagnosed as bipolar a month ago and lost his job due to the condition. These fines were accumulated over a period of time in which Michael was unwell. His mental health condition meant that he left the fines unattended to, and administration fees accumulated leaving him with several thousand dollars in debt. Here is a young family trying to make ends meet, and they have this huge debt in fines hanging over their heads.

Another case is Simon, a young man in the second year of an apprenticeship. He used a toll road on a weekend and had a couple of days to make the payment. When he went to make the payment, he realised that he was not getting paid until the day after it was due. He paid the toll; however, because it was a day late, he received a further fine. He could not afford to pay this fine with the added fees, and due to his mental health condition he was extremely anxious about trying to contact civic compliance, so he left it. Anyway, he has over \$4000 in administration fees attached to that small toll amount, which now totals approximately \$7000. He did not know where assistance was available, and he did not know where to ask for help.

There are the cases of a family and a young man. Yes, they probably should have asked for help earlier. Yes, they should have tried to pay back the fines even a little bit at a time. But the fact is that they were either unable to get the advice necessary to give them that way out of the situation or were just too unwell. With their circumstances of accumulated debts of all descriptions, in addition to house payments to make, their family to look after and health bills to pay, life got really tough for these people. There are many hundreds of people like them, and that is why this bill is very important.

We know that it is hard to ask for help, but we also know that if you do get to the point where you get the right advice, you can work your way through the system. I am not of the opinion — as some of those opposite are — that you should go to jail for this sort of infringement. I personally feel as though we should have an emphasis on trying to provide a criminal justice system that meets the needs of vulnerable people, reduces the rates of reoffending and imprisonment, and at the same time — and we can do this — makes Victoria a safer place. This bill goes a long way to achieving those objectives.

The social justice initiatives for early commencement include the introduction of the expanded work and development permit scheme, introduction of a new internal review ground where a person is unaware of

the infringement notice having been served and repeal of the automatic referral to the Magistrates Court of refused special circumstances applications. This will certainly help to keep vulnerable people out of court. The bill is welcomed by the community, especially by those support services that, as I have mentioned, are experiencing great numbers of these people coming into their agencies looking for help.

I commend the work of the Attorney-General. It is certainly not a soft-on-crime situation. It is about making sure that we have a system that is credible and enforceable, because although those people who incur fines are breaking the law, we also need to have a robust system of safeguards for vulnerable people that is a fairer system but is a system that can be enforced.

I commend the Attorney-General for bringing the bill to the house. I also very much look forward to his visit to Narre Warren South. I know that the people at the Casey North Community Support Service will have lots of ideas about how we can make Victoria a better place for the disadvantaged and vulnerable, because those people work really hard to make sure that we live in a more socially just society.

Ms SULEYMAN (St Albans) — I am pleased to speak on the Fines Reform and Infringements Acts Amendment Bill 2016. I echo the sentiments of the member for Narre Warren South and also the member for Lara, who made contributions earlier in relation to this bill. The bill is part of the Andrews Labor government's commitment to making Victoria safer. The bill contains a range of reforms to enhance the responsiveness of the fines system and the needs of vulnerable and disadvantaged people in our community.

In particular I wish to note the *Age* article that was published today, which reports that children living in Sunshine, which is in the electorate of St Albans, and also Frankston, incur the highest number of transport fines for young people. Also, 20 per cent of the entire children's infringement notices were issued in Sunshine in 2013–14. This is extremely concerning, particularly for children from low-income families. I understand that in particular in my community there are not only people and families who are living from week to week with mortgage stress but there are others who are living from day to day. We need to be mindful that we need to make sure that these families and people are given every opportunity to do the right thing. I think this bill goes towards making sure these concerns are addressed.

It is important to remember, and I think the member for Lara raised earlier that people do not wake up

disadvantaged; unfortunately that is a ticket that is drawn. When we look at disadvantaged communities we need to do more to assist and provide them with support mechanisms so that teenagers can get on the right track and make the right choices. When I look at the shopping precincts at times in Sunshine and St Albans, it is quite heartbreaking to see that the sheriff has been out clamping the tyres of vehicles. I do not think anyone wants to be at that point. Unfortunately we have all been down the path where we face tough and challenging circumstances in our lives. That is part of the journey of our lives at some point. People in the west have a lot of disadvantage and there are a lot of low-income earners and high unemployment as well. All these factors come together, and at times it becomes very difficult for people to pay the mortgage, pay the rent and pay for the necessities and then face the burden of fines — and most people want to do the right thing.

A recent article in the *Brimbank Leader* stated that there was close to \$58 million of unpaid fines in the City of Brimbank. That is quite extraordinary, and it also demonstrates the community's situation. The article also states that in the last financial year close to 155 000 warrants were issued by the sheriff's office. These numbers are absolutely enormous.

What does this bill do? As I have said previously, it is a responsive bill. It makes sure the system is able to address the needs of vulnerable and disadvantaged communities. Specifically it expands the work and development scheme for infringement notices and makes sure that people are given every opportunity to address their fines. Again I come back to the *Age* article which reports the extraordinary number of infringements issued in Sunshine related to public transport with the myki ticketing system. We have seen a very high number of students under 18 being fined. Whether it is because they have not provided a student concession card or had the appropriate student card, these are minor technicalities for which students face harsh fines. I think this needs to be investigated further, in particular in disadvantaged areas such as Sunshine and Frankston where, as is reported today, a high number of infringement notices are being issued to kids under 18.

Turning back to the bill, the Andrews Labor government is also commencing a range of social justice initiatives ahead of the establishment of Fines Victoria. The bill will provide for social justice initiatives to commence on 1 July next year, but will aim to proclaim them earlier. The social justice initiatives for earlier commencement include the introduction and expansion of the work and development permit scheme, because the government

knows that vulnerable people need some options and some extra support in all stages of the infringement cycle. This is not only about disadvantaged communities; there is also a large elderly community that can be lost in the system when it comes to infringement notices. I have had a number of senior citizens who have become very anxious after receiving a notice, whether or not it is because they have forgotten to pay. This causes great anxiety. I think this is a fair initiative which provides extra support as do the range of social justice initiatives which complement this bill. The oversight of the internal review and decision-making of enforcement agencies by the director of Fines Victoria is something new. Clearly this will take out a number of levels when it comes to dealing with infringement notices.

I would like to reiterate that I am concerned about the reports that show that Brimbank and in particular Sunshine have high levels of infringement notices. This shows that more work needs to be done and more support provided to low-income earners and students, especially in the western region, where there is such a high unemployment rate for young people and people are trying to make ends meet.

I commend the Attorney-General for bringing this bill to the house and for making these changes and bringing forward initiatives to make sure that those most vulnerable in our community are given a fair go to participate and to receive an appropriate level of support. The residents in the electorate of St Albans are hardworking people who always strive to do the very best for their family, pay off their mortgages and work very hard. In some cases there is a high level of infringement notices, but most people in our community do the right thing. I commend the bill to the house.

Debate adjourned on motion of Ms SPENCE (Yuroke).

Debate adjourned until later this day.

SEX OFFENDERS REGISTRATION AMENDMENT BILL 2016

Second reading

Debate resumed from 24 February; motion of Mr SCOTT (Acting Minister for Police).

Mr CLARK (Box Hill) — The Sex Offenders Registration Amendment Bill 2016 is a bill that seeks to better protect the community from potential dangers posed by convicted sex offenders. The principal way in

which it seeks to do that is by adding a range of powers to the Sex Offenders Registration Act 2004, in particular to allow Victoria Police to apply to the courts for prohibition orders against certain sex offenders and then to give the police powers to monitor compliance with the prohibition orders that are issued, and in consequence of that to allow police to publish certain information about those sex offenders who contravene their reporting obligations and cannot be located. It also gives some oversight powers to IBAC and provides for the Chief Commissioner of Police to report on certain data. Finally, and separately, it ensures that persons who are sentenced for various new commonwealth sex offences are placed on the sex offenders register.

It is important to place the bill before the house and the acts that it amends in the broader context of legislation designed to protect the community from sex offenders. There are two principal acts that do that. One is the Serious Sex Offenders (Detention and Supervision) Act 2009, generally referred to as SSODSA. It provides a regime under which application can be made to a court for an order for the detention or supervision of particularly serious sex offenders where it is considered that there is a high risk of their reoffending, where those offenders have previously spent time in jail for particular offences and where it is judged that those persons present an unacceptable risk of harm to the community.

Under SSODSA a detention order can require those offenders to be detained effectively under preventive detention, and supervision orders can control where those persons live and under what conditions. Quite often those offenders are ordered to reside at Corella Place in Ararat, which is located outside what is now called the Hopkins Correctional Centre. That SSODSA legislation is what is directed at those most serious offenders — for example, Sean Price was on a supervision order when he committed the terrible, tragic murder of Masa Vukotic.

The regime in the Sex Offenders Registration Act 2004 provides for all adults who are sentenced for any sexual offence involving a child to be automatically included on the sex offenders register, and there is also capacity for sex offenders who are under the age of 18 and adults who commit sexual offences against other adults to be included on the register at the discretion of the sentencing court. It is this regime under the Sex Offenders Registration Act 2004 that the bill relates to. That act, as the government describes it, is aimed at registrable sex offenders that may not meet the requirements for an order under SSODSA but who on the basis of their behaviour need to be monitored more closely to protect the community.

As I indicated at the outset, the principal new mechanism introduced by this bill is to allow Victoria Police to apply to the court for a prohibition order. The court can make that order where it finds that the person concerned poses a risk to the safety of the community. Obviously the police can only apply to the court for such an order in relation to a registrable sex offender as defined under the act — that is, a person who fits into the categories that I referred to earlier.

As the minister indicated in his second-reading speech, where the court decides to make a prohibition order the bill then provides that it may impose any conditions that appear to the court to be necessary or desirable, such as prohibiting association with various persons, such as children and previous victims; prohibiting entry to certain places or any land within a specified distance of certain places, such as schools or public swimming pools; prohibiting engagement in specified behaviour, community activities or employment; or prohibiting consumption of alcohol or certain drugs. The minister gave the example of an offender who has been loitering at swimming pools — the court may impose a condition prohibiting that person from attending public swimming pools. Other examples include prohibiting someone from working in a toyshop or at a job that may be located close to a school and that may afford opportunities to engage with passing children on a daily basis.

The bill goes on to provide that the contravention of a prohibition order without reasonable excuse will be a criminal offence punishable by up to five years imprisonment. That is the principal mechanism contained in the bill. To back that up the bill contains provisions to give the police powers to monitor compliance with the orders. These include powers to search the person subject to the order and to search their residence. Another provision, as I indicated earlier, permits police to publish information about registrable sex offenders who have contravened their reporting obligations and cannot be located. That is a worthwhile measure to enable the community to be alerted so that hopefully that offender who is in contravention of their reporting obligations can be identified and apprehended.

There are protective safeguard mechanisms for IBAC to monitor Victoria Police compliance with its obligations in relation to the reporting requirements that are imposed on sex offenders, and there is a provision to require the Chief Commissioner of Police to report certain data, including the number of persons on the register, to the Minister for Police.

The measures that are in the bill arise out of a report of the Victorian Law Reform Commission that was commissioned under the previous government. Early in our term of office it became apparent that there were problems relating to the law governing the registration of sex offenders and the use of information about registered sex offenders by law enforcement and child protection agencies. In short there was a lack of exchange of information, and that was creating situations where information that was important for the protection of children was not being passed on to the relevant authorities. We asked the law reform commission to investigate the issue to ensure that the legislative arrangements about collecting and using this information were in the best shape they could be in.

The commission prepared a valuable report that was tabled in Parliament on 18 April 2012, with a wide range of recommendations. The previous government brought in the Sex Offenders Registration Amendment Act 2014 that implemented a range of those reform recommendations, including in particular improving the capacity for information to be exchanged between agencies; giving the court the power to modify reporting conditions and obligations imposed on offenders aged under 18; requiring registered sex offenders to report the names, ages and addresses of any children with whom they had contact; and allowing information about a registered offender to be given to a parent or other carer in particular so that children could be better protected, with their carers being told what they needed to know about the activities of a registered offender that might put their child at risk.

These were very valuable reforms, and as a result, in part, of these reforms and with improved policing there has in fact been an increasing number of charges laid over recent years for failing to comply with reporting obligations. Hopefully this is an indication in large part of the fact that the authorities are now able and geared up to enforce these obligations. It may unfortunately also reflect an increasing level of underlying offending, which reinforces the point that all governments need to be continually willing to act whenever necessary to strengthen the law and to overcome weaknesses and flaws that may come to light in the law or that may be caused by judgements and decisions of the courts that depart from the intentions of this Parliament.

Insofar as it goes, the opposition supports the bill before the house. We believe the regime of introducing prohibition orders is one that will strengthen the operation of the Sex Offenders Registration Act. Needless to say this is part of a solution. I know the government recognises that there are other things that need to be done. It has foreshadowed further legislation

today to deal with particularly serious sex offenders who are being dealt with under the Serious Sex Offenders (Detention and Supervision) Act 2009, and we look forward to that bill having its second-reading speech and being available for public scrutiny.

In relation to the bill that is before us there is one particular issue that I do want to flag, and I would welcome the response of government members speaking on the debate, in particular the Parliamentary Secretary for Justice, the member for Niddrie, who I know tries to be assiduous and diligent in responding to the issues and providing informative responses to the house. The particular issue I raise is that of electronic monitoring.

I should not need to remind the house that electronic monitoring was something that was greatly strengthened under the previous government. We committed to introducing GPS monitoring rather than the more limited location-based monitoring that had previously been in place. We were successful in doing that. We broadened a number of statutes to increase the capacity of the courts to require electronic monitoring. That, I believe, is a valuable step forward to better protect the community, because GPS monitoring means that the authorities are not limited to knowing simply whether or not an offender is at a particular location — is at or near the base where the monitoring device is — as applied under the older technology. GPS tracking enables the location of a person to be monitored on a continuous basis, and the opportunities to make use of that are widespread.

On previous occasions we have raised those opportunities. Indeed we put forward as an initiative at the 2014 election that, had we been re-elected, we would have introduced a pilot of a particularly helpful form of GPS monitoring for family violence victims, where not only was the perpetrator monitored but there was an opportunity for the authorities to make direct contact with a victim whenever a perpetrator came within range of that victim, wherever the victim and the perpetrator may be. Unfortunately so far the current government has not made any commitment, or indeed as far as I am aware any reference, to taking up that technology, but I certainly hope that it will look at doing so, because it is a very promising technology to provide very effective protection to family violence victims and to send a very clear signal to perpetrators that if they infringe they will be held to account and that their movements are being monitored.

Similarly the question arises in relation to this bill as to whether or not it is intended that a person made subject to a prohibition order can be ordered to undergo

electronic monitoring. There is no explicit reference to this in the bill. There are some provisions in the bill that on the face of it suggest on one view that when the court is empowered to impose such conditions as it sees fit that could encompass electronic monitoring, but there is nothing in this bill similar to the provisions, for example, that are in the SSODSA at section 17 and elsewhere that make provision for the use of electronic monitoring and make provision for its enforcement. It would appear that without those provisions it would not in a practical sense, even if it is in a theoretical sense, be open to the courts to impose electronic monitoring conditions.

So we do raise this issue. On the face of it, it would seem to be a worthwhile strengthening of this regime if the courts were empowered to require electronic monitoring of persons who are made subject to prohibition orders. We cannot see any reason why that should not be done, and we would very much welcome the response of the parliamentary secretary and the government as to what their understanding of the legislation is. If their intention is that electronic monitoring not be available for those offenders subject to protection orders, then the government should explain to the house why that is not occurring.

There is one other aspect of protection of the community against offending that I want to conclude with, and that is that this Parliament can pass all the laws that it likes, and the government can bring to this house all the laws that it likes, but those laws are not going to do any good if there are not enough police available to enforce them or if there is not a justice system that implements what the Parliament legislates on behalf of the community.

I reiterate the concern that the opposition has expressed on numerous occasions and which regrettably the government is refusing to take any notice of, which is that increasingly the number of police available in this state is becoming inadequate. The government is cutting frontline police numbers at a time when increasing operational restrictions are being imposed on police which require a greater deployment of police personnel to achieve the same result, such as the two-up policy.

At the same time we have a growing population, and we have a growing crime rate, as we saw with the crime statistics that were released recently. Our police force, with dwindling frontline numbers, is being stretched thinner and thinner, and the community is increasingly being placed at risk as a result, most obviously in relation to police station closures, which we have documented in this house on numerous occasions, but

also in relation to inadequate police being available when they are needed. As the secretary of Police Association Victoria recently said, it would be quicker to get a pizza delivered than to be able to obtain police attendance, and the police are not always able to attend.

While we support this legislation, and we hope it will work well to better protect the community, we certainly hope the government will take on board the matter that we have raised about electronic monitoring, and all the laws we pass are not going to do any good to protect the community if we do not have the police to enforce them. We also look to every other aspect of the justice system, including the courts and the corrections system, to properly and effectively give effect to the intentions of this Parliament in the way they interpret our legislation and then in the sentences that are imposed by the courts in the way the protective mechanisms that we put in place in this bill, as indeed in previous bills, are able to be implemented by the corrections system. We support the bill, but we believe there is a lot more that the government needs to be doing.

Mr CARROLL (Niddrie) — It is my pleasure to rise to speak on the Sex Offenders Registration Amendment Bill 2016. I welcome the support of the shadow Minister for Industrial Relations and member for Box Hill on this important legislation. I will endeavour to come back to him with regard to some of the issues he has raised in relation to electronic monitoring. I understand, though, that new section 66Q, which is inserted by clause 8, provides that the supervision orders that may be imposed have a wide capacity in relation to conditions that can be put on them. I will endeavour to get some more advice for the member for Box Hill on that specific issue.

The member for Box Hill ended his speech on some matters I want to address, because members can rest assured that the Andrews government takes our justice system and the resourcing of our police force very seriously. We are very proud that in our first budget we put a record \$2.5 billion into the police budget. That is something that the opposition back then could have only dreamt about — \$2.5 billion in the very first Andrews Labor government budget dedicated to police resources. We will take every measure required to keep the community safe. We will work with police, giving them the powers and resources they need.

The Sex Offenders Registration Amendment Bill will improve community safety by providing appropriate powers to the courts and police to better manage the risks posed by sex offenders living in the community. The background to this bill is essentially twofold. There will be the introduction of a prohibition order scheme,

which was recommended by the Victorian Law Reform Commission (VLRC) in its 2011 report *Sex offenders registration*, which I know the member for Box Hill is familiar with. The important part of this legislation is that we are following through with many of the recommendations of that report. The police have also separately requested amendments to better assist them in managing registered sex offenders, including the ability to prevent persons from working in jobs or volunteering in settings that afford them opportunities to offend against children. I will touch on that a bit later in terms of some of the safeguards provided through the reforms we are introducing to give the police more power.

Among other things the bill will also give police the power to apply to courts to make a prohibition order in relation to a person on the sex offender register. Members often receive calls from constituents asking that we make public the details of sex offenders. It is always challenging not only to get the balance right in terms of dealing with serious sex offenders but also to ensure that we best manage those offenders. The purpose of the sex offender register is to ensure that Victoria Police can monitor sex offenders, both to reduce the likelihood that they will reoffend and also to facilitate the investigation and prosecution of any future offences that they may commit.

The purpose of the sex offender register, in many respects, is to ensure community safety. Our first budget delivered \$2.5 billion to Victoria Police. We will continue to work with Victoria Police, as was demonstrated most recently in the enterprise bargaining agreement. Minister Noonan needs to be congratulated on that. Only recently, with the Acting Minister for Police, Minister Scott, and the opposition, I met with Police Association Victoria at its annual general meeting. The member for Box Hill did highlight some of the concerns of the police association, but if I could read from the press release dated 10 December from secretary Ron Iddles, it says:

I congratulate Premier Andrews, Police Minister Noonan and Chief Commissioner Ashton on the good faith and goodwill they've all shown throughout these negotiations.

It also states:

The police association is pleased to have reached an in-principle agreement with the state government and Victoria Police on police and PSO pay and conditions for the next four years.

That is a great outcome. I am sure even the member for Box Hill would agree that the enterprise bargaining agreement process that the minister and the police

association have worked through has been very successful.

This legislation though has a lot of background to it. There have been some very serious crimes committed in the community. Only last week I got to meet for the first time the new head of the Adult Parole Board of Victoria, Judge Peter Couzens. It is a wonderful appointment. He is a man of great experience, most recently as President of the Children's Court. We are committed to working shoulder to shoulder with the adult parole board and with our justice system to ensure our police are resourced and we have the right mechanisms in place when dealing with some of the most serious offenders in the community.

Out of the Victorian Law Reform Commission report of 2011 titled *Sex offenders registration*, a range of protection orders were sought by Victoria Police, which we are acting upon. First and foremost were the prohibition orders. How the prohibition order scheme works is very important, and I think all members of the house should become familiar with it. It was a recommendation out of the Victorian Law Reform Commission while the member for Box Hill was the Attorney-General. The *Sex offenders registration* report was released in 2011. It was a good report, as is most of the VLRC work. The report contained excellent and very important law reform.

Essentially the prohibition order scheme to be implemented in Victoria addresses circumstances where a registered sex offender might behave in a way that is lawful but is of concern to the police or child protection authorities. Such behaviour could include contacting the child against whom the person has previously committed an offence or frequenting a place where grooming or other offending previously has occurred, such as at a municipal swimming pool.

Prohibition orders will provide a mechanism for preventing such behaviour by enabling courts to order that a registered offender not engage in certain types of behaviour or employment, or go to certain places or contact certain people. In turn the orders then enable Victoria Police to take appropriate action to protect the community from offenders who through their actions have demonstrated that they are at risk of offending. I think it is very important that we understand that prohibition orders are really about prevention. It is about making sure that safeguards are in place to ensure that people of concern in the community are monitored and that people who may be in a place of danger are put into a place of safety.

It is important to highlight that children — individuals under the age of 18 — who really have their whole lives in front of them can get caught up in the law for all the wrong reasons. Unfortunately in Victoria there have been cases involving serious sexual offending by persons under the age of 18. As a result this scheme will also apply to children offenders where it is considered necessary to protect the community. These cases will be heard in the Children's Court and a range of additional safeguards will be applied. For example, the Children's Court will be required to seek expert advice from a suitably qualified health professional before making a prohibition order against the child. The court will also be required to consider additional factors, including the child's educational, training or employment needs, and the need to strengthen and preserve the relationship between the child and the family.

Also I touched earlier on the additional powers for police. It is something that the police themselves have been very mindful of in terms of their resources. They need to have the most up-to-date powers. I know the Victorian Law Reform Commission looked at states right across Australia to make sure that when it comes to sexual offending our police have the appropriate powers and are at the cutting edge to ensure the protection of the community and in particular the protection of children. Police will be given appropriate powers to enforce prohibition orders.

In relation to some of the court powers that may also be given to police around these prohibition orders, we will be ensuring that police have powers to search offenders' residences, vehicles and belongings. We will ensure that those powers are put in place and that they are monitored to ensure that the community knows there is an appropriate number of safeguards. We are also going to ensure that the police report annually on facts, such as the number of offenders on the sex offenders register and the number of prohibition orders made. These reports will be tabled in Parliament.

The Independent Broad-based Anti-corruption Commission also has existing powers in relation to the Sex Offenders Registration Act 2004. We are going to ensure that IBAC's powers are reinforced and extended to make sure that this legislation is appropriately handled. In the few seconds I have left I congratulate the police minister, the acting police minister and the previous Attorney-General, the member for Box Hill, who through the Victorian Law Reform Commission gave a lot of this legislation its backbone. I commend the bill. It is very much needed and timely.

Ms KEALY (Lowan) — It is a great privilege to be able to stand today to add my contribution to the debate on the Sex Offenders Registration Amendment Bill 2016. From the outset I would like to state that The Nationals, as part of the Liberal-Nationals coalition, will be supporting this important bill, which will assist to strengthen laws regarding sex offenders and, of course, therefore provide a safer community, something that I believe is very, very important. In fact as members of Parliament we have a number of responsibilities and obligations. We have a particular obligation, I believe, to protect our most vulnerable people or protect people who may be at risk due to the actions of others. We need to make the effort to introduce legislation that supports and promotes public safety to ensure that our communities are as free of crime as possible.

When we are considering children we particularly need to make sure that they have got the opportunity to live in a free environment. We need to make sure that they can go to a school and not feel that they are going to be threatened or sexually assaulted or harmed in any way, that they can go to the local swimming pool and there is not necessarily a concern about who might be lurking around the corner. It is about going to the pool and having fun with their mates and families and getting fit as well.

As background to this bill, the Sex Offenders Registration Act 2004 was established for sex offenders, and it has operated since October 2004. Under the act all adults who are sentenced for committing sexual offences involving children are automatically included on the sex offender register. Sex offenders who are under the age of 18 years and adults who commit sexual offences against other adults may be included on the register at the discretion of the sentencing court.

So we already have that framework in place. It is assisting the judicial system to take action where needs be and of course to monitor people who have a record of sexual offences to make sure that they are monitored, they are supervised and that we can monitor their activities and actions to try to ensure that they do not reoffend and that other members of the community are not at risk. In the period between the Sex Offenders Registration Act commencing in 2004 and 5 February 2016 almost 6500 people have been placed on the sex offender register. As of 5 February 2016 Victoria Police were supervising almost 4000 registrants in the community, with the remaining registrants either not in the community — perhaps because they had passed away, moved elsewhere or were incarcerated — or having completed all of their reporting obligations.

The main purposes of the bill are to, among other things, provide for the making of prohibition orders in relation to registrable offenders; provide powers for police monitoring of compliance with prohibition orders; and permit the Chief Commissioner of Police to publish information about registrable offenders who cannot be located. There are some points that I would like to raise about this that are really important to discuss in terms of ensuring we have safe communities. The first provision of the bill is around Victoria Police being able to apply to a court for a prohibition order in relation to a registerable sex offender who the court finds poses a risk to the safety of the community.

A prohibition order may prohibit a registerable sex offender from engaging in certain types of conduct if the court considers that necessary or desirable. Examples include an offender associating with or contacting a specified person or class of persons or being in a certain location, including a particular residence. They may not be able to engage in certain behaviour or community activities or employment. They may have to submit to drug and alcohol testing or not be able to consume alcohol or other drugs of dependence. These sex offenders may be monitored through home visits or be required to be at their residences on specific days or at specific times of the day for the purposes of receiving such visits or other conditions that are deemed necessary to ensure that they are appropriately monitored.

An important part of this of course is that it is putting some pressure on our police resources. We already know in some areas in my electorate of Lowan that we are battling a shortage of police officers. We have fewer sworn police officers now than we did two years ago when the Andrews government came to office. This is putting pressure on our region where we have not been able to recruit a police officer for the Minyip police station. We have also seen response times in areas such as Nhill, Kaniva, Natimuk and Dimboola blow out to where it is taking a couple of days for police officers to attend to reports of either violence or break-ins and so on. It is concerning that there are not enough officers being trained to support our rural communities, and often it is the rural communities that miss out first of all when there is a shortage of resources somewhere in the scheme.

So while I understand that previous speakers have referred to how important it is to provide police with not only the powers but also the resources they need to ensure a safe community, this bill will only make sure they have better powers. However, I question whether this government is delivering on providing our police, who do a fantastic job, with sufficient resources to

make sure they have the opportunity and the time to sufficiently or adequately monitor sex offenders who are on the register and that they have the opportunity to intervene enough and to monitor what sex offenders are doing so that they can raise a prohibition order if need be.

This leads into the second main provision of the bill, which is providing police with powers to monitor compliance with prohibition orders, including powers to search a sex offender subject to the order as well as their residence. This of course links into exactly what I was talking about — ensuring we have enough police to implement and to action their powers within this legislation. We all know that we need to take whatever steps are necessary to reduce the impact of sex offenders in the community. We have heard harrowing stories over the past few years about the devastating impact of sexual offences on people in our community. It may be talking about the long-term harm to victims, and certainly the stories you hear from the Royal Commission into Institutional Responses to Child Sexual Abuse have been harrowing. Hearing that these young children have had to carry this burden of guilt and victimhood throughout their lives and have not been able to fulfil what otherwise might have been their opportunities in life is really devastating.

We also know the impact on the family and friends of these victims of sexual crimes. They carry some level of guilt that perhaps there was something they could have done to protect their family or friend, and then of course there is the impact on the wider community. When you hear that there has been a sexual offender in the community or you know of one in the community, I think the community really acts somewhat differently. Again, they go through thoughts of what could we have done differently to protect those people. Should I have picked up on something? Should I have said something? So it is important that we have legislation that will better support a framework that will reduce the number of sex offences in our community, but most importantly we take whatever steps we need to to actually stop these activities from going on and we take additional steps to monitor people who we know have a history of committing sex offences and who we know might be a risk to the community. Being able to take steps to monitor and contain that, particularly through the prohibition orders supported through the police system and also through the judicial system is very important.

This is a good addition to the legislative framework to support a stronger, safer community. I strongly support the bill for that reason, and I can see that this legislation will assist in strengthening the ability of the police and

the judicial system to operate in a proactive manner, to best manage known sex offenders, and of course then to reduce the chances of these sex offenders reoffending. It will provide for a safer community, but as I have said and will reiterate we do need to make sure that the police resources are available, particularly in rural and regional areas. We are struggling to recruit police in these regions at the moment because there is a shortage of police officers. I do ask that the government consider how this bill will operate and ensure that there will be sufficient police to properly implement all of the elements of the bill so that we do have a safer community and a stronger framework to monitor our sex offenders, and that we do make sure that sex offenders who are known in the community have a reduced chance of reoffending or are appropriately managed if they do offend and they are appropriately punished for that. I commend the bill to house.

Ms WARD (Eltham) — I rise also in support of the legislation, It is important legislation, and I think when we talk about this bill and what we are trying to achieve, it is important to put sexual crime and crimes of a physical nature — physical assault — into a context. Sexual assault figures have stayed relatively static over the last 20 years. In 1996 there were 79 people per 100 000 who were subject to a sexual assault and it is now 80 people per 100 000. So while the numbers have stayed around the same per 100 000, the number of people affected has grown because of our population growth. This means that there are around 20 000 victims in Australia affected by sexual assault each year. In 1996 there were 14 452 victims and in 2013 there were 19 970 victims. I obtained these statistics from the Australian Institute of Criminology.

This is way too many lives to have been affected by sexual assault, way too many Australians and way too many Victorians. I think it is important to also put into context where people are sexually assaulted, and sexual assault does mainly occur in the home, with people that we know. It can be a relative, it can be a family friend, it can be a teacher or even a priest, as we have seen. Some 67 per cent of sexual assaults occur in the home. That is a huge figure, and this is up from 62 per cent in 1996.

Even though we are increasing awareness and we are having a discussion around sexual assault and we have been doing so for decades, this number is increasing. Partly this is because of reporting. More and more people feel comfortable around reporting, and this can only be a good thing. But it also highlights why the Royal Commission into Family Violence has been so important for us as a community and for the issues that it tackles and the spotlight that it shines on the level of

sexual assault and family violence. It has been an incredibly important part and will be a very important part of future policymaking.

Over those 20 years attacks in the community have fallen by the same amount — from 23 per cent to 18 per cent — so we are actually experiencing less crime on the street. The streets have become safer, but this does not mean that we stand still or that we become complacent when we do have some terrible people who have come onto our streets, who have gone into our parks and who have done horrendous things, especially to women. People have committed really terrible, terrible crimes — even though they are reducing in numbers — and we still have to do something about it. We still have to show that it is not acceptable and that we will stop them with every force we have.

We all acknowledge that sexual assault is overwhelmingly a crime against women. In 2013 there were 3149 sexual assaults against men. This number is only more than that for women aged 45 and over, which was 973. For women aged 14 and under there were 5776 girls assaulted, for those aged 15 to 24 it was 6335 and for those aged 25 to 45 it was 3500. These numbers are shocking. They are really shocking, especially when we do remind ourselves that many of these crimes were committed by people these girls and women knew, trusted and possibly even loved. I think many of us are familiar with Destroy the Joint — it has already logged 14 murdered women this year. That is more than one a week, and this is the same figure we had last year. This violence has to stop. It has to end. The most dangerous place for a woman or for a girl is in her home. This is a terrible, terrible fact. We will make our homes safer. The royal commission will make our homes safer, and this government will introduce legislation and will create a culture so that women and girls can be safe at home.

This bill is aimed at managing the risks posed by sex offenders and keeping the community safe, and I support it for this reason. What it does is target sexual predators. As I have said, it has never been safer for us to walk down the street, and this bill has to be seen through this context. We cannot have a conversation that restricts women's and girls' physical freedom when they are too afraid to go out onto the street at various times of the day and when they are too afraid to go out alone. We have to keep reminding ourselves that while sometimes these terrible crimes do occur, they are infrequent. Women should have the courage and should have the freedom to go outside and be in the street at any time of the day or night and feel safe. This should be happening now, and this is what we hope to implement and want to implement with this legislation.

We have to keep perpetrators of sexual violence on a very, very short leash. We want to put in preventive mechanisms that will allow the courts to order registered offenders to not engage in certain types of behaviour, to not go to certain places or to not contact certain people. This is good because it needs to be the perpetrators who have their freedoms restricted, not the community, not young girls and not women. There is too much curtailing of female behaviour in our community due to security concerns. This is not acceptable. It cannot keep happening.

Sex offenders will be prohibited from associating with children or previous victims. They can be prohibited from entry to schools or from being within certain distances of places like pools. They can be prohibited from certain community activities or employment. They can be prohibited from engaging with alcohol or drugs. There are already in place relevant laws in New South Wales and Queensland, and the Victorian Law Reform Commission has recommended that they be adopted in Victoria. This is a good thing. It is absolutely a good thing to restrict the freedom of these people who have shown that they do not know how to use their freedom, that they do not know how to respect our community and that they do not know how to respect vulnerable people in our community. We cannot tolerate this; we really cannot.

I am glad to see that there are safeguards, and when the Chief Commissioner of Police applies to the court, the court must consider previous findings of guilt, how long ago the offences occurred and whether the nature and pattern of behaviour is preparatory to previous relevant sexual offences. I am sure we have all seen after a court case the long list of offences that a perpetrator has committed. We shake our heads, and we wonder how this happened and how this person is still able to commit this crime. How is this person still on the street? How were they able to get into contact with their victims? To be able to restrict that and have the courts take prior offences into consideration is excellent.

I am glad to also see that child offenders will be dealt with in the Children's Court and that we will have additional safeguards so that our children will continue to be protected, especially in the instance where we have not in the first place been able to protect them and keep them safe. There will be expert advice from qualified health professionals on a child's education and training needs, relationships with family and the desirability of living at home — all will be taken into consideration.

If a prohibition order is breached, it will be punishable by up to five years in prison. There will be urine analyses and blood tests to test for alcohol or for drugs — and we know that alcohol and drugs can be triggers. We know that there are essentially reasons around inequality that do allow perpetrators to permit themselves to engage in these crimes. We do know it is their own sense of taking power, of being in power and of being in control, but we also know that drugs and alcohol contribute to this as well. They can give somebody a greater sense of power, they can reduce their inhibitions and they can change decision-making. If we can get people who may be committing a crime, may want to commit a crime or may be going down the path of committing a crime and if we can create an environment that helps them make the right decision instead of the harmful decision, it can only be a good thing — and I am very glad that many will not be able to use alcohol or drugs.

I am also pleased about the idea that offenders' residences can be visited and searches can be conducted to monitor compliance. This is very important. We need to be vigilant, and we need to continue to maintain a presence to have these people understand that we are watching them, that we know what they are doing and that their behaviour will not be acceptable if they breach any of the guidelines that have been set.

A report on the sex offender register must be tabled annually in Parliament. Transparency is only to be applauded, and transparency is only a good thing. We need to know what is happening. We need to know how this sphere is working, and we need to know where the issues are so that we can address them as soon as possible. IBAC will have its powers extended to monitor police use of the new powers in this bill. I support the bill.

Mrs FYFFE (Evelyn) — I am pleased to rise to speak on the Sex Offenders Registration Amendment Bill 2016. I do not think anything angers me more as a woman and a mother than sexual offences against children and vulnerable women of all ages. While I acknowledge that males are not immune to the threat, the reality is that sexual crimes against women are far more prevalent. Some people seek to justify sexual offences against females on the basis of patriarchal beliefs that women ask for it by the way we dress, or, in the case of minors, that it is natural because they never speak about it. Fear and shame are what typically prevent people from speaking about it.

However, times are changing and more things are being reported, although not quickly enough in some areas of our society. I was horrified to hear from one of our

local police officers about a case that was taken to the Magistrates Court. One of the offences was rape, and during judgement the statement was made that it was 'not a serious rape on the scale of rape'. I was appalled to hear that — —

Ms Ward — Every rape is serious.

Mrs FYFFE — Exactly. 'Not a serious rape' — I do not know where that is coming from, and I hope that the sentence is appealed. I will not say anymore, because I do not want to identify or affect the case.

The one positive to come from all the reporting on what appears to be endemic sexual abuse by trusted and often high-profile individuals is that there is a sense that standing up to take back your power from your abuser through the legal system is becoming more commonplace. This is giving more confidence to people who are reporting abuse. Offenders are being watched by authorities, the courts are imposing sentences and victims are getting help. However, there is more to be done.

While researching for this speech I read a book by Harvard psychologist Anna C. Salter. The book was published in 2004 and is called *Predators, Paedophiles, Rapists and Other Sex Offenders*. In the book Professor Salter said:

In all the interviews I have done, I cannot remember one offender who did not admit privately to more victims than those for whom he had been caught. On the contrary, most offenders had been charged with and/or convicted of from one to three victims. In the interviews I have done, they have admitted to roughly 10 to 1250 victims. What was truly frightening was that all the offenders had been reported before by children, and the reports had been ignored.

What is so troubling about this quote is that despite increases in detection and apprehension of sex offenders, the scale of their criminality is often well beyond what our systems have been able to condemn them for. As a result, the number of victims continues to climb.

The data from Victoria Police 2013–14 crime statistics, which were released in January 2015, show that in Victoria the number of rape offences rose by 3.7 per cent and non-rape sex offences by 9.5 per cent. However, in the Yarra Ranges the number of rape offences rose by 56.7 per cent and non-rape sex offences by 14.4 per cent. With more recent crime data showing an overall 11.3 per cent increase in criminal offences in the Yarra Ranges between 2014 and 2015, the way things are trending is not good enough. It is letting victims down, especially victims of sexual crime.

Victoria Police statistics listing offences under the Sex Offenders Registration Act 2004 show that from 2005–06 to 2014–15 there has been a 96 per cent increase in offenders failing to comply with their reporting obligations. During the same period there has been a 90 per cent increase in offenders deliberately furnishing the police with false or misleading information. This is very disturbing, and it highlights just how many offenders are trying to evade the law, possibly with the intent to continue offending, which substantiates the claim by Professor Salter.

The government has gone to lengths to produce this bill, which we are supporting, to protect offenders from unfair intrusion by the police in searching and tying their hands behind their backs and so forth. One is always concerned about how legislation like this is going to impact, how it is going to be implemented and how the police are going to have the resources to act on the legislation. The key points in the bill include that some offenders fall outside the detention and supervision scheme but behave in a way that is of concern to the police or child protection authorities. We are told that this bill is designed to improve community safety by providing appropriate powers to the courts and police to better manage the risks posed by sex offenders living in the community.

The bill introduces a new prohibition order scheme to ensure such persons can be appropriately monitored. Under the new scheme the Chief Commissioner of Police may apply to the courts for a prohibition order in respect of a sex offender on the register. The court may then make a prohibition order when satisfied that the registered sex offender poses a risk to the safety of one or more persons in the community and that by making an order it will reduce that community risk. Consideration is given to previous findings of guilt, how long ago offences were committed and whether the behaviour is deemed preparatory for committing an offence. That, of course, will be a difficult one at times for the police to prove.

Given the increasing incidence of sexual offending, police resourcing needs to be a priority, not just in terms of actual police numbers but also in terms of access to technology and training to help police detect more of the sexual offences that are currently going undetected. The coalition committed 250 extra police and 50 new protective services officers prior to the 2014 state election, with a further 450 police officers to be redeployed from office duties to the beat as part of a \$388 million funding package. What have we seen under Labor? We have seen \$49 million to add an additional 88 police staff to focus on anti-terrorism. Of course it also announced \$145 000 for a Gippsland

sexual assault centre to treat victims after abuse had occurred, but that is more than the rest of Victoria got. I do not think it is good enough.

Returning to the bill, the prohibition scheme will also apply to offenders under 18. For children the court will have regard to the child's education, employment needs and the need to strengthen the relationship between the child and their family. We are advised that prohibitions can apply to certain people and places and the consumption of mind-altering substances. Police are going to be given more powers to enforce prohibition orders and to require offenders to submit to breath testing and other tests to monitor compliance with an order. When there is a suspicion of impropriety, the police can search the offender's person, residence, vehicle and belongings. All of this sounds promising, but we also need to ensure that, when there is a victim, they can go to a police station to report a crime. It is very concerning that, as we have been hearing over the last couple of months, there are a number of police stations that are not open to the public for someone to actually go in and report a crime.

We have had an increase of sex offences out in the Yarra Ranges, as I have mentioned. I will just highlight that in 2013 a Seville sex offender was jailed for nine months after pleading guilty to following three schoolgirls. The offender, who was a registered sex offender, was due for release in 2014. In this case the offender was a father of three and was seen loitering around a primary school.

In 2014 Derryn Hinch detailed how a Martyrs bus driver servicing the Yarra Ranges area noticed a middle-aged man changing seats around the bus when the only other passenger was a frightened-looking teenager. The driver stopped the bus, spoke to the man and actually threw him off the bus and called the police. It is pretty unusual for people to take that action and to actually do something like that. Because of the rates of recidivism, it is important that sex offenders are kept under a very close watch. While I welcome the government's improvements, I fear that current levels of police resourcing means that their ability to enforce these new laws may be jeopardised.

In closing, referring to sex offences against children, there is no substitute for parental supervision. My advice is: keep your children close and educate them about the lines that paedophiles may use with minors to get them to trust them. It is also up to every member of society to be aware of and to be watchful as we move around our communities. Although our villages are not so clearly defined as in times past and we all live in our own bubbles, we need to be aware of what is happening

and report any concerns. No matter how unsure we might be of interfering, it is important to do so. We share the responsibility of protecting the vulnerable, the young and the elderly — and increasingly we hear of attacks on the elderly from these predators.

Ms KNIGHT (Wendouree) — I am very pleased to be speaking on the Sex Offenders Registration Amendment Bill 2016. What really strikes me about this bill is the community safety aspect. Community safety is absolutely paramount when the parole board and courts make decisions about the supervision and management of serious sex offenders. Community safety is absolutely paramount, and that is exactly how it should be.

I just want to go through some of the details of this bill, and then I will talk a little more broadly about it. The Sex Offenders Registration Amendment Bill 2016 will also introduce a mandatory minimum term of 12 months imprisonment for intentional or reckless breaches of certain supervision order conditions; extend the period of time Victoria Police can hold serious sex offenders without charge from 10 to 72 hours; expand the conditions of supervision orders for serious sex offenders to include a ban on violent offences and behaviours; and provide police with new search and seizure powers when supervising a serious sex offender. This bill is the second tranche of reforms in this area. Last year we saw the introduction of reforms such as changes to bail, stronger powers for police and corrections, and also the specialist response unit. We also saw the 20-bed unit for offenders on supervision orders, which is out at Langi Kal Kal Prison, opened in December.

I want to say again that this bill is about community safety. As we know, most serious sex offences are perpetrated upon women. We know that women are overwhelmingly the victims of serious sex offences. We know the numbers too. The member for Eltham talked about the number of women who are sexually assaulted and sexually abused. Men and boys are sexually assaulted and abused too, but women and girls are sexually assaulted at a far greater rate than men and boys.

I read an article by Victoria Coren Mitchell on Sunday, 20 March, that was online in the *Guardian*. It was an article about Adam Johnson, and it was headed ‘No, Adam Johnson, child abuse is not a grey area’. There is an excerpt that I will read which really struck me about how pervasive the sexual assault of women and the sexual assault of girls is. I quote:

There is just so much suffering. So many bruised souls, broken hearts, damaged psyches, awful memories. There’s

barely a woman alive who hasn’t had some experience of sexual fear, however tiny or transient. It’s embarrassing how universal that is. There’s barely a girl on Earth whose sexual awareness started with her own desire, rather than the creepy stare or touch or comment or otherwise intrusion of a third party. Who knows what that does to us?

Well, we know what that does to us. It means that we are thinking about it all the time — when we are home by ourselves and when we go out. In the back of our minds — I am generalising, but I will just talk about me — most minutes of every single day it is: ‘Who’s around me? Am I safe? Where’s my daughter? Is she okay? Have I taught her enough? Is she aware enough? Does she know? Where is she now? Okay, I’m going to the car; where are my keys? Have I got my keys between my knuckles? Yes, I have — just in case’. Every time you step out the door, every time you step back in the door it is: ‘Has someone been in here? Has someone come in the back door? Is everything okay? Can I hear anything unusual?’. You are hypersensitive. That is the life of a woman, and the life of a girl, and we teach it. It is absolutely shameful, but they are the lessons in life that I have taught my daughter. What else do you do?

Community safety has to be paramount. We have to acknowledge that women and girls bear the brunt of actions by serious sex offenders and that every single incident is a serious sex offence. Every whistle, every touch, every creepy look, every exposure — every little thing is a serious sex offence, because it has an absolutely cumulative effect, and it has an effect, as I said, on how we educate mainly our girls. Would it not be amazing if we did not have to do that? I will talk to the women in the chamber. Would it not be incredible if we did not have to think, if we did not have that added kind of level of hypervigilance, which is what it is? It is exhausting, and I am sick of it.

An honourable member — To not be afraid.

Ms KNIGHT — To not be afraid. I cannot talk about this bill without talking about what has happened in Ballarat recently with the survivors of clergy abuse. Again I want to use the word ‘community’. If I can have the indulgence of the Acting Speaker — I know this is a little off topic, but it is kind of related — I do want to take this opportunity to put on record how proud I am of the community that I am part of and how proud I am of how they rallied around the survivors of, mainly Catholic, clergy abuse. They have really been through an incredibly traumatic time with the royal commission and the hearings and of course with Cardinal George Pell not making the trip in person to give evidence and a group of those survivors having gone to Rome. They went to Rome because Meshel

Laurie and Gorgi Coghlan started crowdfunding, and while they thought that they would raise about \$55 000, they raised just over \$200 000.

That is people from the community saying, ‘Yes, child sexual abuse and sexual abuse are really difficult things to talk about. It is really, really difficult. But we must, and we must support those survivors who live in our community’. Those incredible donations that came not only from Ballarat but also beyond the borders of Ballarat to support those survivors were amazing. It was more than just, ‘Here is a ticket to Rome’. Some counsellor advocates from Ballarat Centre Against Sexual Assault went along as well, as well as other support people. Off they went to Rome, which was really incredibly important for those survivors.

There was some money left over, and I am really very proud that the Andrews Labor government matched that funding: \$110 000 was left over from the crowdfunding; the Labor government matched that with another \$110 000. That means \$220 000 will go to the Ballarat Centre Against Sexual Assault. It will work with those survivors, predominantly the men’s group, on how best to use that money to provide the best support for those survivors of institutionalised abuse. Of course what that also means is that the waiting list for the women who have come forward will become shorter. Because obviously when there is a spotlight put on sexual abuse around clergy abuse, then other people come forward too. We want that, and we encourage them, but we need to provide resources to cope with that.

I know the Ballarat Centre Against Sexual Assault has experienced up to a 30 per cent increase in people making a first contact with it. So I am very proud that the government has provided the funding, matched with that crowd-sourced funding. I am so very proud of the survivors of clergy abuse for how they have stood up in Rome and in Ballarat, and I am very pleased to support this bill. I wish it a speedy passage through the house.

Ms McLEISH (Eildon) — I am pleased to rise to speak on the Sex Offenders Registration Amendment Bill 2016. As is clear from the title of the bill, it seeks to amend the Sex Offenders Registration Act 2004, and it makes a number of very minor but consequential amendments to the Children, Youth and Families Act 2005, the Magistrates’ Court Act 1989 and the Open Courts Act 2013.

This topic, which is a very important topic, spans quite a number of portfolio areas, including police, corrections, that of the Attorney-General, family and children, and health. Because it spans so many different

areas, each of us individually will certainly have some sort of engagement with it. The topic itself is a terribly serious one.

I am very pleased to be speaking in support of this bill. I am the parent of a 17-year-old girl, and I have previously worked in a sporting organisation as the CEO, where it was absolutely drummed into us continually how easy it is for these ghastly people to penetrate organisations for their own ends and to act extremely maliciously. No-one is safe from these evil people, when you think about it. They will attack women — more than anybody else — but children are also in the mix here, as are men, older people and younger people. The elderly can fall victim as well, as can the disabled community.

There are so many areas of the community that we all engage with on a very frequent basis, and I think that for all of us it is important that as members of the community — our own communities, and the broader Victorian and Australian communities — we all need to be safe. Underpinning the legislation is the provision of greater protections for the community. It is about community safety, and really it is about better management of the risks that are posed by sex offenders.

As I said, community safety is the key here — the protection of all Victorians. I am very pleased to see that these changes have been introduced in this house because Labor has a very poor track record in protecting the community, and this is one area in which I am pleased to see it has actually put legislation to the Parliament. We have seen a lack of investment in frontline police, and we have seen a very soft-on-crime approach for a long time.

The origins of this bill are that it commenced under the Liberal government. The former Attorney-General gave a reference to the Victorian Law Reform Commission, and its subsequent report entitled *Sex offenders registration* led to the first lot of changes in this regard. This is the second tranche that has been introduced, and I am pleased that the current government is continuing on from the very good work that the Liberal government did when it was in government.

We are thinking about community safety here — better managing the risks posed by registrable sex offenders. There is already an act that exists: the Sex Offenders Registration Act 2004. That act itself provides for the establishment of the register of sex offenders in order to reduce the likelihood of them reoffending. It facilitates investigation and prosecution of future offences — and it is fair to prevent registered sex offenders from

working in child-related employment. If you think about that, you realise it is very important, because that is one of the key target areas for sex offenders. All the adults who are sentenced for committing sexual offences involving a child are automatically included on this register, and that is something that we are all very pleased to see. This has been operating since 2004. Sex offenders who are under the age of 18 — and that can happen; you do not need to be an adult to commit these sorts of heinous offences — and adults who commit sexual offences against adults may also be included in the register at the discretion of the sentencing court.

What this bill does is make a number of key amendments. First and foremost it allows Victoria Police to apply to a court for a prohibition order in relation to a registrable sex offender who, the court finds, poses a risk to the safety of the community. So it is about asking what level of risk the community is at. The prohibition order may prohibit a registrable sex offender from engaging in certain types of conduct in relation to which that is considered necessary or desirable. This sort of conduct may be contacting particular people — it may be their little gang that they like to go and do some of this horrible work with or share images with — it may be entering certain premises or locations or engaging in a specified type of employment, consuming drugs or alcohol, or even obtaining a drug of dependence.

There is a whole raft of inclusions here. You could quite imagine a scenario of somebody who has these very strong tendencies going to the areas that they know are easiest to infiltrate or penetrate to do what they desire to do. Now these orders can be for up to five years and two years for a minor, and that can certainly be reapplied. If you think of a 14-year-old who might be on that list to get a prohibition order for two years as a 16-year-old, then it may still be appropriate for them to be on this list as an 18-year-old.

The process is for the Chief Commissioner of Police to approach the court, and the court has the powers to impose the prohibition order. The court will assess whether or not this person is engaging in the risky behaviour, establish that risk to the community and then make a decision. Once that decision is made, so what? The police then need the powers to actually monitor compliance with the order, and so included in this legislation are the powers to search a sex offender subject to the order, as well as their residence. Once it is in place this monitoring is absolutely necessary, so of course the bill has those inclusions.

It also permits the police to publish information about registerable sex offenders who have contravened their reporting obligations and cannot be located. So they have reporting obligations; they have done a bit of a runner, no-one knows where they are — it is in everyone's interests and in the interests of community safety that these people are located. So there is this permission for police to publish this information, but it is also to be noted that it is an offence for anybody else to republish that information because that can incite animosity towards or harassment of the sex offender, and we can have that vigilante response. There are those safeguards to try to avoid that as best as possible, and I do note that these provisions are modelled on what is in place in Western Australia.

Another important element is that it allows the Independent Broad-based Anti-corruption Commission to monitor police compliance with their obligations in regard to their reporting requirements of sex offenders on the offender register. We have got the courts making the determination of whether this person is on it. The police need to monitor the compliance with it, and then IBAC has the power again to check up and make sure that the police are doing and reporting as they are required to be. It also requires the Chief Commissioner of Police to report certain data, including the number of people on the sex offender register, and that is being reported to the Minister for Police.

The bill also ensures that people sentenced for certain new commonwealth sex offences are placed on that register, so it is fairly comprehensive I would think. But I do want to note also it kind of plugs a gap, because we also have the Serious Sex Offenders (Detention and Supervision) Act 2009 (SSODSA) and we do know that there are people who have done their time and who are considered able to live in the community but not safely. They are a risk to everybody, so their community living is absolutely monitored. They are still seen as an unacceptable risk, but they have done the time that they were given through the court system.

This scheme before us now is aimed at those who do not fit into that category, who are not required to be on the SSODSA list and have that level of monitoring but are the ones who we need to keep a very close eye on because nevertheless they do pose a risk to the community. All jurisdictions except Tasmania have a scheme similar to this, and I know New South Wales only gets one or two registrations a year.

The consultation here with Victoria Police, with IBAC and with the courts has indicated that there is support. The coalition is certainly supporting this bill. I do hope that the lack of policing on the streets does not impede

the enforcement and workings of this bill as it is intended to operate, but I do wish it a speedy passage through the house.

Mr McGUIRE (Broadmeadows) — The Sex Offenders Registration Amendment Bill 2016 tightens controls around sex offenders and highlights Labor's commitment to keeping the community safe. This is the big picture proposition of what we are trying to do as a government: take care of protecting the community, increase security, economic development and then provide the big picture on transport, on education, and then bring it back to community so that ordinary people see where they fit in the big picture. This is the way we are doing it across a government that takes these issues seriously, that has a vision, that has a plan and that drives that through the cabinet, the backbench and the committees so that we actually bring these issues to the Parliament and get the job done, get the legislation passed.

We had debate earlier today about wanting to claim the glory for the legislation and all the rest. Hang on! Who is going to be putting it through? You are marked on what you actually achieve and what you do, and I think that is what this government has really been about — having a vision, having a plan and making it happen. If we have a look at this bill and in particular at some of the detail in it, we see that the overarching proposition is that the government wants to take every measure required to keep the community safe, to work with Victoria Police and to give it the powers and resources that it needs. That is what has happened, and I note from the enterprise bargaining agreement that when it was done there were no protests. We actually brought people together. We got that deal done.

The Sex Offenders Registration Amendment Bill 2016 improves community safety by providing appropriate powers to the courts and police to better manage the risk posed by sex offenders living in the community. How did we get to this position? The introduction of a prohibition orders scheme was recommended by the Victorian Law Reform Commission in its 2011 report entitled *Sex offenders registration*. The bill is the second tranche of legislation as a result of this report. Police also separately requested amendments to better assist them in managing registered sex offenders, including the ability to prevent people from working in jobs or volunteering in settings that afford opportunities to offend against children.

Following the *Betrayal of Trust* report that received bipartisan support in this Parliament we now know far more about the impacts that child sexual abuse has, how it can blight people's lives and how it can cost

them their lives. Through no fault of their own some people cannot get beyond the shocking transferral of guilt and shame. Children are innocent, but this is a manipulation that can be caused by sex offenders to the most vulnerable people in our community, our children. This is another piece of legislation that tries to address the horror of the impacts of violent sex offences, particularly on children.

It has always been challenging to get the right balance of the community versus the best way to appropriately manage offenders. The purpose of the sex offender register is to ensure that Victoria Police can monitor sex offenders both to reduce the likelihood that they will reoffend and to facilitate the investigation and prosecution of any future offences they may commit. This extension of custody for an assessment of risk is really improving the community safety aspect of the bill and the law. I think that is an important evolution in the armoury of laws that we now have to deal with these heinous crimes because, as I say, they can blight lives and they can end lives.

Publicly identifying sex offenders can further traumatise victims and also affect the innocent partners or children of offenders, so we are trying to walk through this minefield. We are extending custody for assessment of risk. We are providing new minimums for mandatory sentencing and new powers for Victoria Police as further evidence of this government's ability to work with the police and provide resources. The legislation also provides appropriate powers to the courts. This is a considered raft of reforms that should be welcomed by the community, the police and the judiciary. This is the way that this government likes to do business: by bringing people in who support its approach.

Just on some of the general policing issues, the Andrews Labor government's first budget in 2015–16 delivered a record \$2.5 billion to Victoria Police to continue its important work in keeping our community safe. Through the next budget, which is soon to be announced, we will work to make sure that we are able to work cooperatively and collaboratively with Victoria Police to deal as effectively as we can with the scourge of sexual abuse.

I now just want to refer to prohibition orders. Victoria currently has a range of protections to keep the community safe from sex offenders who may continue to pose a risk after completing their sentences. This includes requiring offenders on the sex offender register to report their details and whereabouts to police. Offenders may also be subject to ongoing detention and supervision under the Serious Sex Offenders (Detention

and Supervision) Act 2009. However, there may be sex offenders that do not fall within the detention and supervision scheme but who nevertheless are behaving in a way that is of concern to the police or child protection authorities.

This bill introduces a new prohibition order scheme to ensure such people can be appropriately monitored. Prohibition orders provide a preventive mechanism that permits a court to order that a registered offender not engage in certain types of behaviour, go to certain places or contact certain people. These orders are already in place in other Australian jurisdictions, including New South Wales and Queensland, and the Victorian Law Reform Commission has recommended that they be adopted in Victoria.

This is a consequence of greater insight into the modus operandi of sex offenders. We have put through a whole raft of other reforms for child sexual abuse, for example, that look at the grooming of not just the individual but of their parents. This is the level of manipulation that can occur. This is part of the evolution of our understanding of how child sex offenders work and of realising that we need to have a whole range of different reforms and responses to them. In determining whether to impose a prohibition order the court must consider several factors, including previous findings of guilt for sexual offences, how long ago the offences were committed and whether the nature and pattern of behaviour in which the registrant is engaged is similar to behaviour which was preparatory to previous relevant sex offences.

Unfortunately there have been cases in Victoria involving serious sexual offending by people under the age of 18. As a result the scheme will also apply to child offenders where it is considered necessary to protect the community. Those cases will be heard in the Children's Court and a range of additional safeguards will apply. Some of those include that the Children's Court will be required to seek expert advice from a suitably qualified health professional before making a prohibition order against a child.

In summing up, this bill is an important evolution. It adds new powers and gives greater discretion. I think that it goes to better scrutiny, accountability and compliance. This is something we have to be eternally vigilant about. We cannot be complacent. We have to keep evolving and driving this to deliver a safer Victoria.

Mr McCURDY (Ovens Valley) — I rise to make a contribution to the debate on the Sex Offenders Registration Amendment Bill 2016. Members know by

now that we will be supporting this bill. The bill aims to improve community safety by better managing the risks posed by registrable sex offenders, including by implementing recommendations from the Victorian Law Reform Commission's 2011 report. It will also bolster the transparency and accountability around the operation of the Sex Offenders Registration Act 2004.

If we turn to the main provisions in the bill, it amends the Sex Offenders Registration Act 2004 to allow Victoria Police to apply to a court for a prohibition order in relation to a registrable sex offender who the court finds poses a risk to the safety of the community. A prohibition order may prohibit a registrable sex offender from engaging in certain types of conduct if the court considers that necessary or desirable. It is really important that we give police those powers. Secondly, the bill provides police with powers to monitor compliance with prohibition orders, including powers to search a sex offender subject to the order as well as their residence. It will also ensure that people sentenced for certain new commonwealth sex offences are placed on the sex offender register.

The bill requires the Chief Commissioner of Police to report certain data, including the number of offenders on the sex offender register, to the Minister for Police, which is important. It will also allow the Independent Broad-based Anti-corruption Commission to monitor police compliance with their obligations in relation to the reporting requirements of sex offenders on the sex offender register.

Just to give a bit of background, the Sex Offenders Registration Act established a comprehensive registration scheme for sex offenders and has operated since late 2004. Under that act all adults who are sentenced for committing sexual offences involving children are automatically included on the sex offender register. Sex offenders who are under the age of 18 years and adults who commit sexual offences against adults may also end up on that register at the discretion of the sentencing court.

In the period between sex offender registration commencing in 2004 and early 2016 nearly 6455 people were placed on the register. As of 5 February 2016 Victoria Police was supervising nearly 4000 registrants in the community. The remaining 2500 registrants were not in the community by virtue of them being either incarcerated, deceased, living elsewhere or having completed their reporting obligations.

The Serious Sex Offenders (Detention and Supervision) Act 2009 provides that the courts can order ongoing

detention or supervision of the most serious sex offenders who have served custodial sentences for certain sexual offences, and that is again important for those who have finished their time but who are still not ready for unsupervised access to the community. I think that is important in this respect. The bill provides that second tranche of amendments resulting from the Victorian Law Reform Commission report in 2011 following the reform amendments made by the previous government.

I think if we are talking about the sex offender register, we are really talking about law and order and certainly some of the failings of this government that we have seen so far. Our communities want to know that police are available. Too often we have seen cuts to sworn police numbers since the Andrews government came to office, and community safety has certainly been compromised. It is really important that we continue to keep our sworn police strong and keep their numbers up. Whitfield police station in my electorate is a perfect example of a currently unmanned police station. Certainly Victorians deserve better. We know that many police stations throughout Victoria — in metropolitan Melbourne and regional Victoria — have been closed.

If this government chooses to reduce the number of sworn police, it just needs to be honest and admit to it instead of talking about police custody officers (PCOs) as a replacement for sworn police. I think PCOs will play a very valuable role in our community, but they are not a replacement for sworn police. There is a big difference between PCOs and sworn police. I think it is imperative that we continue to make sure that we have in excess of the numbers of police we need — sworn police — and that then we add to those numbers with PCOs. As you well know, Acting Speaker Blandthorn, the previous government added 1700 police along with 940 protective services officers, so we are certainly not against PCOs, but we need to keep the number of sworn police up there.

I will touch on some of the amendments that the former government made in preparation for this bill. In April 2011 the former Attorney-General asked the Victorian Law Reform Commission to review the laws governing the registration of sex offenders and the use of information about registered sex offenders by law enforcement and child protection agencies. The Victorian Ombudsman had recommended this review in a report to Parliament about problems with the management of sex offenders under the registration scheme.

In June 2011 the commission released an information paper that described the operation of Victoria's sex offender registration system and asked questions about how it could be improved. The final report was tabled in April 2012. It contained 79 recommendations to strengthen the registration scheme by sharpening its focus on the protection of children in particular. The recommendations aimed to enable police to better manage offenders who could pose a risk of harm to children and to provide child protection authorities with timely information about children who might be at risk. If I can go a bit further on that, the Victorian Law Reform Commission review was conducted after that damning Ombudsman report into a failure by police to notify the then Department of Human Services of more than 300 registered sex offenders who had unsupervised access to children or were living with them.

In my own community in the Ovens Valley we have seen some horrific crimes recently. Karen Chetcuti of Whorouly was murdered. In our community we are absolutely determined to make sure that we can bring perpetrators to justice and prevent such crimes from happening again. Also Zoe Buttigieg, a young child in Wangaratta, was murdered last year. This is an important matter. Our communities want to feel safe. It is the no 1 concern for many people in some of the communities in the Ovens Valley, so I think we need to push forward.

As I said, we will be supporting this bill. It is important that we do not take any shortcuts when it comes to ensuring that sex offenders are not given any leeway at all. We need to continue to make the necessary changes — legislative and within our community — to ensure that people feel safe and are safe at the end of the day. With that, I wish the bill a speedy passage. I will conclude my remarks there.

Mr PEARSON (Essendon) — I am delighted to make a contribution in relation to the Sex Offenders Registration Amendment Bill 2016. At its heart this legislation is about protecting children from the most heinous of offences, but it is also worth thinking about the longer term repercussions and impact that abuse has upon a victim. I started university in 1991 — I am showing my age — —

Ms Garrett — Were you wearing that suit then?

Mr PEARSON — I was not wearing this suit then.

There was a guy I met; I will not use his real name because his parents are still alive, but I will call him Don. Don was the most amazing bloke. He was playing

AFL football for an under-19s side. He was incredibly bright — so gifted, so talented. He was a really handsome bloke, so he had a lot of female admirers on campus, I think it is fair to say. We got on really well, and we were very good friends. I remember when my mum had a cerebral haemorrhage when I was 21 and I dropped out of uni for a while. It was difficult. It is challenging to live with someone with an acquired brain injury. But Don was fantastic; he was a really, really good friend throughout that time.

We went out one night — and I drove — to see a film. He was living in Clifton Hill. I drove him home, and I stopped the car. It was in Wellington Street, and Wellington Street is really tight. He went to get out of the car, paused for a moment and went to say something. At that time a car came whizzing up, and I said to him, 'Look, there's a car behind me; I've got to go'. He said, 'Rightio', and he jumped out. Three days later he hanged himself.

When you see that happen or you hear of that happening, you go to the funeral and you try to make sense of it. I remember looking at his younger brothers, who were just distraught, and there was a look of disbelief on the faces of his parents. As they carried the casket out, the CD player just froze and kept bouncing around. I remember being there and thinking to myself, 'You must want to stop the CD and start again'. You think that through, and you think, 'I just wish we could've stopped this. I wish we could've stopped him suiciding', because this guy could have done anything. He was so smart. He was so talented.

It turned out afterwards that one of his teachers from high school, who was a bit of a mentor and a friend, had known this day was going to come. He said that my friend had suffered from depression for a long period of time, which stemmed from being sexually abused as a child. He had told his parents, and it was conveyed to me that he was not believed. You just sit there and you think that it is just such an absolute tragedy, and you think of the wastefulness of a life that was not lived fully and was not lived well. It should have been and it could have been if there had been proper protections in place.

Bills like this are really important. When you look at adverse childhood experiences, you can get a score out of 10. If you have a score of 4 or more, then you are more likely to smoke, be an alcoholic, be an intravenous drug user or be incarcerated. Child abuse is one of the key indicators that will lead to these adverse outcomes. With this bill it is about making sure that we protect children from the most heinous examples mentioned by other members of children being

murdered, but it is also about recognising the reverberations that just one isolated incident, or for that matter a pattern of abuse over the same period of time, can have upon a person's life — on the quality of life that they lead and the sort of life that they live. It is about trying to address that. It is about making sure, too, that the police have the powers to make these prohibition orders.

The bill is also important because we are reflecting what is happening in other jurisdictions interstate. Having a degree of harmonisation where we can be really important to make sure that there is a level of consistency. The bill also makes sure that if a person breaches an order, Victoria Police has the capacity to publicise that person's name. That is important because in this day and age we have access to smart phones and other technology so we have a greater capacity to identify these people and to take appropriate action accordingly.

The bill is also important in that it recognises that children can sometimes be offenders, which I think is a confronting prospect. It is confronting to think that a child could be a child abuser, but it is about making sure that there are checks and balances in place to deal with those children as well.

It is a sensible piece of legislation because it recognises the fact that we have to constantly try to do things better and we have to constantly look at ways in which we can respond to these issues as they arise. Clearly if you have a paedophile seeking to work in a toy shop or at a swimming pool, then action needs to be taken to address and prevent that, so there need to be appropriate powers in place to do that.

It is also important that there will be monitoring conditions in place to allow police officers to search an offender's person, residence, vehicles and belongings. In this day and age with information technology and what that can mean, there is a need to make sure that Victoria Police has the capacity to do that sort of work and to search accordingly. It is an important bill for that reason.

It is also important that there are safeguards in place to ensure that there are appropriate restraints. I do not think we want to get to a point in time in our community where the names of paedophiles are published and they are identified. I do not think we want to end up in a place where there is a lynch-mob mentality. When one particular paedophile was located in a house in my electorate, which was before I was a member, there was huge outrage about that person being located in the community. He was outed and he

had to be moved. As heinous as these crimes are, and as awful as these acts are, I think it is important that we make sure that there are appropriate measures in place because we do not want to get into the space where you have that mob mentality and where people are at risk of committing violence themselves.

The Chief Commissioner of Police must not publish any information about a child sex offender or that may otherwise identify a child, and may consider the impact of publishing information about the offender on other persons, including victims. The chief commissioner must also make reasonable efforts to contact the registered sex offender and advise him that information about him may be published if he does not report to the police. I think this is a sensible balance between trying to protect the rights of the individual from becoming a victim of crime themselves but also making sure that we have appropriate checks and balances in place to prevent these sorts of crimes occurring.

As I said, the development of a child at a very young age has a huge impact upon the way in which that person becomes an adult. The British talk about the first 1000 days of a child's life being so important. We have to make sure that we put those checks and balances in place for children to be protected so that they can grow, develop and reach their potential because people should not feel that they live a life that is not fulfilled or suffer as a consequence of this level of abuse. I was deeply saddened to lose my friend many years ago. I just hope with bills like this that we can prevent that occurring in the future. I commend the bill.

Ms STALEY (Ripon) — I rise to speak on the Sex Offenders Registration Amendment Bill 2016. This bill amends the Sex Offenders Registration Act 2004. In summary, those amendments fill some gaps between the very, very serious sex offenders who are covered by the Serious Sex Offenders (Detention and Supervision) Act 2009 (SSODSA) and those who finish their sentences and move into the community. As such, it provides for Victoria Police to apply for prohibition orders in relation to registrable sex offenders who are found to be a risk to the community. These prohibition orders can be quite specific and give really clear indications of what the person subject to that order can and cannot do. They go into considerable detail in relation to who they can and cannot contact, how much alcohol they can consume, if any, and all of those things. Therefore they provide quite a degree of control, one would hope, over these sex offenders to stop them reoffending or engaging in behaviour that is undesirable.

Together with these orders, police been given the power to monitor compliance with them and to publish information about those who have contravened their reporting obligations and cannot be found. That is not everybody. It is only those who have skipped out and could be at risk to the community.

I welcome this legislation because those on my side of the house come from the side that has a very strong record in relation to law and order. The reason we have that record is because we understand why law and order matters to our community. It matters because personal safety is a key freedom that allows us to live our lives free from fear. One of the things that perhaps is not talked about enough in relation to law and order is the social justice aspect of it. The people most at risk, the people most put in harm's way, if you like, are those in the lower socio-economic groups, those who live closest to criminals. Criminals often have very little money, and they live near people who also do not have much money and who bear the absolute brunt of criminal behaviour. When we on our side of the house are tough on law and order, we are saying to the community, 'We understand that your lives matter. They matter whether you live in a nice neighbourhood or a difficult neighbourhood'.

Just on that, one of the things that I particularly wanted to pick up on in this bill is the linkage between people who are subject to the SSODSA orders and those who will now be covered by these orders. As members of the house may be aware, over half of Victoria's sex offenders who are subject to serious sex offenders orders, the SSODSA orders, live in my electorate of Ripon, because they live in Corella Place. My communities have quite a lot of experience with serious sex offenders and they understand what it means to have those people living in their communities. We do that, as one of the former mayors of the Rural City of Ararat once said to me, 'So that the rest of you don't have to have that'. I understand that the government, in legislation that will come before the house at a later date, will be expanding that program.

But what that means is that my communities have quite high levels of violence against women, they have high levels of sexual assault and they have high levels of people who have had convictions for these offences. I believe these new orders provide a bridge for some of these people to have their behaviour monitored, and that therefore will keep more people in my community safer. This is to be welcomed. It is of great importance to note that the background to this bill comes out of the 2011 and then 2012 recommendations from the Ombudsman after the then Liberal Attorney-General asked the Victorian Law Reform Commission to

review these laws. This government has now taken up the initial program that was put in place by the coalition to reform these laws, and that is why we on this side of the house welcome this bill.

It is important that we continue to use technology to make sure that our community is kept safe and also that we are reasonable in how we monitor and impact the lives of sex offenders and other offenders who we choose to monitor. It is not much use if we merely say to them that they have a very high degree of monitoring that is very intrusive if that means that they do not have opportunities to rehabilitate and live their lives in ways that do not involve offending and that are not causing anybody any harm.

I think some of the provisions in this bill also move towards properly extending these orders to those who the police think are not at the end of the spectrum where they need a serious sex offender order. They do not need to be put in Corella Place or monitored all the time, but they are not quite right. There is not a high degree of certainty that these people will not reoffend. It is up to us as legislators to constantly be reviewing how we think about keeping our community safer, and I believe this bill goes towards doing that. For that reason, I support it.

Mr BROOKS (Bundoora) — It is a pleasure to be able to join the debate on this important piece of legislation. At the outset can I say this reaffirms the Andrews government's commitment to keeping our community safe. There is no more important aspect of that goal than ensuring that children are kept safe from sex predators and from people who have already been convicted of sex offences and then placed on this register, either through their actions in terms of sexual offences against children or through the recommendation of a court that because of their sexual offence they should be placed on the sex offenders register.

At the outset I say that this piece of legislation that amends the principal act has two motivating factors, or two drivers, for its being brought into this place. The first was a recommendation of the Victorian Law Reform Commission back in 2011 — its report entitled *Sex offenders registration*. There has also been some other legislation through this place which arose from the recommendations of that report. This is the second tranche of those recommendations being put into legislation. Police raised the issue with government as well, and they wanted greater powers in relation to the way they deal with the Sex Offenders Registration Act 2004. This legislation goes a long way to giving them those particular powers. So the government is very keen

to make sure that we work with police as well as other agencies to ensure that we better protect people in our community from sex offenders.

There were a number of speakers opposite who mentioned somewhat sheepishly in their contributions that they are concerned that this side of the house is softer on crime than they are, that somehow they are taking a tougher approach on these sorts of issues and law and order more generally. I would just like to point out, even though this is a serious piece of legislation and there is a temptation to let those sorts of remarks go through to the keeper, that it was in fact a Labor government that introduced the Sex Offenders Registration Act back in 2004 — a good Labor reform — and also the Serious Sex Offenders (Detention and Supervision) Act back in 2009. They were both Labor pieces of legislation, demonstrating that Labor takes those matters seriously and understands the importance of registering sex offenders and also the importance of being able to detain and supervise serious sex offenders where necessary.

It is interesting to note that since the initiation of the Sex Offenders Registration Act back in 2004 approximately 6500 people have been placed on the register, and as of February this year there were some 3927 people on the register. Some of those people are incarcerated while others reside in the community in residential facilities and under a range of living arrangements.

This bill allows the courts in Victoria to issue prohibition orders to essentially prohibit registered sex offenders from being in certain places or undertaking certain actions, and, as previous speakers have mentioned, that is a very sensible approach. We are making sure that registered sex offenders are not allowed in places that we do not want them to be — places around children and so on. The bill also ensures that Victoria Police has the power to monitor a sexual offender's compliance with a prohibition order, including the very important power to search the sex offender as well as their residence. That is an important way of protecting the community from serious sex offenders.

The Acting Minister for Police, in introducing this bill to the Parliament, tabled a statement of compatibility discussing this piece of legislation's compatibility with the Charter of Human Rights and Responsibilities. The Scrutiny of Acts and Regulations Committee considered that statement of compatibility and the legislation and provided information to the house in its *Alert Digest* report on this particular bill. It is important for members to carefully consider the conflicting rights

and responsibilities that are involved in this piece of legislation. We are seriously restricting the rights of those sexual offenders, and I would say quite appropriately in this particular case, in where they can go and in their freedom of living arrangements in terms of them being able to be searched and have their residences searched.

As I say, this bill strikes an important balance in ensuring that community safety is paramount when it comes to these matters. It is important that we always consider those matters, and in this particular case I think the right balance has been struck in favour of community safety over the rights of those offenders.

The member for Wendouree in her contribution made an important and very valid point about the way in which sexual offences occur in our community on a gender basis. Certainly the vast majority of those sexual offenders on the register would be men. The member for Wendouree made great sense when she talked about the impact of men not just in terms of criminal offences but also in many respects the cultural behaviour of men towards women and how it can make women feel not just that they are victims of these crimes but also threatened in the way live their lives. When she was speaking she mentioned her daughter, and I know I was thinking of the way I worry about my daughters when they walk up the street or go to school on the train, because there is a difference between the way in which as a father you worry about your son, for example, and you worry about your daughter when they head off on public transport or walk the streets, and that should not be the case. We should certainly aspire to have both boys and girls being able to walk the streets without fear of sexual assault.

It is very important that we do support Victoria Police in particular in ensuring that it has got the right resources to do the jobs that it needs to do. Again members opposite unfortunately dragged into this debate the issue of police numbers. At the risk of stooping to that level I just want to point out that there are in fact more sworn police now than there were when those opposite left office and more protective services officers, and the delivery of custody officers will ensure that more police are freed up from custody duties and able to get out and do the police work that they are supposed to do.

I also want to mention the important work of the Royal Commission into Family Violence. Family violence would account for a large proportion of the sexual offences committed against children. This is a great scourge on our society. That royal commission will report soon and will hopefully lay the groundwork for

some serious reform here in Victoria. We will all get the chance to discuss the findings of that report when it is presented. That is an important piece of work that again feeds into our efforts to reduce the incidence of sexual assault.

It is also worth mentioning in this particular debate the work of our child protection agencies. There are many people who work for government in this space but also many not-for-profit non-government agencies that do great work in supporting families in protecting women and children from sexual abuse. They all deserve our encouragement and support and, where possible, the resources of government to ensure that we support children as best we can, whether they are in care or whether they are in arrangements that place them in danger.

With those remarks, I conclude by saying this bill is an important piece of legislation and a further step in reforming our justice system and protection system, particularly with respect to protecting children from some of the most serious crimes that can be committed against them. It is important that this bill has a speedy passage through the house. I commend it to the house.

Debate interrupted.

DISTINGUISHED VISITORS

The ACTING SPEAKER (Ms Thomson) — Order! I acknowledge the presence in the gallery of the former Deputy Prime Minister of Australia, Tim Fischer, and former Speaker of the Legislative Assembly, Ken Coghill. It is good to see you both.

SEX OFFENDERS REGISTRATION AMENDMENT BILL 2016

Second reading

Debate resumed.

Mr WAKELING (Ferntree Gully) — It gives me pleasure to rise to contribute to this debate on the Sex Offenders Registration Amendment Bill 2016 — and whilst it is unruly, I would like to place on record my thanks to Tim Fischer for the work that he has done, particularly in recognising a great Victorian, Sir John Monash. I congratulate him for that.

The Sex Offenders Registration Amendment Bill 2016 is an important piece of legislation because it deals with a significant problem that we face in this state, this nation and throughout the world of the management of known sex offenders. I place on record from the outset my support for the bill before the house, and I do so

from a number of perspectives. Like the member for Broadmeadows, I spent 18 months as a member of the former Family and Community Development Committee, which produced the *Betrayal of Trust* report. The work we undertook on that report over the 18-month period gave us a firsthand understanding of the impact of sexual offending, particularly on young people in this state.

The significance of that was that regardless of a person's race, religion, ethnicity, or socio-economic background, the impacts were invariably the same. They were long-lasting, they were significant, destructive, and they led to the untimely death of many Victorians, and it should never have occurred. It is a scourge that besets all of us, and it is a reflection of another time, but certainly for me it places in context the bill that is currently before the house. The stories of those who were impacted by offenders were harrowing, but again I think it instilled in all of us a resolve that arising from the evil that we heard, we have an obligation to do good. I think it is imperative that legislation like this, whilst not being directly related to the work that we undertook, again highlights the importance that we should be doing everything within our power to deal with this very important issue.

As local members of Parliament some of us come into contact with residents, some of whom may fall within this category. I remember a situation where I was talking to a group of residents about a community issue, and I was speaking to one particular resident just by way of me introducing myself, and I contacted the resident and said that I would be happy to meet with him and his neighbours to talk about a particular issue. The next minute my office took a phone call from a very distressed woman about the fact that a gentleman had approached her door, with her children present, purporting to be representing me for the purpose of the meeting. As it turned out, unbeknownst to me, this person was a known sex offender on a register and was contacting neighbours with the aim of facilitating this meeting.

Whilst all of this happened without my knowledge, and the residents understood that it was an unfortunate accident, it demonstrated for me at a local level the impact that this issue has in terms of the way we manage sex offenders in our communities. It has to be done appropriately and properly. I think it is important that we provide Victoria Police with every power possible to ensure that they are best placed to deal with offenders on the sex offenders register. This bill will seek to allow Victoria Police to apply to a court for a prohibition order in relation to a registrable sex offender whom the court finds poses a risk to the safety

of the community, and I think in the circumstances that is highly appropriate. The bill is also going to provide police with powers to monitor compliance with prohibition orders, including powers to search the sex offender subject to the order as well as their residence.

The bill will also permit police to publish information about registrable sex offenders who have contravened their reporting obligations and cannot be located. It will also allow the Independent Broad-based Anti-corruption Commission to monitor police compliance with their obligations in relation to reporting requirements of sex offenders on the sex offender register. I think it is important that we are constantly monitoring and updating our legislation with respect to this important area, and clearly that is the reason I support the work being undertaken in this area. It builds on the work that was undertaken by the Law Reform Commission back in 2011 with its report on sex offenders registration.

The community has an expectation that governments of either political persuasion are clearly acting in the best interests of common good and decency, particularly in areas such as this, and I think it is imperative that justice is not only being done but is seen to be done. I think it is important that what Victorians want to see is that whilst being even-handed, whilst not being over the top in terms of the way in which we manage sex offenders, that at the forefront of everyone's mind is the safety of Victorians, of females and of children. As a father of two daughters, and like many in this house, I share concerns about what possibly could happen to my children, but we cannot live in a constant state of fear. We have to get on and live our lives.

Sitting through the *Betrayal of Trust* inquiry, I noted that many of the witnesses were my age, and I said to myself that by the sheer grace of God I did not attend the schools that they attended because if I had have, I would have possibly been a victim. Given that fact, I certainly believe that this is important legislation. I certainly believe that the Victorian community has an expectation that governments will act in their best interests when dealing with this important issue of sex offenders and their registration. With that, I wish the bill a speedy passage.

Ms EDWARDS (Bendigo West) — I am very pleased to rise to speak on this very important Sex Offenders Registration Amendment Bill 2016. It is very clear that sexual assault and child abuse are crimes that require a specialist response, not just from our police but also from governments and legislators. Sexual assault and child abuse have long-lasting effects on victims, their families and the community, and across

all socio-economic and cultural barriers. I would like to commend Victoria Police, because we all know that they are indeed committed to providing the highest level of service to all victims of sexual assault and child abuse, regardless of age, gender, cultural background or impairment. In particular I would like to mention the sexual offences and child abuse investigation teams — SOCIT — which operate across Victoria, including in regional Victoria and in my electorate of Bendigo.

These SOCIT staff are very experienced. They are qualified Victoria Police detectives who are specially trained to respond to and investigate sexual assault and child abuse. This bill is just a first step, as previously mentioned by other members, in regard to strengthening the system, particularly in regard to sexual offenders. I am very pleased that the Premier today flagged further legislation in the future to strengthen and reinforce the system.

In terms of the statistics around sexual assault, I was looking today at a 2012 fact sheet from the Centre Against Sexual Assault Forum. It is still very disturbing — 17 per cent of women and 4 per cent of men experience sexual assault by the age of 15. Girls between the age of 10 and 14 were the greatest proportion of victims and survivors of sexual violence. Young women aged 15 to 24 were the second largest group. Clearly we have a long way to go when sexual assault is still one of the leading crimes against women. I have mentioned several times in this house my concern about where women with disabilities fit into these statistics. It is very clear that women with disabilities are at far greater risk and indeed suffer and report more sexual offences than other people.

I would just like to read a little article that was on news.com.au two days ago in relation to that matter:

On Jane Rosengrave's right forearm is a tattoo of a blonde-haired angel. The image looks innocent, like a little child. She holds a big, red love heart with an insignia that reads: 'Free as a bird.'

This permanent ink injected under 53-year-old Jane's skin serves as a triumphant reminder. She is a survivor.

'You only live once', Jane says smiling and proudly holding up her decorated arm ...

Jane has an intellectual disability, and over her lifetime she's suffered unrelenting sexual and physical abuse by six different male perpetrators.

She is far from alone. On the contrary, 90 per cent of intellectually disabled women in Australia have been sexually abused ...

It's a shocking statistic made worse by the fact that most of the abuse happens when the victims are children.

For Jane, the sexual abuse started when she was just six years old.

The article goes on. She was first abused by one of the staff members in a home she was living in. She was only little; she did not know what was happening or what was wrong. She was then assaulted at a swimming pool by another person, and then later by the driver of her school bus for a period of three years when she was just 16. I just wanted to read that because it clearly gives a good overview of women with disabilities and the difficulties they face and why this legislation is so important.

This legislation is about prohibiting those who are already on the sex offender register from engaging in activities where vulnerable women and children might be located. There were two main drivers for this bill. The Victorian Law Reform Commission, in a 2011 report entitled *Sex offenders registration*, recommended the adoption of this prohibition order scheme to reduce the risks posed by sex offenders and to increase accountability and transparency by expanding IBAC's oversight of police responsibility under the Sex Offenders Registration Act 2004. In determining whether it is appropriate to make a prohibition order against a registered offender the court must give paramount consideration to the sexual safety of the community, and while the sexual safety of the community has to be paramount, we also have to think of those vulnerable individuals — women and children in particular — who are most at risk.

There is a range of factors that courts must consider when they are making these prohibition orders, and these are very important. The court must consider any other findings of guilt or charges for sexual and other relevant offences and the seriousness and nature of those offences, the period since they were committed and the ages of the registrable offender and victim of the offence at the time it was committed; the offender's age, if known; whether the offender's behaviour alleged in the application is similar to behaviour that was preparatory to previous relevant offences; the offender's circumstances insofar as they relate to conduct sought to be prohibited by the order, such as their accommodation and employment needs and their need for reintegration into the community; whether the final order is proportionate to the risk of the registrable offender committing further registrable offences; the impact of the prohibition order's conditions on the treatment and rehabilitation of the registered offender; the impact of the conditions on the registered offender's family; and any other matter the court thinks relevant.

One of the things this particular legislation goes to is, as I said, strengthening the system, but it also goes to making sure that those who are on the registered offenders list do not have access to areas of the community where we know they may be able to continue to pose a risk to the sexual safety of other people and to the community generally.

I think that this bill is a very important bill because when you think about the number of people who are on the registered sex offenders list currently, it is concerning. It is also concerning that in 2016, despite the fact that this government has started the Royal Commission into Family Violence — and the report from the royal commission will be handed down very soon — there are still so many women every week being sexually assaulted and indeed killed.

I think we need to actually start addressing this from a cultural point of view. We also need to make sure that legislation such as this is carried forward and that the police have the resources — and we know they will, because the Andrews Labor government is very determined to continue to invest in Victoria Police and to make sure it has the resources it needs to carry out these particular prohibition orders and to monitor where sex offenders might be living. Other members have referred to community safety and the need for this bill to protect communities.

What is really important is that the addition of new section 66ZZB provides that the court can prohibit the publication of proceedings that could lead to identification of a sex offender, victim or any person protected by a prohibition order.

I think that is important because, as the member for Essendon said, we do not want to start a witch-hunt. We do not want to instil panic in the community because sex offenders are named and located, but at the same time we want to make sure that registered sex offenders, particularly those who have a recidivist past, are monitored and kept well away from areas where we know vulnerable people work, play and enjoy their lives. On that note, I commend the bill to the house.

Ms COUZENS (Geelong) — I rise to speak on the Sex Offenders Registration Amendment Bill 2016, and I am pleased to do so, because this is about community safety. We have heard a lot in the media, particularly over the last couple of months, about sexual abuse, particularly in the Catholic Church. I think it has made people more alive to the issues around sexual abuse, which is in some ways a good thing.

The government will take the measures required to keep the community safe and will always work with police to give them the powers and resources they need. For my community this is really important. The bill will also improve community safety by providing appropriate powers to the courts and police to better manage the risks posed by sex offenders living in the community. In my community of Geelong we welcome this bill because it is about keeping children safe, which is a real priority for us. As I said, it is about the issue being alive, but it is also about not living in fear of letting our children walk to school or to the shops. It is more about an awareness and keeping the issue alive in our own minds.

The police separately requested amendments to better assist them in managing registered sex offenders, including the ability to prevent persons from working in jobs or volunteering in settings that afford opportunities to offend against children. Of course we do not want that. We do not want offenders going to areas where there are children, like scouts groups, playgrounds, school grounds and things like that, so this is really important legislation.

We know the impact abuse has on children. It impacts them not only while they are children but also as they grow up into adults. Having worked in a youth refuge for many years, I saw many young people. I would say 80 per cent of the young people I worked with had been sexually abused by a family member, someone in their community, a family friend, their mum's boyfriend or their stepfather. I encountered a vast range of young people who had been subjected to sexual abuse in their lifetime.

As I said, we know what impact this abuse has, and one of the key areas around that is the impact it has on a young person in terms of how they live their life. I knew quite a number of young people who committed suicide. They self-harmed, and they self-medicated with drugs and alcohol. Many of them did not have what we would regard as a safe life. They would leave home for a variety of reasons — whether the perpetrator was living in their home or was a friend of the family and the young person was not believed — and many of them would go off the rails by using drugs and alcohol or because of mental health issues and the inability to cope with what had happened to them. Often they were not able to remain at home, and they would end up in the youth refuge. That is where we would see the impact of sexual abuse in a variety of forms.

There is one young woman I will never forget. We have heard a few stories today, and I am sure that many of

these young people and adults who have been affected by sexual abuse have met with one of their local MPs at one point or another to talk about these issues. This young person was in the youth refuge as a 16-year-old. She had been a star athlete. According to her parents she suddenly went off the rails and became uncontrollable. She had been a fine student. She had no real problems until she turned 16. Clearly what had happened was that she had been sexually abused by someone she trusted. I will not give away too much detail because I do not want anybody to be able to identify who this young woman was.

She lived a fairly traumatic life after she left home. She ended up in the refuge, but she came and went from it. She would go off the rails and disappear for long periods of time and then come back to the refuge looking for a safe haven, as many young people did. She could never quite cope with what had happened to her and what was happening in her life, and she would self-medicate with drugs and alcohol. She did make a variety of attempts to return home, but they were unsuccessful. It never seemed to work out. At times she would become violent, mainly due to the use of drugs and alcohol. She could not cope with daily living and could not remain at school. She really went off the rails. From memory she came back to the refuge five or six times, and then one time she did not come back. Unfortunately a couple of weeks later it was found that she had committed suicide.

That is just one of many, many stories from my time as a youth refuge worker. That is an example of what can happen to our young people when they are sexually abused. This young person and many of the other young people I worked with in the refuge would welcome the sort of legislation we are debating to help protect other young people, because they know and have experienced and lived what happened to them.

I also want to acknowledge organisations like Barwon Centre Against Sexual Assault (CASA), which in the year 2014–15 dealt with 1545 sexual abuse cases, which is pretty extreme — and my understanding is that that has gone up for this year; 14 per cent of those were children and 25 per cent were young people. Barwon CASA works hand in hand with the child protection workers — who do an amazing job; it is certainly one of the toughest jobs I have ever seen in my experience — and also the police and investigators who work with them. All are amazing workers who deal with some of the most extreme stories that we will ever hear happening in our community.

Barwon CASA also runs sexual assault prevention programs. They talk about sexual offenders and

grooming and those sorts of issues so that young people are aware of what they may be exposed to. It also does intensive counselling for young offenders, who are predominantly young males. That is a program that probably should be expanded throughout our community; it is quite a valuable program.

I think this legislation goes a long way to providing that community safety that we all want to see. It is important for our children and children in the future that they be able to walk down the street or go to the playground without their parents being in fear that they will be subjected to some sort of sexual abuse. It is important that, yes, when people do their time and they go back out into the community they should be able to live reasonably like anybody else, but they have committed heinous crimes. They do the time, and that is fair enough, but our children and young people need to be protected from these predators. This sort of legislation ensures that we are able to at least make every effort possible to prevent that from happening to other children. I commend the bill to the house.

Mr EDBROOKE (Frankston) — I rise to speak on the Sex Offenders Registration Amendment Bill 2016. From the outset I will let the chamber know that this is a fantastic bill. It is a stopgap, I guess I could say, to a lot of things that have been happening in our community. We have heard those in opposition give us the whole story about the older we get, the better we are, and that there were certain things that happened in their time that they should have done but they did not get done and that this government has been dragging its heels on this somehow. Well, 17 months in we are acting on it; they had four years, and they did nothing. That is a phrase that we say so commonly in this chamber — after four years, what did they actually achieve? So I think for the opposition it is a case of saying, ‘The older we get, the better we were’, and, ‘How we can change history when we are just romancing a little bit and waxing lyrical’.

This bill will improve community safety. We need to commend the minister and the staff who have done such a good job on this bill. It provides powers to the courts and police to better manage the risks posed by sex offenders living in our community. I do not mince words when I speak about sex offenders. Sex offenders are germs in our society, and they need to be kept away from our kids and other people in society who should be able to feel that they are safe in our society and our community. The bill implements several recommendations from the Victorian Law Reform Commission’s 2011 review of the Sex Offenders Registration Act 2004, and it brings into line prohibition orders.

Victoria currently has a range of protections to keep the community safe from sex offenders who may pose a risk to people in our community after completing their sentences. Really I guess the questions are: for sex offenders, especially sex offenders who have committed particularly heinous crimes, is there something inside them that makes them do that? Can we actually re-educate these people in jail? It is a tired, old story I know, but I am not sure whether some of these people, when they are released from jail, just see it as an opportunity to offend again. That is why this bill is so good.

This range includes requiring offenders who are on the sex offender register to report their details and whereabouts to police. Other offenders may also be subject to ongoing detention and supervision under the Serious Sex Offenders (Detention and Supervision) Act 2009. However, in this there may be sex offenders who do not fall into these categories. There have been other states, like New South Wales and Queensland, that have put in place legislation to deal with this.

There may be sex offenders in Victoria that do not fall within the detention and supervision scheme but nevertheless are behaving in a way that is of concern to police or child protection authorities. The bill introduces a new prohibition order scheme to ensure such persons can be appropriately monitored.

As an example of this I only have to turn to a newspaper article in the *Herald Sun* which reported that a convicted paedophile had been running a toy and game shop in Carlton for four years. The bill is closing that loophole that allows this particular offender to work in an environment that is frequented by children. This guy was convicted three times of indecently assaulting teenage boys. He was operating a shop called Animasia, a Carlton store that sells models, comics, cartoons and what not that are popular with adolescents. He ran the shop for at least four years and organised workshops with kids on model making and competitions during school holidays. What a treat!

But authorities at the time could not hook him for anything, as he was not breaking the law, and currently there is no requirement for people working in child-focused retail businesses to obtain a working-with-children check that someone like myself — I was a qualified teacher — needs even to go on a school camp or work with kids in any capacity. It is making sure that that gap is closed. Convicted paedophiles in actual fact can be working in shops that attract young customers, and there is nothing to stop them. As a parent, that is a massive concern for me, but to any person in our community who has any sort of

conscience and any fear of this kind of action, that is a real concern.

The government has looked at the Victorian Law Reform Commission's review and decided that it has to take action on people like this, and for good reason. There are a few things that can be done, and one of them is for a court to make a prohibition order. This may impose any conditions that appear to be necessary or desirable upon an offender who has been released. In particular, those conditions include those that for regular Joes like me might impinge on our human rights, but I will say it again that people who have been accused and put in jail for sex crimes are generally germs. Those conditions may include prohibiting association with certain persons, such as children or previous victims, and I think that is just common sense. People need to know, especially if they have been a victim, that it is not going to happen again. When we have seen that, it has been particularly awful and we have wondered why it has happened, and this will prevent that.

A second condition is: prohibiting entry to certain places or any land within a specified distance of certain places, such as schools or public pools. Again, I think for most of us, this is just sense and we wonder why this was not put in under a previous government. Having a paedophile or someone accused of a sex crime hanging around a school or a public pool is not ideal. I do not think even teachers or parents who are at swim lessons should be having to look over their shoulders and be conscious of these people who have been sentenced and have carried out their sentences and have been released, but their heads are wired to the point where that is what they do. They like doing this stuff, and they are hang around a pool or somewhere where vulnerable people can hang out.

A third condition includes prohibiting engagement in specified behaviour, community activities or employment, and prohibiting consumption of alcohol or certain drugs. Again, this just makes sense. In terms of where we go from here, though, how do we actually police that? How do we make sure these people are actually adhering to those prohibition orders, especially with content that might be in their house — illegal content, pornography et cetera? How do we know that they are not drinking and whatnot? We have given powers to police to monitor these prohibition orders, which is a very important step.

Again, for you and me and the average Joe, it might mean that we look at this and consider that it would be a breach of our human rights, but for these people who have committed these awful crimes I think it is well

within our rights to require offenders to submit to breath testing, urine analysis or other tests by police to monitor compliance with any prohibition on the consumption or the use of drugs and alcohol, or to allow police officers to actually visit offenders at their residence and conduct searches for the purposes of monitoring conditions in the order.

The contravention of one of these prohibition orders without a reasonable excuse — and in the legislation a reasonable excuse is fairly well set out and very specific — will be a criminal offence, punishable by up to five years imprisonment. This is a strong deterrent to any offender subject to these new orders. I think that is a fantastic way to go about it. If someone has been sentenced for one of these terrible crimes, and their victims are walking the streets, we need to keep an eye on them. Some people would like to stop short of putting ankle bracelets on individuals 24/7; I am not one of them. I would like to do that. I would like to know where these people are at all times, so that they are not near my kids and near vulnerable people in our community. Five years is a very strong deterrent, and I think it is very fair as well.

The Sex Offenders Registration Amendment Bill 2016 is a very solid piece of legislation. I commend the bill to the house.

Mr LIM (Clarinda) — I rise today to speak on the Sex Offenders Registration Amendment Bill 2016. It is just horrendous to hear all these tragic stories that honourable members from both sides of the house have shared. It makes me wonder as a lawmaker how we could wait this long to come to the realisation that we need to protect our children, particularly, and our young people in the community.

In the short time that I have to make this contribution, I would like very much to commend the Acting Minister for Police, as well as everyone who was involved, for bringing this bill to the house. It goes without saying that this is a great step forward as far as our state is concerned. We will continue to wave the flag. We will continue to show the rest of the countries in the world that we are very much at the forefront of fixing up this gap when it comes to introducing legislation such as the Sex Offenders Registration Amendment Bill.

I very much wanted to share some thoughts, but in looking at the clock I see I do not have much time. I wish the bill a speedy passage, and I note that the opposition is also supporting this bill. It is a tremendous step that the Parliament is taking with this action. We should be standing tall and walking proudly because we have done the right thing by our community,

particularly in terms of looking after young people and making sure that sex offenders are put in their proper place, insofar as this Sex Offenders Registration Amendment Bill is concerned. I trust and hope that this bill will have a speedy passage through the Parliament.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house now adjourns.

Mooroolbark railway station

Mrs FYFFE (Evelyn) — My request for action is to the Minister for Public Transport. The action I seek is for the minister to expedite consideration of Mooroolbark train station for funding to increase car parking capacity. It is well documented in this house, as a result of previous comments made by me and my colleague the member for Croydon, that there is a diabolical lack of car parking space at Mooroolbark train station. More residents than ever before are wanting to use public transport, in part because of changes to zoning but also because of the high cost of car registration, which at this point cannot be paid in instalments.

Street parking that was being used as an alternative was denying traders their share of custom, because it was too difficult for shoppers to find casual parking. Although Yarra Ranges Shire Council has decided to open up a tract of land near the community centre for commuters to use, it was not designed for this purpose and is at best a makeshift solution. If the land is required for other events that are frequently staged on those grounds, such as the Mooroolbark festival, we will once again find motorists and locals in conflict. The situation is getting worse due to population growth, following new developments at the old Croydon golf course, Cloverlea in Chirnside Park, new estates on Hull Road in Mooroolbark and the upcoming redevelopment of the Lilydale quarry.

The option that is preferred by traders and locals alike is a portable double-storey car park that can be erected using the existing car park footprint. I note that the minister has previously responded to the member for Croydon that the government has committed \$20 million to deliver additional car parking at train stations. With the minister having stated in a previous answer in 2015 that the government has been auditing land available for car parks at train stations, I ask that the minister expedite and approve new parking at Mooroolbark train station to alleviate the existing

infrastructure pressures so that residents can once again be 'on the move'.

Whittlesea respite care

Ms GREEN (Yan Yean) — I rise to raise a matter for the attention of the Minister for Housing, Disability and Ageing. The action I seek is support for the construction of a much-needed respite facility in the City of Whittlesea. I seek the minister's support for the future funding and building of this vital facility, and I see that the minister has just entered the chamber. The Minister for Environment, Climate Change and Water, who is at the table, in a previous guise as minister responsible for disability was very supportive of this community. So we have in the chamber two champions for disability in the City of Whittlesea.

I am aware that the minister has met with key stakeholders — the City of Whittlesea and Respite Alliance Whittlesea, or RAW, which has been running an ongoing campaign to get an additional respite facility built. What is sought by RAW and the City of Whittlesea is a six-bed respite facility for persons aged 25 years and over with challenging behaviours and physical, multiple and complex disabilities. This facility could provide a regular respite service to up to 84 families per year. Respite is such a critical service and provides the support that carers of people with disabilities desperately need. Without adequate support some families will reach a position where they give up through no fault of their own and decide to relinquish day-to-day care of a family member with disabilities to the government. I have seen this on a number of very sad occasions during my time in this Parliament.

In 2015, 11 per cent of City of Whittlesea residents said they cared for someone to allow them to stay in their home. It is fair to say that demand for these services is very high and waiting periods are too long, and with an ever-growing population in Whittlesea this situation will get harder to manage. As the minister knows very well, my electorate takes in a growth area including Doreen and Mernda, which are two of the fastest growing suburbs in Australia. We are seeing around 8000 people move to the City of Whittlesea each year, or 156 people per week. We welcome the rollout of the national disability insurance scheme from midyear, but, as the minister knows, capital for facility-based respite is not covered in this. I ask that the minister do all he can to support the proposal to build this much-needed respite facility in Melbourne's north.

Benalla mental health services

Ms RYAN (Euroa) — My adjournment tonight is for the attention of the Minister for Mental Health, and I am grateful to him for being at the table tonight. The action I seek is an urgent review of mental health services in Benalla to ensure that they are sufficient to meet the needs of young people in our region. Over the weekend, while many people were on a high from the amazing success of the Wall to Wall festival, we experienced tragedy. I am concerned about the welfare of the many young people affected by the weekend's events. There has been an outpouring of grief among young people in the community, and I urge the government to put outreach services in place in the short term while they endeavour to come to terms with this loss.

While Benalla P-12 College has brought in additional counsellors to work with the student body this week, it is gravely concerned about a number of very vulnerable students who will not have access to support during the coming school holiday period. In order to access services outside of the school environment, students must travel to Wangaratta to access state government-funded services through North East Child and Adolescent Mental Health Service. It is my understanding that the service is not adequately funded to provide outreach services in Benalla, and students must therefore travel to Wangaratta.

Benalla Health also runs a counselling service; however, it is not youth specific and has a waiting list, as I understand. The town has no headspace, the closest being located in Shepparton, a 45-minute drive away. While headspace has been at the college today to provide advice, it is not funded to deliver services in Benalla. Many young people in Benalla are not old enough to drive or do not have the support structures around them needed to access headspace or the state-funded services in Wangaratta. These gaps in the delivery of mental health services for young people in our community need to be examined and addressed. In the short term it is critical that we ensure mental health services are increased while a longer term solution is sought.

I was contacted today by a young man who shared his own experience with me out of concern for his peers. He travels to Wodonga to visit a specialist and to Wangaratta to see a psychologist. In his own words:

There is just nothing in this town to make the youth and young adults feel like there's the proper help and support needed to get through dark times, and life's lows.

The youth of Benalla honestly needs so much help ... I worry for so many more of the kids and others in this town. I don't even know where to start to try and begin to help.

Strathmore Secondary College

Mr PEARSON (Essendon) — I rise to raise a matter with the Minister for Education. The action I seek is that funding for master planning be provided in the May budget for Strathmore Secondary College. Strathmore Secondary College is one of the premier state secondary schools in the inner north-west. It is a great school led by Jill English, as the principal, Anne Kershaw, who is the school council president, and Darren O'Connor and Jim *Kounetas*.

It is a fantastic school, but it has got some challenges. The widening of the CityLink-Tullamarine Freeway is pushing up against the boundary, and that is causing some anxiety and concern for some of the students and parents. Enrolment is growing at a great rate of knots, and the school itself was built in the 1950s, so it is about 60 years of age. There are some constraints placed upon the site as well, given its proximity to the Craigieburn rail line and Pascoe Vale Road. So the school needs to be master-planned with a view to having it ultimately rebuilt, in order to ensure that it can really be a modern school for the 21st century. It is a great school, and I think it is really important that master planning be funded in the May budget so that the school can be rebuilt at the earliest possible time.

Narracan electorate schools

Mr BLACKWOOD (Narracan) — I rise to raise a matter for the Minister for Education. The action I seek is that he provide funding in the 2016–17 budget for four schools in the Narracan electorate, in line with the pre-election commitment of the Napthine government of \$15 million. The four schools in question are Warragul Regional College, Neerim District Secondary College, Trafalgar High School and Moe Albert Street Primary School. All of these schools require significant funding for upgrades to ensure that students have the best facilities possible for their education.

Warragul Regional College in many areas is unchanged from when I attended it in 1969. A major investment is needed to deliver critical upgrades to meet the needs of current students and prepare for the rapid growth in population that will see student numbers rise significantly in the near future. Trafalgar High School has seen investment over the past decade; however, it still requires funding to complete a final stage which will help the school to deliver the best facilities possible for students. Trafalgar High School has a tremendous reputation for delivering an accelerated learning

program, and around 200 students travel from the Latrobe Valley by train each day to attend Trafalgar High School.

The Victorian coalition delivered a \$300 000 science wing to Neerim District Secondary College in 2013, and now the school needs major investment in classroom upgrades. Moe Albert Street Primary School requires not only a modernisation program but also basic security fencing to protect the grounds from vandalism and trespass, which have been a major headache for the school.

As I said, the coalition government promised \$15 million for improvements at these schools prior to the last election. The Andrews Labor government is touting itself as an education government; however, schools right across the Narracan electorate have expressed their frustration, with no major investment in infrastructure at any school locally. I call on the minister to prove to the people of Narracan that it is not just spin when he claims to be intent on making Victoria the education state and to provide funding in this year's budget for the schools in my electorate.

State Emergency Service Chelsea unit

Mr RICHARDSON (Mordialloc) — I raise a matter tonight for the Minister for Emergency Services, and the action I seek is for the minister to visit the Chelsea State Emergency Service (SES) unit in my electorate to seek to understand some of its future needs and constraints on its current site. The Chelsea SES is one of two wonderful volunteer organisations in my community that stand out, alongside the Edithvale Country Fire Authority. Chelsea SES has grown significantly and can no longer house all of its vehicles. A future plan to potentially join with Moorabbin SES is on the cards. I am looking forward to meeting with the City of Kingston to see what it thinks about some of those merger issues.

I ask that the Minister for Emergency Services join with me in meeting with Chelsea SES on site to talk through this merger to see what its future needs and priorities are.

Goulburn-Murray Water Connections Project

Ms SHEED (Shepparton) — My adjournment matter is for the Minister for Environment, Climate Change and Water, and I am pleased to see that she is here in the house. I wish to address recommendation 9 of the Senate inquiry into the impacts of the Murray-Darling Basin plan and to call on the minister to confirm that the Victorian government will not

participate in or appoint a judicial inquiry into the operation of the Goulburn-Murray Water Connections Project.

My electorate is represented by irrigated agriculture. It supports one-third of Victoria's dairy production and milk processing factories that value-add to the product. Irrigation also supports our production of a significant part of the state's stone fruit and is also well known for its productive agriculture.

The Senate inquiry into the impacts of the Murray-Darling Basin plan is the latest in a line of reports, reviews and recommendations in relation to the connections project. Firstly, there was the Ombudsman report of 2011 investigating the food bowl project, the largest irrigation modernisation scheme in this country, which was undertaken by the Northern Victoria Irrigation Renewal Project.

While the Ombudsman's report found that the project was on budget and on time it found that there were a number of concerns, particularly around governance. One of its recommendations was that it be subsumed into Goulburn-Murray Water. This process inevitably led to delays as the Northern Victoria Irrigation Renewal Project was merged into an already existing large bureaucratic organisation.

The Victorian government undertook a midterm review of the project last November. There is some \$800 million left in federal funding to complete the connections project. The midterm review last November made it clear that continuing the project without change would involve significant budget and time overruns and would not produce the desired outcomes. Armed with the advice from the midterm review that the 'do-nothing' option was a road to nowhere, the Victorian government put in place changes to the project and is currently negotiating a reset of the contractual obligations with the federal government.

I attended a meeting in Echuca where the water minister announced changes to the project, including the appointment of a project control group and a stakeholder consultative committee to take over the project. Most of the complaints that were heard at that meeting and that I have heard throughout my time as a member are about the delays in the delivery of the project. People are concerned about the project being completed on time.

While there might have been useful recommendations in the Senate's report, I was very disappointed to see that one recommendation was for a judicial inquiry —

and potentially an audit — into the operation of Goulburn-Murray Water's connections project. Irrigators in my electorate are already in report overload, and this is the final straw. They want action on their farms, in their paddocks and on their channels, not on paper.

Coburg North Primary School

Ms BLANDTHORN (Pascoe Vale) — My adjournment matter is for the attention of the Minister for Education, and the action I seek is that the minister ensure that there is funding for master planning for Coburg North Primary School in the upcoming budget. Obviously the budget has had to be brought forward, and final preparations are underway. I would like to take this opportunity to remind the minister that enrolments at Coburg North Primary School have grown by 150 per cent in the last seven years.

Since before the election in 2014 I have been working with Principal Helen Zull, school council president Jo Harrison, the former president and members of the school council, Owen, Blair and others, who have all been very much working towards being able to master plan for the growth in the Coburg North area and in particular the growth being experienced by the school. This is a growing and very inspiring school community, but it does need some assistance to plan for future growth.

Deakin University Warrnambool campus

Ms BRITNELL (South-West Coast) — My adjournment matter is for the Minister for Training and Skills, and the action I seek is for the minister to visit my electorate and meet the community group formed at a public meeting last Friday and to explain how there will be ongoing university degree courses delivered in Warrnambool.

Our rural kids deserve the same educational opportunities as young Victorians living in Melbourne. Without a university in south-west Victoria our students might be denied higher education because of costs, dislocation or commitments to family or jobs. This message was made clear last week when south-west Victoria came out in force, spilling out of Warrnambool's civic centre to protest the decision by Deakin University to pull out of the campus at Warrnambool. Labor cannot stand by after it said it would be a government opening campuses. All we are seeing is it walking away from the Warrnambool and district community.

The importance of the university to south-west Victoria is evident. At the moment country kids in Victoria are 30 per cent less likely to enrol in university. For many in south-west Victoria, the university in Warrnambool gave them the only chance they would ever have had of getting a university qualification and the start in life that that offers. +Year 12 attainment in the South-West Coast region is a major issue which our community is tackling with enormous commitment. Local organisations are making great strides in seeking solutions to improve educational outcomes in our region. The loss of a local university could further erode aspirations for our young people to aim for educational achievement. I look forward to the funding support for Beyond the Bell, which the Minister for Regional Development, Jaala Pulford, talked about on Friday night.

Students, graduates, major employers and community leaders have all spoken out to express their commitment to the future of quality university education at Warrnambool. Many leading businesses employ Deakin Warrnambool graduates, with one major accounting firm comprising 80 per cent of Warrnambool graduates.

Warrnambool Base Hospital is a major employer of Deakin Warrnambool graduates. In just five years the placement of medical interns has gone from 4 to 45 and is now oversubscribed. For the past three years the dux of Deakin's medical course has come from the Warrnambool program.

I see great opportunities for a university in Warrnambool. Renewable energy, agriculture, timber and dairy need specialist graduate courses to suit local industries and attract students from beyond. The minister must meet with Deakin and Federation universities, the federal government and South-West Coast education and community leaders to make sure that we keep a university in Warrnambool.

Kambrya College

Ms GRALEY (Narre Warren South) — My adjournment matter is for the Minister for Education and concerns Kambrya College in my electorate. The action I seek is that the minister ensure that funding is provided for Kambrya College's proposed new multipurpose facility in the upcoming state budget.

This outstanding local school always goes above and beyond for its students. Principal Michael Muscat and his extraordinary team truly believe in the school's motto of 'Maximising the potential of each student'. Each and every one of their students receives the very

best support, care and education they could ask for, but as with any great school, they want to do even better.

Unfortunately many of their senior students are currently forced to use old portable classrooms at the rear of the school. These tired old classrooms often leave their students — and their teachers — feeling isolated from the rest of the school community. To ensure that this fantastic school can continue to meet its students' needs it is proposing to construct a new multipurpose facility. The facility would replace the existing portable classrooms and incorporate new classrooms and a multipurpose room on the second storey. This unique multipurpose room would have movable walls that would allow the school to create one large room, smaller rooms or whatever configuration works for it. It would also be available for community use, as Kambrya has a long and rich history of working with its local community.

Kambrya is experiencing significant growth in student numbers, with its year 7 intake increasing from 155 to 270 this year. This has brought its total enrolment to almost 1200 students, and the school again expects to grow by at least 100 students next year, not to mention the new housing estate of 1000 houses which has just begun construction and falls within the Kambrya College neighbourhood area. We live in a growth area.

To put it quite simply, the school is full to bursting; every single classroom at the school is now fully utilised. Members of the team at Kambrya College are making it work, but it does need this new multipurpose facility as soon as possible.

Our hardworking minister has seen firsthand the exceptional work being done by those in the team at Kambrya College. He has seen their dedication, their commitment and their willingness to do their very best for the students. He has seen why the ABC chose this school after searching right across Australia to find its showcase school for a major television series on education. The series will be coming up in the middle of the year; I urge members not to miss it. I urge the minister to ensure that the Kambrya team members can continue their fine work by providing funding for the new multipurpose facility in the upcoming state budget. They really deserve it.

Responses

Mr FOLEY (Minister for Housing, Disability and Ageing) — I thank the honourable members for their contributions.

With regard to the member for Yan Yean and her correct identification of the respite needs for the

community of Whittlesea in that fast-growing area, she is indeed correct; there has been extensive discussion with both the proponents of the scheme, who have been long-term proponents of the scheme, and particularly with the local government. As we prepare for the rollout of the national disability insurance scheme to that north-eastern area of Melbourne 101 days from now, there is a need to make sure that the promises and commitments from the federal government in regard to how capital funding for that rollout will happen do not continue to be unrequited — I suppose that is the best way to put it. I will certainly be taking into careful consideration the contributions from both the honourable member for Yan Yean and the local government and community stakeholders that have long pursued this goal.

In regard to the honourable member for Euroa's contribution, any suicide is a tragedy, and any suicide of a young person is a particular tragedy. We need to make sure that anyone listening to this or reading these comments understands that there is always assistance and help out there. Anyone contemplating uncertainty in their lives under any circumstances should at least ring Lifeline on 13 11 14 or beyondblue on 1300 224 636. In regard to this particular community in the north-east of Victoria, people in the Benalla community should understand that they have access to clinical mental health services 24 hours a day, seven days a week — at any time — for mental health support by phoning 1300 783 347.

But as the honourable member for Euroa pointed out, there are particular issues in the Benalla community. The honourable member has sought, as I understand her adjournment matter, that in the immediate term, particularly with the looming school holidays given the cohort of young people who have no doubt been engaged in discussions around what has been a tragedy for one young person, one family and one community, the need for outreach services needs to be addressed. Through my department we have sought to have discussions both with the area's mental health services provider and with the mental health community support services to look to ways and means that we can address those immediate, short-term issues. I look forward to perhaps discussing those directly with the honourable member given that she did in fact do me the courtesy of alerting me to this deep tragedy. I look forward to reciprocating that good faith and seeing how we can go in perhaps addressing this matter in the near term.

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I thank the member for Shepparton for her question in relation to a quite incredible recommendation that has come out of a Senate inquiry. In fact there are some very interesting recommendations, including investigating the impact of

cold water on native fish. In relation to this particular issue, recommendation 9, for a judicial inquiry, I want to absolutely reassure the member and the irrigators in the region that we will not be supporting a judicial inquiry. We do not believe that is the appropriate step forward.

The Goulburn-Murray Water Connections Project is a critical project not just for the region but for Victoria. It is the largest water infrastructure project in the country, and it is about delivering two things. It is about delivering under the Murray-Darling Basin agreement, which has been supported across governments, and it is also about delivering increased productivity and modernisation of the irrigation system in the Goulburn-Murray region.

I went up to Echuca — as the member knows; she was at the meeting — to announce the new delivery model for the connections project. As I said to those present, with the moving of the irrigation project to Goulburn-Murray Water, it was almost like it was set up to fail. This is a major project and it needs to be delivered in a structured delivery model with a real focus on how infrastructure is delivered. The government has been able to set up the project control group, which involves stakeholders like the Victorian Farmers Federation in those decisions as well, and that is all about getting this back on track. I am very confident that that is what will get it back on track.

I am very confident that what would happen if there were a judicial inquiry is that that important, critical project for our irrigators in that very important economic region would come to a standstill, and that is not what we want. In looking at resetting this project, what we have all heard from irrigators is that putting it on hold is not an option and that the critical issue for them is that this needs to move forward. It does need to change, but it needs to continue to move forward. I am very confident that the system that we have announced and put in place will deliver what we want this project to deliver for irrigators. We will certainly be making it clear to the commonwealth that we do not support a judicial inquiry. I hope that similarly the commonwealth government and the federal Minister for Agriculture and Water Resources will also reject that recommendation.

A number of other members have raised a number of other issues, and I will refer those matters on to the relevant ministers.

The DEPUTY SPEAKER — Order! The house is now adjourned.

House adjourned 7.27 p.m.