

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

Tuesday, 22 November 2016

(Extract from book 16)

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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

(to 9 November 2016)

Premier	The Hon. D. M. Andrews, MP
Deputy Premier and Minister for Education, and Minister for Emergency Services (from 10 June 2016) [Minister for Consumer Affairs, Gaming and Liquor Regulation 10 June to 20 June 2016]	The Hon. J. A. Merlino, MP
Treasurer	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Major Projects	The Hon. J. Allan, MP
Minister for Small Business, Innovation and Trade	The Hon. P. Dalidakis, MLC
Minister for Energy, Environment and Climate Change, and Minister for Suburban Development	The Hon. L. D'Ambrosio, MP
Minister for Roads and Road Safety, and Minister for Ports	The Hon. L. A. Donnellan, MP
Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans	The Hon. J. H. Eren, MP
Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries	The Hon. M. P. Foley, MP
Minister for Health and Minister for Ambulance Services	The Hon. J. Hennessy, MP
Minister for Training and Skills, Minister for International Education and Minister for Corrections	The Hon. S. R. Herbert, MLC
Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
Minister for Consumer Affairs, Gaming and Liquor Regulation	The Hon. M. Kairouz, MP
Minister for Families and Children, and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
Minister for Police and Minister for Water	The Hon. L. M. Neville, MP
Minister for Industry and Employment, and Minister for Resources	The Hon. W. M. Noonan, MP
Attorney-General and Minister for Racing	The Hon. M. P. Pakula, MP
Minister for Agriculture and Minister for Regional Development	The Hon. J. L. Pulford, MLC
Minister for Women and Minister for the Prevention of Family Violence	The Hon. F. Richardson, MP
Minister for Finance and Minister for Multicultural Affairs	The Hon. R. D. Scott, MP
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms G. A. Tierney, MLC

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Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms M. Thomas, MP

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

Speaker:

The Hon. TELMO LANGUILLER

Deputy Speaker:

Mr D. A. NARDELLA

Acting Speakers:

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

Leader of the Parliamentary Labor Party and Premier:

The Hon. D. M. ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. J. A. MERLINO

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

The Hon. M. J. GUY

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

The Hon. D. J. HODGETT

Leader of The Nationals:

The Hon. P. L. WALSH

Deputy Leader of The Nationals:

Ms S. RYAN

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

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Allan, Ms Jacinta Marie	Bendigo East	ALP	McLeish, Ms Lucinda Gaye	Eildon	LP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Merlino, Mr James Anthony	Monbulk	ALP
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Asher, Ms Louise	Brighton	LP	Mulder, Mr Terence Wynn ²	Polwarth	LP
Battin, Mr Bradley William	Gembrook	LP	Naphthine, Dr Denis Vincent ³	South-West Coast	LP
Blackwood, Mr Gary John	Narracan	LP	Nardella, Mr Donato Antonio	Melton	ALP
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Bull, Mr Joshua Michael	Sunbury	ALP	O'Brien, Mr Daniel David ⁴	Gippsland South	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
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Carroll, Mr Benjamin Alan	Niddrie	ALP	Paynter, Mr Brian Francis	Bass	LP
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Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Ryall, Ms Deanne Sharon	Ringwood	LP
Edbrooke, Mr Paul Andrew	Frankston	ALP	Ryan, Mr Peter Julian ⁶	Gippsland South	Nats
Edwards, Ms Janice Maree	Bendigo West	ALP	Ryan, Ms Stephanie Maureen	Euroa	Nats
Eren, Mr John Hamdi	Lara	ALP	Sandell, Ms Ellen	Melbourne	Greens
Foley, Mr Martin Peter	Albert Park	ALP	Scott, Mr Robin David	Preston	ALP
Fyffe, Mrs Christine Anne	Evelyn	LP	Sheed, Ms Suzanna	Shepparton	Ind
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Halfpenny, Ms Bronwyn	Thomastown	ALP	Staley, Ms Louise Eileen	Ripon	LP
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Kealy, Ms Emma Jayne	Lowan	Nats	Walsh, Mr Peter Lindsay	Murray Plains	Nats
Kilkenny, Ms Sonya	Carrum	ALP	Ward, Ms Vicki	Eltham	ALP
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McCurdy, Mr Timothy Logan	Owens Valley	Nats	Wynne, Mr Richard William	Richmond	ALP
McGuire, Mr Frank	Broadmeadows	ALP			

¹ Elected 31 October 2015

² Resigned 3 September 2015

³ Resigned 3 September 2015

⁴ Elected 14 March 2015

⁵ Elected 31 October 2015

⁶ Resigned 2 February 2015

PARTY ABBREVIATIONS

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

Legislative Assembly committees

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

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

Joint committees

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

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

Economic, Education, Jobs and Skills Committee — (*Assembly*): Mr Crisp, Mrs Fyffe, Mr Nardella and Ms Ryall.
(*Council*): Mr Bourman, Mr Elasmarr 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 and Ms McLeish. (*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*): 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 November 2016

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

ACKNOWLEDGEMENT OF COUNTRY

The SPEAKER — Order! 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 other elders from other communities who may be here today.

PARLIAMENT OF VICTORIA 160TH ANNIVERSARY

The SPEAKER — Order! Further, this week marks the 160th anniversary of the Victorian Parliament, which met for the first time on 21 November 1856 to transact some initial business. The ceremonial opening was held four days later on 25 November. We can all be proud of the achievements of our Parliament over its 160-year history and look forward to serving the people of Victoria in the years ahead.

DISTINGUISHED VISITORS

The SPEAKER — Order! I would like to acknowledge in our gallery today a delegation from the Parliament of Kenya, led by the Honourable Justin Muturi, the Speaker of the National Assembly. Also accompanying the delegation is His Excellency Mr Isaiya Kabira, High Commissioner for Kenya. On behalf of the Premier, the Leader of the Opposition and all members, we welcome you to the Victorian Parliament.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Victims of crime financial assistance

Mr GUY (Leader of the Opposition) — My question is to the Premier. Korinne Aylward and her partner, Greg Tucker, were brutally murdered at their home on 8 December 2013 while their three young children were in their beds. Korinne's sisters, Maria Aylward and Caitlin Dolman, assumed responsibility for the upbringing of their nephews and niece. In May 2015 and again in August this year Ms Aylward and Ms Dolman pleaded with you directly for help, which you forwarded to the department, which disgracefully told them that if they relinquished the children into state care, they could then apply to have them placed into foster care, where they may be eligible for long-term financial assistance.

Despite 18 months of trying, Maria, who is here today, cannot get any support to help raise her nephews and niece. Premier, is this not yet another example of victims of crime not being given the respect or support they indeed need or deserve under this government?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question. No, these events do not point to that conclusion — far from it. I would hope that all members of this place and the other place and indeed all Victorians would try as hard as possible — and, if given the opportunity, work as hard as possible — to both understand and support the difficulties that victims of crime go through every day. This pain does not go away, and there are some of us who are fortunate enough to be in this place and to have roles and responsibilities where we can provide some small comfort and some small relief.

In relation to the matters that the Leader of the Opposition has raised, I will ask my department to again look into these matters, once question time has concluded. If there are ways in which we can provide further support to this family, then we will do just that. But I do not think it is appropriate for the Leader of the Opposition to draw that conclusion. All of us together should act — not just as government and opposition, but perhaps as a Parliament — to better support all of those in our community who live with the pain and the tragedy of crime each and every day.

Supplementary question

Mr GUY (Leader of the Opposition) — Eighteen months after Maria first contacted you and your government about this tragic situation you, as the Premier of Victoria with all the capacity that brings, have not done anything directly to fix it. Premier, beyond the department looking into it, what undertaking will you give to Maria, who is here today, that you will intervene and guarantee that finally this wrong will be fixed, giving these kids every opportunity of a happy life?

Mr ANDREWS (Premier) — As I have indicated, when question time concludes today I will speak with the secretary of my department and ask him to have a very close and urgent look at this matter. If there is anything further that we can do, then we will. That is the appropriate response, I think, and again, let me just — —

Honourable members interjecting.

Mr ANDREWS — Well, that answer may not suit the purposes of those opposite, but it is my answer.

Ministers statements: unconventional gas

Mr ANDREWS (Premier) — I am very pleased to rise today to recognise a very important occasion in the history of our state. We will today in this place introduce Australia-first legislation to ban all forms of unconventional onshore gas exploration and extraction. No ifs, no buts — all forms of unconventional gas will be prohibited in law once and for all and forever. That is what the community has asked for. Farming communities, the tourism sector and regional families across our state have called for this, and we are delivering it. We are proud that we will be putting that bill before this chamber later this day.

This morning I met with a number of farmers from western Victoria and from Gippsland. They were very pleased, I think it is fair to say, that their campaign has been successful — that they have been listened to and that action has been taken. There is no separating our environment from our economy. When it comes to our clean, green image, when it comes to food and fibre, agribusiness and tourism, and when it comes to jobs, this is the right thing to do. We have been completely consistent on this matter. We made commitments and we delivered them.

Honourable members interjecting.

Mr ANDREWS — And where might those opposite stand? They are all a bit confused. Having given us the Reith review — Mr Consensus, Peter Reith — —

Mr Clark — On a point of order, Speaker, I draw your attention to sessional order 5. It is perfectly appropriate for the Premier to outline a proposed government initiative, but he is now proceeding to debate the issue. I ask you to bring him back to making a ministers statement.

Ms Allan — On the point of order, Speaker, it is entirely appropriate, as the Premier is canvassing new policy and legislative changes that we are planning on making and to canvass the potential success of that legislation through the Parliament. I think it is entirely appropriate that he canvasses these views and he be allowed to continue.

The SPEAKER — Order! The Chair does not uphold the point of order. The Premier, to continue.

Mr ANDREWS — We will wait and see how people vote on these measures, but let me finish with a quote:

The government's decision is a win for Victorian farmers ...

...

We cannot put at risk Victoria's status as the nation's biggest food and fibre exporter ...

Who said that? The Victorian Farmers Federation. That is who said it. Those opposite ought to get on board and vote for this bill.

Youth justice centres

Mr GUY (Leader of the Opposition) — My question is again to the Premier. Following the riot at Parkville and the farce of gazetting the Mill Park police station cells as a youth justice facility, this 24-hour police station is now effectively closed. Police cannot use the station to interview witnesses or process offenders or bring prisoners into the station through the rear access. To make matters worse, those police have reportedly been forced to purchase new mattresses, toilet paper and a Christmas tree in an effort to stop yet another riot. With police already stretched to breaking point, why have you dumped the youth offenders problem at their feet rather than making your own incompetent minister sort it out?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question — one, as is true to form, littered with errors.

Honourable members interjecting.

Mr ANDREWS — Again, littered from start to finish with errors, because the facts are of no interest to the Leader of the Opposition. There were no claims made for any special treatment. The cells at Mill Park were essentially bare. Standard-issue mattresses from Parkville were provided. That is the advice I have — standard-issue mattresses. Those opposite would have people stay without a mattress. The Don Dale brigade over here would not even have mattresses provided.

The question from the Leader of the Opposition is littered with errors. I will take this opportunity, though, to thank our men and women of Victoria Police for the outstanding job they did in a very volatile incident at Parkville and in response to security concerns there, whether it be at Mill Park or in other settings.

We make no apology for having taken the necessary steps to have these 41 offenders moved to a part of the Barwon Prison. That is where they belong. Their behaviour has been appalling; their behaviour has been absolutely outrageous. There are some opposite that are loud now but said nothing when juvenile justice resources were cut by the previous government. So instead of — —

Honourable members interjecting.

The SPEAKER — Order! The Chair is unable to hear the Premier advancing a response to the Leader of the Opposition. The Premier to continue, in silence.

Mr ANDREWS — We will continue to support our Victoria Police members. We will continue to look after the welfare of staff in our correctional facilities, whether it be juvenile justice facilities or adult prisons. And we will always work with the Chief Commissioner of Police to make sure that we are doing everything we possibly can to keep Victorians safe.

Some will criticise the decision to put these 41 offenders in Barwon. Well, they can criticise away because this is the right thing to do and we are doing it. I thank everybody — all of our staff, all of our agencies that have been involved in this matter, and I particularly thank both Minister Mikakos and Minister Tierney for their work on this. Those opposite could not hold a candle to either of them.

Supplementary question

Mr GUY (Leader of the Opposition) — The closure of the Grevillea unit at Barwon to adult prisoners, replacing them with juvenile offenders, will see even more prisoners pushed into already overcrowded police cells. The closure of the Mill Park police cells to adult prisoners — —

Honourable members interjecting.

The SPEAKER — Order! The member for Footscray is warned. The Leader of the Opposition will continue in silence.

Mr GUY — Closure of the Mill Park police cells to adult prisoners will only increase police cell overcrowding. This morning there were 230 prisoners in police cells — more than double the agreed cap of 100. Premier, with a unit at Barwon gone and Mill Park closed to adults, will you rule out any further conversion of suburban police cells into juvenile justice facilities?

Honourable members interjecting.

The SPEAKER — Order! The Minister for Police will come to order. The Premier will respond to a supplementary question as put by the Leader of the Opposition.

Mr ANDREWS (Premier) — Given the gazettals have been made and those inmates — those offenders — are being moved to Barwon, there ought be no need for any further juvenile justice offenders to be housed in police cells. The numbers, those purported

facts put forward by the Leader of the Opposition are in fact wrong — —

Honourable members interjecting.

Mr ANDREWS — Of all the people to lecture people on police cells and the number of people in police cells. We have delivered custody officers, and we are very proud of it. We have brought forward the recruitment of custody officers, and we are very proud of it.

We have made an appropriate response to a set of circumstances foreshadowed by the Ombudsman and ignored for four years by, guess who? Those opposite. We will not be taking lectures from this one on these matters.

Ministers statements: unconventional gas

Mr NOONAN (Minister for Industry and Employment) — I am very pleased to follow the Premier today with a ministers statement to inform the house about how we are protecting agricultural jobs across Victoria. We were elected to put people first, and that means supporting Victorian farmers, their families and regional communities by protecting their produce and their environment. We promised to ban fracking, and today I will introduce legislation to get that done.

Farming communities across Victoria have been waiting for this day for many, many years. That is because a permanent legislative ban brings certainty. I know this day will bring great relief to so many people, including some that have travelled vast distances to be in the Parliament today for this moment. On behalf of the government, I thank you for your passion and I thank you for your advocacy.

I have said it before in this place and I will say it again: the environment is the economy for so many Victorians. It is the economy for our farmers and it is the economy for our important food and fibre industry and all those who rely on it. We are the country's largest producer and exporter of food and fibre products, and over 190 000 people work in this sector. We will not risk the future of this industry and we will not risk those jobs. Yet those opposite are clearly prepared to put those jobs at risk. The Liberals and Nationals have refused to clearly state once and for all whether they support — —

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition and the Premier will come to order. The Chair is on his feet.

Mr Clark — On a point of order, Speaker, the minister is seeking to inform the house about matters relating to his portfolio and is now commencing to debate the issue. I ask you to bring him back to compliance with the sessional orders.

Ms Allan — On the point of order, Speaker, in asking you to rule the point of order out of order, I am indeed making a similar argument as was made previously. The minister who is responsible for this legislation that is to go through the Parliament is entitled to contemplate scenarios about what might happen if that legislation is not successful. This ban will only come into effect once the legislation has passed the Parliament, and I think it is appropriate that he considers what might happen on the way through.

Mr D. O'Brien — Further on the point of order, Speaker, if the minister is going to continue debating the question, I would like him to point out that there is only one side that has ever approved fracking in this state — and it is not this side.

The SPEAKER — Order! The Chair does not uphold the point of order as advanced by the member for Gippsland South, but the Chair does uphold the point of order put by the manager of opposition business. The minister will come back to making a statement.

Mr NOONAN — I would love to be a fly on the wall in your party room when you deal with this matter, because this is a very important day.

The SPEAKER — Order! The minister, in silence and through the Chair.

Mr NOONAN — They are all over the shop on this. You have got the member — —

Honourable members interjecting.

The SPEAKER — Order! The Chair is unable to hear the minister. The Chair is entitled to hear the minister; the minister is entitled to silence. The minister to continue, in silence, through the Chair.

Mr NOONAN — Is it interesting to hear The Nationals trying to claim this now?

Honourable members interjecting.

The SPEAKER — Order! The minister will resume his seat. The Chair ruled and upheld the point of order made by the manager of opposition business. The minister has 13 seconds to continue and finish a ministers statement.

Mr NOONAN — The Andrews government is very proud on this historic day to introduce legislation to ban fracking once and for all, and we say to those opposite: get on board.

Youth justice centres

Mr GUY (Leader of the Opposition) — My question is to the Premier. Last week the Minister for Families and Children, Jenny Mikakos, said that it was a very complex situation at Parkville. Premier, it does not look too complex to Victorians. It looks like a bunch of youths have trashed the place. Your government merely begged or attempted to bribe them to stop. Premier, how many of these rioters have been charged following last week's spree of destruction at Parkville?

Mr ANDREWS (Premier) — I regret to have to inform the Leader of the Opposition that that is a matter for Victoria Police.

Honourable members interjecting.

Mr ANDREWS — Well, there is another policy announcement, apparently. We are going to have members of Parliament issuing charges now if they ever get back onto this side of the house. It is a ridiculous question. That is a matter for — —

Honourable members interjecting.

The SPEAKER — Order! Opposition members will allow the Premier to continue, in silence. The opposition asked a question. The Premier, to continue to respond and be heard.

Mr ANDREWS — It is a matter for Victoria Police.

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Warrandyte and the member for Hawthorn. The Premier is entitled to silence.

Mr ANDREWS — The laying of charges is a matter for Victoria Police. Good practice holds that they have an investigation first. That is what is going on. That is why the relevant section of the Parkville youth justice facility is being treated as a crime scene. Rather than playing politics with these matters, we will let — —

Honourable members interjecting.

Mr ANDREWS — It is a joke now? It is all a joke now. We will let Victoria Police — —

Honourable members interjecting.

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

Mr ANDREWS — Rather than laughing about it or playing political games with it, we will let our dedicated men and women of Victoria Police conduct an investigation and deal with the issue of charges that will then be a matter for prosecution authorities and the courts. But the Leader of the Opposition can rest assured that appropriate investigations are being conducted and the matter is being dealt with by Victoria Police, as it should be. What we can agree on, though, is the comment he made about a group of young people — offenders, inmates — who have behaved appallingly. That is why they find themselves either at Barwon already or on the way to Barwon, where they belong.

Honourable members interjecting.

Mr ANDREWS — I am not sure — —

The SPEAKER — Order! The Premier to continue through the Chair.

Mr ANDREWS — Apparently there is no support for moving these offenders to Barwon. Those opposite do not support moving these offenders to Barwon, and that is a very big difference between our approach and that of those opposite. We are sending these 41 offenders to Barwon Prison, where they belong, and the opposition does not support that. They can explain that to the Victorian community.

Supplementary question

Mr GUY (Leader of the Opposition) — Speaker, no wonder the system is in crisis if the Premier has not even asked how many have been charged. Premier, given you cannot ask that, will you now admit that the government's response to multiple riots in our youth justice system has been woefully inadequate? Your minister, Jenny Mikakos, is an embarrassment. Will you now sack this minister and regain control of our youth — —

Honourable members interjecting.

The SPEAKER — Order! The Chair is unable to hear the Leader of the Opposition. Government and opposition members will come to order. The Leader of the Opposition to continue, in silence.

Mr GUY — Premier, will you now admit that the government's response to multiple riots in our youth justice system has been woefully inadequate? Minister

Jenny Mikakos's approach has been an embarrassment. Will you now sack this minister and regain control, once and for all, of our youth justice system?

Mr ANDREWS (Premier) — It is very clear to every member of the house that the only embarrassment here is the Leader of the Opposition and his ranting and raving. These pre-practised questions full of assertions, full of inaccuracies and insults — they are about all he is good at.

Honourable members interjecting.

Mr ANDREWS — I tell you what: Jenny Mikakos —

Honourable members interjecting.

Mr ANDREWS — could buy and sell you, Sport.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Warrandyte

The SPEAKER — Order! The member for Warrandyte will withdraw himself from the house for the period of 1 hour. The Chair is unable to hear the Premier as a result of interjections from members of the opposition. The member for Warrandyte is to leave.

Honourable member for Warrandyte withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Youth justice centres

Supplementary question

Questions and statements resumed.

Mr ANDREWS (Premier) — Minister Mikakos is doing an outstanding job.

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Malvern

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

Mr M. O'Brien — What a joke.

The SPEAKER — Order! I remind all members that reflections on the Chair's rulings are disorderly. The member for Malvern will make arrangements to see the Chair after question time.

Honourable member for Malvern withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Youth justice centres

Supplementary question

Questions and statements resumed.

Mr ANDREWS (Premier) — If only those who shout a lot now had spoken up when youth justice budgets were cut by their government. They have found a bit of courage now. Four years of neglect and cutbacks — they ought to be ashamed.

Honourable members interjecting.

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

Ministers statements: unconventional gas

Ms NEVILLE (Minister for Water) — Today is a great day for Victorians' water security and the quality of our water. The introduction of legislation into this Parliament to ban fracking — onshore unconventional gas exploration — is so important to ensure that we protect Victoria's critical agriculture industry and to ensure we do not risk our water security. This is another example of how this government is standing up for our community, standing up for regional communities.

We know from the science that fracking could have a substantial impact on water resources. The risks are too high — risks associated with dewatering to access gas and the use of water for fracking. We know these processes could impact groundwater levels and quality, and could have high impacts on waterways and creeks due to the extraction of groundwater.

The critical issue now is whether those opposite are going to support regional communities. Will the Leader of the National Party stand up for regional Victoria? Despite claims he made in the announcement that this reflects National Party policy, we are not really sure what those opposite are going to do. As I discovered last week, the Leader of the National Party seems to be

more strongly standing up for South Australian communities, and he did so during — —

Mr Clark — On a point of order, Speaker, as previously, the minister is proceeding from advising the house about matters relating to her portfolio to debating the issue. In line with your previous ruling, I ask you to bring her back to compliance with sessional orders.

Ms Allan — On the point of order, Speaker, I think it is entirely appropriate for the Minister for Water — and this is a big issue in her portfolio — to be allowed to put on the record in this place comments that have been made by members of this chamber about this issue. It is entirely appropriate because shortly we will be asked to consider the passage of this legislation.

Ms Asher interjected.

Ms Allan — I appreciate the advice from the former Leader of the House, but I might keep going on my own, thanks. Speaker, I ask that you allow the Minister for Water to continue her very effective exposure of the divisions amongst those opposite on this critical issue.

The SPEAKER — Order! The minister has made those remarks in passing. The minister will now come back to making a ministers statement.

Ms NEVILLE — As I was saying, this legislation is critical for Victoria's water security and water quality. We need to make sure this legislation passes this Parliament — the lower house and the upper house — and we need all of those opposite to declare their position.

It was not me saying that the former Minister for Water, the Leader of the National Party, supported South Australia over Victoria. It was actually the South Australian Labor water minister, who seems to be a big fan of the former water minister, claiming that they got a better deal under the National Party water minister. Well, this Labor water minister is going to stand up for Victoria.

Murray-Darling Basin agreement

Ms SHEED (Shepparton) — My question is for the Minister for Water. As chair of the Goulburn-Murray irrigation district (GMID) leadership forum, I am only too aware of the concern in my community and other Murray River communities about the impacts of the Murray-Darling Basin plan. Recent socio-economic impact statements, including the one independently commissioned by my group, have shown the devastating effects of the plan to date and that which may continue if it goes through to full implementation.

Already \$550 million worth of production has been lost each year to the GMID since the plan commenced. We must have some adjustment to the plan. Following the tumultuous ministerial council meeting last week, can the minister advise as to the current state of Victorian government policy relating to the 450 gigalitres of upwater?

Ms NEVILLE (Minister for Water) — I thank the member for Shepparton for her question and her work and leadership around these issues, bringing local communities together. As I have said on a number of occasions, Victoria remains committed to delivering its commitment under the Murray-Darling Basin plan in a way, however, that balances the social, the economic and the environmental outcomes. It is a plan that I remind all members was signed up to by those opposite when they were last in government. All the criteria, including the 450 gigalitres, was signed up to by the former water minister, the Leader of the National Party.

As always, at each meeting I have put the interests of Victorian communities first. We have consistently done that, and I did that again last week in Adelaide. Victoria, as I have pointed out on numerous occasions, has done the heavy lifting. We have already delivered 711 gigalitres, most of which is high-reliability water. We have got 116 gigalitres as part of our water recovery projects, including the connections project. We have got 19 business cases for environmental projects. We have called for more work on the test of the limits of change.

We have also called for a socio-economic plan to ensure that the impacts on our communities are minimised. I have always indicated that there is potential for dire consequences if we do not deliver this plan in a smart and fair way, which is why we started our own socio-economic work. Unfortunately that has already indicated that there is potential for significant impact on horticulture and dairy. Horticulture will be very significantly impacted if we have another long duration of drought.

Increasing evidence suggests that we need to do something differently in order to deliver the 450 gigalitres. It is very clear under the plan that it can only be delivered if there is a neutral or improved socio-economic outcome for communities. Our focus is on delivering the 1075 gigalitres that we are committed to and making sure that the Murray-Darling Basin Authority continues to do the work which we pushed for at the meeting to test the limits of change, to test some of the complementary measures and to see whether we can deliver the 450 gigalitres within the

legislation, which requires a neutral or improved socio-economic outcome.

As I indicated before, my priority is and always has been Victorian communities. This government's priority is Victorian communities. I really do not want the South Australian Labor minister saying that I stood up and was much better support for South Australia, unlike the former water minister. I quote:

Quite frankly I got more support when the Victorian government was run by the Liberals and we had a National Party minister who was also committed to ... the plan.

Rather than giving me advice, maybe those opposite should stand up for Victorian communities and stop defending South Australia.

Supplementary question

Ms SHEED (Shepparton) — What action is the minister taking in negotiations with the commonwealth and other basin states to secure a change in the basin plan which reflects the true bottom line?

Ms NEVILLE (Minister for Water) — At the ministerial council on Friday Victoria sought three key measures. Firstly, we wanted to make sure that the states were at the table in relation to the socio-economic work that the authority was going to do. Secondly, we wanted to ensure there was an independent expert panel to really test the limits of change and ensure that we are testing things like natural cues and complementary measures to see if we can achieve environmental outcomes with a reduction in the socio-economic impacts.

Unfortunately one state did not support our measures, and so New South Wales and Victoria are going it alone to make sure that we ensure that work is done before any further movement on the 450 gigalitres. We will continue to resist and ensure that there are no buybacks and that we do not move forward with the 450 unless we can show there is neutral or better socio-economic work. We all know what the South Australian Labor water minister said about me, but we also know what he said about those opposite, which is that they supported South Australian interests.

Ministers statements: unconventional gas

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — I am absolutely delighted to join other speakers on this side of the house in talking about the benefits to our environment following our decision to ban onshore unconventional gas exploration — fracking — here in Victoria. Firstly, we have made it absolutely clear that this legislation

represents a key plank in our ongoing commitment to regional Victoria. It is a commitment to protect our world-class primary producers, our farming communities and our unique and invaluable natural environment.

Communities have called for the protection of our environment from this high-risk industry. Particularly our farming communities, who The Nationals claim to represent, have made their voices heard loud and clear. Our farmers do not want companies walking through their gates, drilling holes right throughout their properties. They do not want their livelihoods put at risk. They do not want fracking, pure and simple. The wider environmental risks from the operations of fracking, such as land subsidence and the impacts on biodiversity from the widespread drilling required, have made our regional communities justifiably nervous. Just let me quote Hamilton farmer Mal Rowe, who said this morning:

Fracking is fraught with uncertainties, and this now means —

Honourable members interjecting.

The SPEAKER — Order! The Chair is unable to hear the minister. The minister is entitled to silence when making an important ministers statement.

Ms D'AMBROSIO — As Hamilton farmer Mal Rowe said this morning:

Fracking is fraught with uncertainties, and this now means we can go ahead with certainty ...

We can continue growing grass, we can continue producing sheep and cattle, potatoes, wine grapes, strawberries ... We are so thankful for the government for going down this track.

Our government will continue to stand up for farmers, and it is very clear that those opposite will not. We will not sell out the people of Victoria. The question is: will you? Will you sell out the people of Victoria? Because we on this side of the house will deliver on our commitment, and this is a really proud day for Victoria and regional — —

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

Ms Thomas interjected.

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

Firefighters enterprise bargaining agreement

Mr BATTIN (Gembrook) — My question is for the Premier. With temperatures peaking at over 40 degrees,

yesterday was declared a total fire ban day in the Mallee, with fires in Swan Hill and through the Mallee putting communities at risk. On the same day the United Firefighters Union (UFU) went ahead with meetings about the firefighters' enterprise bargaining agreement (EBA) at Trades Hall in Melbourne, with career firefighters, who should have been on standby in the Mallee, down in Melbourne on a total fire ban day, having been required to attend. Minister — —

Honourable members interjecting.

The SPEAKER — Order! The member for Frankston is warned, and so is the member for Bentleigh. The Chair is unable to hear the member for Gembrook while he puts a question.

Mr BATTIN — Premier, does your government endorse the UFU taking away standby fire resources from country Victoria on days of total fire ban to attend union meetings?

Honourable members interjecting.

The SPEAKER — Order! Government members, including the Leader of the House! The Premier has the call to respond to the member for Gembrook's substantive question.

Mr ANDREWS (Premier) — I thank the member for Gembrook for his question. The advice I have is that no such reduction and no such impact on those that were needed for operational purposes occurred.

Honourable members interjecting.

Mr ANDREWS — Those opposite want to ask and answer the question, apparently. To put it another way, on the contention that the member for Gembrook has put forward, the advice I have is that that is wrong. Is that simple enough for those opposite? Never happier than when they are bagging firefighters.

What I will do instead of that approach is I will thank each and every one of our emergency services community, indeed our emergency services family, career and volunteer. The Swan Hill fires were particularly nasty. An appliance was lost and a number of firefighters were injured. I would send our best wishes and our thanks to those people. I would not be spending my time using their brand to raise money for my political party. I would not be bagging the brave men and women of the Country Fire Authority (CFA). I would instead say that we thank all of those — —

Honourable members interjecting.

The SPEAKER — Order!

Mr Battin — On a point of order, Speaker: ‘it needed to be fixed and I fixed it’. It is as simple as that: ‘it needed to be fixed and I fixed it’. We would not have had this issue yesterday if the Premier’s word was true, but he had lied to Victoria yet again.

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

Mr ANDREWS — The member for Gembrook’s assertions are completely and utterly wrong. Let me indicate what Commissioner Lapsley had to say. I think it sums it up both in terms of the character of our firefighters and the approach of the government and the very different approach of those opposite, who are never happier than when they are bagging our firefighters:

... our firefighters, whether career or volunteer, won’t let us down. They haven’t missed a call yet; they won’t miss a call.

I could not agree more, and those opposite would do themselves some credit if they stopped playing political games with the CFA and started supporting those brave men and women who keep us safe.

Supplementary question

Mr BATTIN (Gembrook) — In the face of overwhelming opposition by volunteer CFA firefighters, the UFU and the government have been pushing for ratification of the EBA by the Fair Work Commission for months. However, in an email from the UFU boss, Peter Marshall, the union now admits that the EBA will be found illegal because it contravenes the protections for volunteers put in place in the Commonwealth Fair Work Act 2009. Premier, will you now guarantee that your government will not bypass these new protections by reinstating any invalid, discriminatory or anti-volunteer clauses through common-law deeds?

Mr ANDREWS (Premier) — I am completely and utterly unsure whether there was a question there. I do not know that there was a question there. There was a well-practised speech — or perhaps not well practised at all. What I was essentially asked by the rather confused member for Gembrook is: what will we do? Well, we will continue to support our CFA brigades, we will continue with new trucks, new equipment and bigger budgets.

Honourable members interjecting.

Mr ANDREWS — Have another go. You have had about — —

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Mordialloc

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

Honourable member for Mordialloc withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Firefighters enterprise bargaining agreement

Supplementary question

Questions and statements resumed.

Mr Battin — On a point of order, Speaker, in relation to relevance. The question related directly to common-law deeds to ensure that we protect Victorians. We want to make sure that those common-law deeds are not used by this government to avoid the Fair Work Commission process that Peter Marshall is now trying to avoid going through.

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

Mr ANDREWS (Premier) — The member for Gembrook is a little bit confused — he is just a little bit confused. He has asked me what we will do: more trucks, better equipment, bigger budgets, more support. Not cutbacks but more support for the CFA, something that this member for Gembrook would know nothing about.

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Geelong. I will not warn the member again.

Mr Battin — On a point of order, Speaker, the Premier seems confused on what the question was. The question was would the Premier guarantee that he would not use common-law deeds.

Honourable members interjecting.

The SPEAKER — Order! The Chair has warned the member for Gembrook. The Premier and the

member for Gembrook will come to order. The Premier, to continue.

Mr ANDREWS — I have completed my answer.

The SPEAKER — Order! The Premier has concluded.

Ministers statements: employment

Mr PALLAS (Treasurer) — I rise to update the house on the continuing success of the Andrews Labor government in delivering jobs for the Victorian community. Figures released last week by the Australian Bureau of Statistics show that over 184 000 jobs have been created by this government since it took office. Speaker, 93 000 of those are full-time jobs, which is five times more than those opposite created in four slow, lazy years.

We are the only state that is growing above trend and accelerating, with economic growth now at 3.3 per cent for 2015–16. Let me put that into context: the Victorian economy is now growing four times faster than when those opposite were last in government. The Andrews government is ensuring that Victoria's prosperity becomes Liberal-proof, and we are doing that by banning fracking and protecting the reputation and value of our food and fibre sector.

The member for Murray Plains has taken recently to writing scathing opinion pieces. It is a pity that his contributions in public life really only amount to setting up the Office of Living Better than Victorians. In contrast, in the 2016–17 budget and with the lease of the port, we are delivering over \$3 billion of investment into the regions. The Nationals of course are the Sony Walkmans of the coalition — there are still a few of them kicking around, but nobody is listening to them. The Andrews Labor government is delivering for all Victorians, whether they be farmers, teachers or nurses. We are getting it done.

CONSTITUENCY QUESTIONS

Croydon electorate

Mr HODGETT (Croydon) — (12 012) My question is to the Minister for Health, and I ask: why are basic sanitation facilities not provided in public toilets on Victoria's railway stations? Recently I was made aware of the inadequate state of the public amenities at the Croydon railway station and the unnecessary risk posed for public health. Specifically, an inquiry has been made of Public Transport Victoria (PTV) as to why there is no soap in the male toilets at

Croydon station, after station staff were unable to provide an explanation.

PTV has stated in response to the inquiry, and I quote:

There are no requirements for the provision of sanitation facilities in public toilets in Victoria. In other states, whose regulations we are aware of, the only requirement is to provide running cold water, with the provision of soap and hand drying facilities at the discretion of the provider ...

It is also worth noting that protective services officers (PSOs) use these facilities. Minister, why is such a basic public health need not provided as a matter of course in public toilets on Victoria's railway stations, and what will you do to ensure the public and PSOs are not exposed to unnecessary public health risk?

Carrum electorate

Ms KILKENNY (Carrum) — (12 013) My constituency question is for the Minister for Education. Minister, since coming to office two years ago what has this government done to improve educational outcomes for schools and students in my electorate of Carrum? As the minister knows, the previous Liberal government abandoned schools in Carrum and across the state. Over their one term in government those opposite ripped almost \$1 billion from the education system. Their failure to invest in the future means no new schools will open this year. Many schools were left to rot and were bursting at the seams. Investment in school infrastructure was halved from an average of \$467 million per year in Labor's last term to \$278 million in the last term of the coalition government. They devastated the TAFE system with \$1 billion in cuts, leading to job losses and course and campus closures, leaving TAFEs around the state teetering on the brink of collapse. During the election campaign I made a commitment to the parents and teachers of Carrum that an Andrews Labor government would make education an absolute priority.

Ovens Valley electorate

Mr McCURDY (Ovens Valley) — (12 014) My constituency question is to the Minister for Police, and it is from Delia Jackson of Whitfield who, along with the rest of the community, needs to know when the police station will again be manned at Whitfield. We understand the issues around the sick leave of the former police officer posted there and the minister's continued rhetoric around the Whitfield area being serviced by Glenrowan and other police stations, but the question still remains: when will a full-time police officer be returned?

The Andrews government committed to not closing one-man police stations; however, after nearly two years of no full-time police member at Whitfield effectively the police station is closed to the community. Many locals have seen an increase in theft, drink-drivers, illegal hunting and various other crimes that were not apparent when a full-time member lived within the community. This community needs a date when a member will return. If a train driver goes on sick leave for two years, does the train stop? No, it does not. A replacement driver is found to fill that vacancy. Whitfield needs a resident police officer, and it needs one now.

Sunbury electorate

Mr J. BULL (Sunbury) — (12 015) My question is for the Treasurer. What are the economic benefits of planned growth for my community of Sunbury? On Friday, the Victorian Planning Authority released draft plans for growth in Sunbury and put these plans out for public consultation and feedback. These plans detail Sunbury's future growth and planned infrastructure for the next 30 years. I ask the Treasurer: what are the economic benefits of such growth for the Sunbury community?

Eildon electorate

Ms McLEISH (Eildon) — (12 016) My question is for the Minister for Roads and Road Safety. Minister, what plans are in place for my constituents in the Yarra Valley to access VicRoads offices locally now that you have closed the offices in Healesville and Yarra Junction? Something needs to be done here because the people in my electorate are particularly disadvantaged. There are many examples, but I want you to consider the following situation in relation to the vehicle registration renewal process for pensioners. The payment arrangement requires that they present in person at a VicRoads customer service centre to verify concession card details. For pensioners Healesville to Burwood is some 54 kilometres, and they are forced to drive or at worst get public transport. There are many people in the area who have complained that to present in person is extremely difficult. Some of them find it quite stressful as well, having to drive to the city, so I am very keen to find out what processes are in place to help these people.

Pascoe Vale electorate

Ms BLANDTHORN (Pascoe Vale) — (12 017) My constituency question is to the Treasurer. The question I ask is: what is the Andrews Labor government doing to make housing more accessible for

vulnerable Victorians? I would like to read to the house an email that I received from Tammy, aged eight, from Pascoe Vale South. It states:

I am writing to tell you that there have been a lot of homeless people on the streets of Melbourne including Sydney Road now. I feel quite angry and sad that this happening and the government is not doing much to help. Please can you raise this issue in the Parliament and help the homeless people? A lot of people like my family and friends have given money to the homeless sitting on the streets, but that is just not enough unless the government puts a bit more effort into helping these people. I really hope you can reply soon, and I hope you can/are helping the homeless as well.

...

P.S. Thank you for helping my school to receive the funding to rebuild and I agree my school needs some upgrades.

So I ask the Treasurer: please can you explain for my constituents what the Andrews Labor government is doing to make housing more accessible for vulnerable Victorians?

Caulfield electorate

Mr SOUTHWICK (Caulfield) — (12 018) My question is to the Minister for Roads and Road Safety. Minister, what actions are you taking to ensure Shelford Girls Grammar students are safe when crossing Glen Eira Road, such as installing speed lights and traffic lights? The safety of school students who use road crossings is absolutely paramount. Shelford Girls Grammar in my electorate of Caulfield is deeply concerned that currently students are at risk when crossing Glen Eira Road, with limited safety measures in place. Minister, this is similar to the issue of Glen Eira College and its students being at risk when using the Booran Road pedestrian crossing.

Essendon electorate

Mr PEARSON (Essendon) — (12 019) I direct my constituency question to the Minister for Roads and Road Safety, and the question I ask is: what is the latest information about the process to revegetate the area bounded by the expanded Tullamarine Freeway as part of the CityLink widening project? In terms of this project being constructed, there was a significant volume of vegetation removed, particularly down around Travancore, which is fair and appropriate, but I am very keen and interested, as are many of my constituents, about the process of revegetating this area, both from a noise abatement point of view but also to beautify the area and also to offset carbon emissions.

Sandringham electorate

Mr THOMPSON (Sandringham) — (12 020) My constituency question is directed to the Minister for Public Transport. The Latrobe Street crossing in Mentone on the Frankston line is a very important local transport conduit. It distributes traffic better within the area, providing access to Nepean Highway and the local suburbs of Cheltenham and Mentone and whenever Balcombe Road might be built up. In traffic it provides another traffic course. My question to the Minister for Public Transport is: will the minister take into account the weight of public opinion and the importance of continuing to provide transport access routes as Melbourne's population doubles rather than seeing the closure of the crossing as a good outcome, which has been mooted in some public discussions?

Bundoora electorate

Mr BROOKS (Bundoora) — (12 021) My question is to the Minister for Training and Skills in the other place, and I ask: how will the reopening of the Greensborough TAFE campus benefit my local community? Due to the previous Liberal-Nationals government cuts to TAFE, the TAFE campus at Greensborough, which was run by Melbourne Polytechnic, was closed. Thankfully the anti-TAFE brigade opposite were booted out of office and the Andrews Labor government has invested heavily in TAFE and set about fixing the damage done. The Greensborough campus will reopen its doors to students next year, and I thank the previous minister, Mr Herbert, for his work to deliver this. My community is now very interested in which courses will be offered and how they can access fantastic TAFE education.

**WRONGS AMENDMENT
(ORGANISATIONAL CHILD ABUSE)
BILL 2016**

Introduction and first reading

Mr PAKULA (Attorney-General) introduced a bill for an act to amend the Wrongs Act 1958 to impose a duty of care that forms part of a cause of action in negligence on organisations exercising care, supervision or authority over children to prevent the physical abuse or sexual abuse of those children committed by individuals associated with those organisations, to make consequential amendments to the Victoria Police Act 2013 and for other purposes.

Read first time.

**ADMINISTRATION AND PROBATE AND
OTHER ACTS AMENDMENT
(SUCCESSION AND RELATED MATTERS)
BILL 2016**

Introduction and first reading

Mr PAKULA (Attorney-General) — I move:

That I have leave to bring in a bill for an act to amend the Administration and Probate Act 1958 in relation to intestacy and other matters relating to the administration of estates, including fees and commissions, to amend that act, the Guardianship and Administration Act 1986 and the Powers of Attorney Act 2014 in relation to ademption, to consequentially amend other acts and for other purposes.

Mr PESUTTO (Hawthorn) — I seek a longer explanation.

Mr PAKULA (Attorney-General) — I thank the member for Hawthorn for his question. This bill implements outstanding recommendations from the Victorian Law Reform Commission's *Succession Laws* Report of 2013 — indeed a report that was commissioned by the former Attorney-General, as I understand it. Those outstanding recommendations relate to intestacy, executors' fees and the law of ademption.

Motion agreed to.

Read first time.

**CONSUMER ACTS AMENDMENT
BILL 2016**

Introduction and first reading

Ms KAIROUZ (Minister for Consumer Affairs, Gaming and Liquor Regulation) — I move:

That I have leave to bring in a bill for an act to amend the Associations Incorporation Reform Act 2012, the Conveyancers Act 2006, the Motor Car Traders Act 1986, the Sale of Land Act 1962, the Second-Hand Dealers and Pawnbrokers Act 1989 and the Veterans Act 2005 and for other purposes.

Mr CLARK (Box Hill) — I ask the minister to provide a brief explanation of the bill.

Ms KAIROUZ (Minister for Consumer Affairs, Gaming and Liquor Regulation) — I thank the member for his question. This bill will amend a number of acts in the consumer affairs portfolio to improve their operation, clarify their requirements and update any outdated references.

Motion agreed to.

Read first time.

**RESOURCES LEGISLATION
AMENDMENT (FRACKING BAN)
BILL 2016**

Introduction and first reading

Mr NOONAN (Minister for Resources) — I move:

That I have leave to bring in a bill for an act to amend the Mineral Resources (Sustainable Development) Act 1990 and the Petroleum Act 1998 to prevent the exploration and mining of coal seam gas, to ban hydraulic fracturing and to impose a moratorium on petroleum exploration and production in onshore areas of Victoria, to enable the minister to pay for the surrender of licences, leases and permits, to make consequential amendments to the Resources Legislation Amendment (BTEX Prohibition and Other Matters) Act 2014 and for other purposes.

Mr SOUTHWICK (Caulfield) — I ask for a further explanation of the bill.

Mr NOONAN (Minister for Resources) — The Resources Legislation (Fracking Ban) Amendment Bill 2016 implements the government's response to the parliamentary inquiry into onshore unconventional gas by amending the Petroleum Act 1998 and the Mineral Resources (Sustainable Development) Act 1990 to ban onshore unconventional gas activities and implement a legislated moratorium on onshore conventional gas exploration and development until 30 June 2020.

Motion agreed to.

Read first time.

CLIMATE CHANGE BILL 2016

Introduction and first reading

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — I move:

That I have leave to bring in a bill for an act to repeal and re-enact with amendments the Climate Change Act 2010, to establish greenhouse gas emissions reduction targets for Victoria, to set out policy objectives and guiding principles, to provide for climate change planning and reporting, to provide for forestry rights and carbon sequestration rights and to make consequential amendments to the Environment Protection Act 1970 and for other purposes.

Mr SOUTHWICK (Caulfield) — I seek a further explanation of the bill.

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — The Climate Change Bill 2016 repeals and re-enacts with amendments the Climate Change Act 2010. This will establish greenhouse gas emissions reduction targets for Victoria, set out policy objectives and guiding principles, provide for climate change planning and

reporting, provide for forestry rights and carbon sequestration rights and make consequential amendments to the Environment Protection Act 1970.

Motion agreed to.

Read first time.

**URBAN RENEWAL AUTHORITY
VICTORIA AMENDMENT
(DEVELOPMENT VICTORIA) BILL 2016**

Introduction and first reading

Ms ALLAN (Minister for Major Projects) — I move:

That I have leave to bring in a bill for an act to amend the Urban Renewal Authority Victoria Act 2003 to abolish the Urban Renewal Authority Victoria, to establish Development Victoria as its successor in law, to set out a process for the transfer of certain nominated projects under the Project Development and Construction Management Act 1994 to Development Victoria for it to develop or manage the development of the projects, to consequentially amend other acts and for other purposes.

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

Ms ALLAN (Minister for Major Projects) — Early this year around budget time the government made a commitment to establish the new entity Development Victoria, and this bill gives effect to that commitment.

Motion agreed to.

Read first time.

PRIVILEGES COMMITTEE

Right of reply: Mrs Karina Okotel

Ms NEVILLE (Minister for Police) presented report on right of reply, together with appendix and extract from proceedings.

Tabled.

Ordered to be published.

**SCRUTINY OF ACTS AND REGULATIONS
COMMITTEE**

Alert Digest No. 16

Ms BLANDTHORN (Pascoe Vale) presented *Alert Digest No. 16 of 2016* on:

Creative Victoria Bill 2016

Heritage Bill 2016
Owner Drivers and Forestry Contractors
Amendment Bill 2016
Small Business Commission Bill 2016
Working with Children Amendment Bill 2016

together with appendices.

Tabled.

Ordered to be published.

DOCUMENTS

Tabled by Clerk:

Auditor-General — Report on the Annual Financial Report of the State of Victoria, 2015–16 — Ordered to be published

Coroners Court of Victoria — Report 2015–16

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Beaches between Warrnambool and Port Fairy

Flagstaff Gardens

Lynch's Bridge Historical Precinct Reserve

Order under s 17D granting a lease over
Mordialloc-Mentone Beach Park

Crimes (Controlled Operations) Act 2004 — Reports 2015–16 of the Victorian Inspectorate under s 39 (two documents)

Fisheries Act 1995 — Report 2015–16 of the Victorian Inspectorate under s 131T

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Return November 2016 and Summary of Variations Notified between 2 September 2016 and 18 November 2016 — Ordered to be published

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

Brimbank — C185

Campaspe — C105

Cardinia — C213

Greater Geelong — C337

Macedon Ranges — C103

Maribyrnong — C108

Mildura — C96

Mornington Peninsula — C191

Mount Alexander — C79

Whittlesea — C68, C201

Victorian Law Reform Commission — The Role of Victims of Crime in the Criminal Trial Process — Ordered to be published

Victoria's Mental Health Services — Report 2015–16

Wildlife Act 1975 — Reports 2015–16 of the Victorian Inspectorate under s 74P (two documents).

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

Victorian Funds Management Corporation Amendment Act 2016 — Whole Act — 1 January 2017 (*Gazette S346, 15 November 2016*).

ROYAL ASSENT

Message read advising royal assent on 15 November to:

Alpine Resorts Legislation Amendment Bill 2016
Child Wellbeing and Safety Amendment
(Oversight and Enforcement of Child Safe
Standards) Bill 2016

Powers of Attorney Amendment Bill 2016
Sentencing (Community Correction Order) and
Other Acts Amendment Bill 2016

State Taxation Acts Further Amendment
Bill 2016

Traditional Owner Settlement Amendment
Bill 2016

Victorian Fisheries Authority Bill 2016.

APPROPRIATION MESSAGES

Message read recommending appropriations for:

Creative Victoria Bill 2016

Heritage Bill 2016

Small Business Commission 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 November 2016:

Crimes Legislation Further Amendment Bill 2016

Energy Legislation Amendment (Feed-in Tariffs and Improving Safety and Markets) Bill 2016

Family Violence Reform Implementation Monitor Bill 2016

Heritage Bill 2016

Small Business Commission Bill 2016.

I am only going to make a few short remarks on this program that is before the Assembly for potential endorsement today. I am hopeful that it will be endorsed today. It contains five bills covering significant matters for members to consider in key areas of government priority. Particularly those bills in the family violence and energy spaces will no doubt attract interest from honourable members. On that point, there has been a request from the Liberal-Nationals opposition to examine in greater detail the Energy Legislation Amendment (Feed-in Tariffs and Improving Safety and Markets) Bill 2016. Barring unforeseen circumstances, I cannot see why that cannot occur, and we will potentially look at doing that on Thursday afternoon.

The only other matter to which I would like to draw the attention of the house is the very happy return to this chamber of the Minister for Sport, Minister for Tourism and Major Events, and Minister for Veterans, the member for Lara. How thrilled we are to see him back in strong, robust health. I am sure he will be very keen to once again make his mark on this place on behalf of his electorate and his portfolios. With those few words, I commend the program to the house.

Mr CLARK (Box Hill) — The opposition does not oppose the government business program. We believe that the program is not a particularly onerous one. Indeed there are probably many areas in which the community might expect the government to have brought legislation to this house, particularly to tackle the law and order crisis that is engulfing our state at present, but that legislation has not appeared and is not proposed for the business program this week.

Needless to say most legislation is significant in its area, and I am sure there will be close attention paid to the effectiveness of the government's proposals in relation to the relatively modest range of matters in the Crimes Legislation Further Amendment Bill 2016. There will be examination of the operation of the proposed family violence reform implementation monitor. There is a very voluminous rewrite of the heritage legislation, which will bear scrutiny no doubt in this place and also in the other place. There is legislation for the establishment of a Small Business Commission, and again the content of that legislation will no doubt merit scrutiny here and probably even more so in the other place.

Finally, there is the Energy Legislation Amendment (Feed-in Tariffs and Improving Safety and Markets) Bill 2016. As the Leader of the House has indicated, it seemed to the Liberal-Nationals coalition that this was a bill that particularly merited consideration in detail in this chamber, and we are pleased that the government has agreed to that proposal. I think the government will find, as we have argued all along, that that will help explore a number of the issues relating to that bill, and having that bill considered in this house, particularly when both the minister and the shadow minister are in this house, will enable a number of issues relating to that bill to be canvassed more effectively in this place than would be the case if the bill needed to be considered in detail in the other place instead. For those reasons the opposition parties do not oppose the government business program.

Mr McGUIRE (Broadmeadows) — Improving the system for protecting vulnerable children and criminal justice, taking care of business, a better deal for energy users and broadening Victoria's heritage are the hallmarks of this week's government business program. I think it just shows the values of the Andrews government — the breadth that we are looking at in relation to economic development, getting social progress on critical issues and taking care of our most vulnerable.

I do want to commend to the house the bill that looks at family violence, the Family Violence Reform Implementation Monitor Bill 2016. This joins a couple of propositions looking at scrutiny, accountability and compliance, which are the critical issues in terms of the abuse of children. I am glad to hear that the setting up of an independent monitor to report to the Parliament is going to get bipartisan support, because that references back to what was done with the landmark *Betrayal of Trust* report and also the recommendations from the Royal Commission into Family Violence. Again that goes to critical issues.

Taking care of small business is important because small business is the backbone of the economy and Victoria is the leader in small business. Small business generates almost half of the private sector jobs in the state. Here is another piece of legislation that will help drive business further.

Also on the heritage proposition, I think it is really important as well. In regard to the energy legislation, we are going to go into committee or examine this in detail. I think that is a good proposition that the government has offered the opposition and covers off any concerns, which can be debated.

I would also like to acknowledge the return of the Minister for Sport and Minister for Veterans. He was at Remembrance Day when he made his first formal connection back, and I remind the house of the significance, historically, of that. The Victorian Minister for Veterans' grandfather fought on the Turkish side at Gallipoli, and here he is. Within two generations he has risen to the position of a minister of the Crown for veterans in the Victorian Parliament. I do not think there are many other countries where this could happen, and I think it goes to the whole proposition of how we evolve and how, if I can use that phrase that references back to Atatürk, we can go forward side by side. I commend the government business program to the house.

The DEPUTY SPEAKER — Order! I also concur with the member for Broadmeadows in terms of the member for Lara.

Mr HIBBINS (Pahran) — I rise just to speak briefly on the government business program. The Greens will not be opposing the government business program in this instance. We have got five bills on the program. I note that the Energy Legislation Amendment (Feed-in Tariffs and Improving Safety and Markets) Bill 2016 will be going into consideration in detail, which the Greens certainly welcome because obviously we have a very strong interest in that particular piece of legislation and certainly welcome the government making good, if only part way, on its commitment to make consideration in detail a standard feature of bills through this place. We welcome that commitment.

I would also like to join with other members in welcoming the Minister for Sport back into the chamber. The Greens will not be opposing the government business program in this instance.

The DEPUTY SPEAKER — Order! I was going to say that maybe we get him to come back more often!

Mr PEARSON (Essendon) — I am delighted to make a contribution in relation to the government business program. I too welcome back the Minister for Sport. Is there not a great feeling of love in this magnificent chamber today? There is great bonhomie, great goodwill. It is wonderful to have a strong and wonderful member of the Andrews Labor government back where he belongs: on the front bench, in his place, getting on with it, delivering. It is wonderful to be here.

It is probably pretty close to half-time in the term of this government, nearly two years in. It is just fantastic. Week in, week out we come to this place to discuss the

exciting things that this government is doing to further the interests of our constituencies and to build a better, safer, more harmonious and more cohesive Victoria. This government business program builds on that and adds to that. It is a very solid program. Again it delivers on some of our election commitments — and if you are looking at the Family Violence Reform Implementation Monitor Bill 2016, that is part of that — but it also relates to business as usual, which you would expect.

We have had the highs and lows of the temperature in Melbourne yesterday and today, but the business of government just ploughs on, and I am just so excited to be here on the floor of this great place as a member of the Andrews Labor government, getting on with it, getting things done. It is half-time. In the context of a 42.2-kilometre marathon, we are turning down Beach Road in Elwood and we are heading back to the G. That is what we are doing: we have turned the corner and we are heading back; we are half way through. It is just fantastic: We are getting on with it. I am delighted to have a business program like this. It is a magnificent business program with five bills — count them, five. It is just fantastic. On that note, I commend the business program.

Mr CRISP (Mildura) — I rise to speak on behalf of The Nationals on the government business program. The Nationals in coalition are not opposing the business program this week. The bills that we have on the list are the Family Violence Reform Implementation Monitor Bill 2016, which will establish a family violence reform implementation monitor; and the Crimes Legislation Amendment Bill 2016, which is mostly about, in my view, the Supreme Court concurrently hearing summary offences when the prosecution discontinues with an indictable offence. This is an efficacy measure, I think, within the court system.

The Energy Legislation Amendment (Feed-in Tariffs and Improving Safety and Markets) Bill 2016 is one that I think is of a great deal of interest, and I hope some time will be spent not only in the debate on this but to consider it in detail. I think all of us have an interest in energy, and energy is extremely important, particularly in my electorate. We are a long way from the edge of the grid, but we also have great opportunities for renewable energy, and there are a number of sites that are active within the Mildura electorate. There is also the Heritage Bill 2016, which looks at various issues relating to our heritage. Debate on this will probably divert to a particular pub that disappeared and now is set to reappear. There is also the Small Business Commission Bill 2016, which is to re-enact some legislation. As I said, certainly consideration in detail of the energy bill is a feature of

this week, and I do look forward to that debate. I too would like to welcome back the Minister for Tourism and Major Events. There is an outstanding invitation for him to visit Lake Tyrrell at Sea Lake, and I renew that invitation for him to come and have a look at a tourist attraction that appears to be fascinating our Chinese visitors. With that, The Nationals are not opposing the business program.

Motion agreed to.

MEMBERS STATEMENTS

Heart disease awareness

Mr EREN (Minister for Tourism and Major Events) — Many in the house will know that this is my first full week back at Parliament after a Father's Day heart attack left me clinically dead for 3 minutes — and I thank all of those members who sent their well wishes to me; I sincerely thank you all. As a mild discomfort in my chest slowly became a searing pain, I had no hesitation in making a beeline for the Geelong hospital. I had only just made it through the doors of the busy emergency department when my heart stopped. I owe a debt of gratitude to the doctors and nurses on duty that day who saved my life. My heartfelt thanks to Bron Bohan, Lisa Woodmason, Audra Mee and Rhoda Jamieson, and to cardiologist Dr Adam Hutchison and radiographer Michelle Viken.

There is nothing I can do to repay the debt other than spread the message about how vital it is for us all to listen to our bodies and ensure that we be checked up straight away if we are suffering from any of the heart attack warning signs. These can include discomfort or pain in the centre of your chest or upper part of your body; feeling short of breath, nauseated, dizzy or light-headed; and developing a cold sweat. Each year around 55 000 Australians suffer a heart attack — one every 10 minutes. For those not as fortunate to be in the right place at the right time, like I was, survival rates can be as low as 3 per cent. I am grateful for the care and attention I received from all of the wonderful staff at University Hospital Geelong. Without them I may not be standing here today. I really do sincerely say to everybody to take care of themselves, and if they feel that they need to go to the doctor, they should go immediately.

Safe Schools program

Mr HODGETT (Croydon) — I rise to express concerns raised by numerous constituents within my electorate of Croydon regarding the Andrews government's highly controversial Safe Schools

program. Whilst it is described as an anti-bullying program, it is better described as a radical social engineering program masquerading as an anti-bullying program. We all abhor bullying, especially of those who are different and who may be experiencing sexual identity issues. Yet this program prioritises a fringe ideology over practical care.

Governments should not tell children as young as seven that their gender is fluid or have a societal construct imposed on them. Teachers are not doctors, and parents, not the government, should decide if their child participates. Currently parents have no say. Children should not be asked to role play their sexuality in class and should not be exposed to potentially pornographic materials, as the independent federal review into the program found. The Premier should focus on improving education outcomes for students, not brainwashing them in schools.

Maroondah Hospital

Mr HODGETT — Last week I had the pleasure of attending the 40-year anniversary celebration of Maroondah Hospital. Since it was opened in 1976 by the then Victorian Governor, Sir Henry Winneke, the hospital has continued to grow and today is at the centre of community health in Maroondah, servicing a large catchment area and providing essential medical care to my constituents in Croydon. Maroondah Hospital is a teaching hospital, provides 24-hour emergency care and secondary acute care, and is a major provider of acute adult mental health services. It was a pleasure to meet with the dedicated staff and volunteers in the hospital to hear their stories and celebrate this milestone. I wish it every success in its continued service to the people of Maroondah.

Mernda rail extension

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — I rise to speak on an incredibly important piece of work this government is doing to put the people of Victoria first, in particular the people of Melbourne's north. Last week I joined the Premier and Danielle Green in my electorate to announce that this government, the Andrews Labor government, will build the Hawkstowe station in South Morang. For one of the fastest growing regions in Melbourne, this announcement is a significant one. The \$600 million Mernda rail extension plan includes three new stations, two of which — Hawkstowe and Marymede — are in my electorate. All three stations are expected to take 8000 passengers each day. The rail extension is a much-needed link to the city that will allow tens of thousands of people quick and easy access

in and out for work, for school and for families. To help remove and reduce congestion, the integrated project includes links to new walking and cycling paths, bus connections and the construction of 2000 new car park spaces.

Importantly this project is not just about the train line itself and linking my electorate to the city. It is also about creating 3000 jobs: 1200 directly during construction, and as many as 1800 indirectly through suppliers and other businesses. Like every major project, the Andrews Labor government has made a commitment that 10 per cent of the work will be carried out by new trainees, apprentices and engineering cadets. This gives young and reskilling workers a head start in their career or ongoing work. Construction of the extension will begin next year, with trains expected to be running on the new line by early 2019. As a government, we were elected to put people first. The construction of the Mernda rail line is just one part of that.

Police numbers

Mr T. BULL (Gippsland East) — Police data show the number of full-time equivalent sworn officers in rural and regional Victoria fell by over 80 between November 2014 and June 2016. With crime rates having increased significantly in many country areas, including East Gippsland, it is time the minister provided more staff to deal with the issues we are confronting.

I have also raised time and again the need for more police in holiday areas when coastal town populations explode, as is about to occur. Police in country areas simply cannot cater for the number of people during holiday season that their regular rosters cater for during non-holiday periods. They need more help. However, what is more alarming is that police levels in country areas have dropped in the past two years. It is time for the government to act.

Wild dogs

Mr T. BULL — The recent announcement by the government on the structure of the new wild dog management advisory committee has caused unrest in communities, including mine. The structure of having three landholders only, together with three non-landholders, is not anything like the previous Wild Dog Advisory Committee, which had strong landholder representation.

It has also caused concern that the independent chair is Labor upper house member Harriet Shing who, with great respect to Harriet, has absolutely no knowledge or

history of dealing with wild dogs. With Ms Shing as the chair and three hand-picked non-landholder government-appointed representatives, this does not provide the landholders with any influence in decisions that they should have.

Lakes Entrance seafood festival

Mr T. BULL — I wish to throw my support behind the proposal presently being discussed in the Lakes Entrance community to hold a seafood festival in the town. It has great potential to be a massive support to the local economy and attract people from outside the region.

Government achievements

Ms SULEYMAN (St Albans) — Next Tuesday marks two years of the Andrews Labor government putting people first. In my electorate of St Albans, we have done exactly that. We have put people first in areas such as removing dangerous and congested level crossings at both Main Road and Furlong Road. We have also built two brand-new stations. We have promised and delivered works to build the \$200 million Joan Kirner Women's and Children's Hospital at Sunshine. But there is more.

We have seen a record \$2.1 million invested in education for local schools in St Albans. The breakfast clubs are funded to help kids get a healthy start and the best start to the day. We have seen the doctors in schools program for Keilor Downs Secondary College, St Albans Secondary College and Victoria University Secondary College in St Albans.

We have seen the induction of protective services officers at Sunshine police station putting more cops out on the beat, and funding for crime safety initiatives for both the St Albans and Sunshine shopping precincts.

We have seen the M80 upgrade. Already we have seen the commencement of upgrades to the ring-road from Sunshine Avenue, St Albans, and the installation of safety barriers and the duplication of lanes along the E. J. Whitten Bridge. There is much more.

The Andrews Labor government was elected to put people first, and it has not wasted a single day in doing this.

Cmdr George Nekrasov

Mr MORRIS (Mornington) — I rise today to acknowledge the passing of Commander George Nekrasov, Royal Australian Navy (retired), OAM.

Commander Nekrasov was the first non-British-born subject to accept the Queen's commission as an officer of the Royal Australian Navy (RAN). He was a weapons electrical engineer, responsible for maintaining ships' combat and fire control systems. His service saw him based in Canberra, Sydney and Melbourne, as was the way of life in the navy, and included involvement with the war in Vietnam. He rose to fleet weapons engineer electrical officer and retired with the rank of commander.

Beyond the fleet George was involved in the recovery effort at Darwin after Cyclone Tracy, itself a massive undertaking. His community work included long-term involvement with the Russian Orthodox Church and time as the founding chairman of the Russian Ethnic Representative Council of Victoria, and he was recognised with the award of the Medal of the Order of Australia.

George was also an interpreter and translator, and later in life a published author with two books to his credit. *North of Gallipoli — The Black Sea Fleet at War 1914–1917* is a detailed study of the Russian Imperial Navy's operations in the Black Sea during World War I. *Expendable Glory*, published in 2004, tells the story of a single obsolescent Russian battleship, the *Slava*, that played a vital but under-appreciated role in the outcome of World War I.

I came to know George later in his life as an active and a very committed supporter of the Liberal cause. George Nekrasov was a contributor. His service to his adopted nation, to the RAN, to the Victorian Russian community, to scholarship — particularly naval history — and to politics was selfless and diligent. I extend my sincere condolences to his wife, Christine, and his family. Vale George Nekrasov.

Yuroke electorate students

Ms SPENCE (Yuroke) — I rise to congratulate students at primary and secondary schools in the Yuroke electorate who will soon conclude their schooling and move on to other secondary schools and the next phase of their lives, and to also congratulate students who have been nominated for the 2016 Yuroke award.

This is a momentous time for any young person and their loved ones, particularly students who are graduating from secondary school, as they start their lives as adults by entering tertiary education or the workforce. One such student in my electorate is Thomas Pastras who, despite facing some personal difficulties, graduated from Kolbe Catholic College last

week. Well done, Thomas, your family and friends are very proud of all your achievements.

Each year I invite schools to nominate an outstanding student to receive the Yuroke award. This is a tradition started by my predecessor, Liz Beattie, and is a great way to recognise students for a wide variety of reasons, including academic or sporting achievement, overcoming adversity or making a notable contribution to their school community. I congratulate all those who have been nominated this year, including Ishita Singh, Ara Alcazar, Paris McFarland, Reagan Miller, Vicki Haitidis, Ethan Forryan, Christian Zoiti, Hirani Nair and Alyvia Italiano, on being recognised by their schools this year. I would also like to particularly note Jet Yang who, despite facing some very serious difficulties in his personal life, is graduating from Craigieburn Secondary College this year. Well done and best wishes to Jet.

Sincere congratulations to all the students in the Yuroke electorate. I very much look forward to visiting many schools in the coming weeks and meeting graduating students.

Infrastructure Victoria draft strategy

Ms ASHER (Brighton) — I wish to draw the house's attention to *Victoria's Draft 30-year Infrastructure Strategy* dated October 2016. I wish to draw to the house's attention a number of alarming components of this and call on the government to reject the components that I will mention. Page 5 of this report reads as follows:

Suburbs in Melbourne's east and south are particularly well placed to cope with extra demands on existing infrastructure ...

The report then goes on to say, on page 41, the following:

Land use planning decisions should factor in the capacity of existing infrastructure. For example, greater densification of housing in established areas that are already well serviced with infrastructure is more efficient than providing new infrastructure in new areas.

Again on page 41 the report goes on to say:

These recommendations have the potential to transform the economic and social fabric of the state ...

I have to say I agree with that comment, alarming as it is. These recommendations have the capacity to transform suburbs such as Brighton, Brighton East, Hampton and Elwood.

They have the capacity to transform these suburbs in a most undesirable manner. We already have a significant amount of development in our suburbs, and I can say to the government: enough is enough. If it proceeds in the direction of this report, I suspect there will be rebellion on the streets of Brighton and in other suburbs, and I urge the government to reject this.

Government achievements

Ms KILKENNY (Carrum) — Two years in and what a difference the Andrews Labor government has made to our quality of life in Victoria. Victoria has the fastest growing economy. More than 180 000 jobs have been created. We have seen record investment in health, education and infrastructure spending. Business confidence is booming. Victoria is in a state of momentum, and for individuals and families in Carrum life is just so much better under the Andrews Labor government.

Planning work has begun, and construction will start in 2018, to remove four of the most dangerous and congested level crossings on the Frankston rail line. Schools in Carrum shared in more than \$2 million of extra funding this year alone as we delivered on our Gonski funding commitment. Breakfast clubs have started at many of the local schools in my electorate, making sure that our kids start school with full stomachs. Both Patterson River and Carrum Downs secondary colleges will get doctors in schools from next year.

Work has begun on the duplication of Thompson Road, a key election commitment that will improve road safety and the efficiency of freight and commuter transport in the south-east. The notorious Wedge Road intersection in Carrum Downs has finally been upgraded, making life so much easier for local residents. The frequency of dredging at the mouth of the Patterson River, home of the busiest launching place for recreational boat users in Victoria, has increased. Communities in Carrum Downs and Skye will get a new sports and community pavilion thanks to \$1 million from the Andrews Labor government. So many sports and community clubs have received crucial and record levels of funding for equipment, uniforms and training. The Andrews Labor government is getting on with it and putting people first in Victoria and in Carrum.

Mildura region storm damage

Mr CRISP (Mildura) — I live at Merbein West, and on the Friday night a severe storm struck the region of Merbein, Mildura and Red Cliffs. I could immediately

see the devastation caused by this mini-tornado. As I drove around everywhere I looked I saw lives that had been changed, but to my amazement no-one appeared to be seriously injured. I was heartened to see neighbours checking on neighbours and chainsaws already at work on the recovery process.

In the days since I have spoken to and worked with the State Emergency Service, the Country Fire Authority, Powercor, the Mildura Rural City Council and various volunteer groups who are on the ground helping with the clean-up. Without such a show of manpower the emergency would still be upon us. Job lists grew as fast as others were being resolved, but these workers never gave up.

The federal and state leaders of the National Party have visited our region to inspect the damage, particularly to our horticultural areas, as we now turn our minds from the immediate response to the storm to the region's long-term recovery. With so much damage, recovery is going to be slow. Buildings take time to fix and vines even longer to produce new crops. Fortunately Mildura is a resilient community. We will rebuild, but we are going to need a helping hand along the way. I am consulting with all levels of government to seek out and secure support for my community. Our focus must now be not only on the physical rebuilding and re-establishment of our horticultural blocks but also on community and grower confidence. The electorate has faced tough times before, but the recovery will define us.

Eltham Festival

Ms WARD (Eltham) — On 12 and 13 November scores of talented performers joined with community groups and residents at Alistair Knox Park for the annual Rotary Eltham Festival. On Saturday night we had amazing fireworks light up our sky, and on Sunday, despite the rain, we saw throngs of people weave in and out of stalls, having a fantastic time. As always, the Rotary Club of Eltham did a magnificent job of pulling together this very popular festival. It is estimated that over 1300 volunteer hours were worked in organising and staffing the festival, which is an amazing effort. I congratulate and thank Jill Ramsay and the Eltham Rotary team for their extraordinary job in creating a wonderful festival that is enjoyed by thousands of local residents.

A special shout-out to the rascals at the Eltham Men's Shed and Older Men New Ideas, who created an amazing display, the floating mystic. I would very much like to thank Lily McCarthy, Estelle McDonald and Charlotte Lane from Catholic Ladies' College in Eltham, whose beautiful voices and acoustic music

provided much-needed warmth and cheer for my tent amid the bad weather on the Sunday. These very talented girls did a wonderful job, and their music was enjoyed by an enthusiastic, albeit wet, audience.

Remembrance Day

Ms WARD — In my community we had two services to commemorate Remembrance Day, one at the Eltham cenotaph and one at the Montmorency-Eltham RSL. As always, both were inclusive, friendly and special memorial services to honour those who fought for our country and especially those who lost their lives in this war that was to end all wars. I thank the new president of the Montmorency-Eltham RSL, Duncan Duke, and former president, Bill McKenna, as well as the Eltham Men's Shed for their thoughtfulness and thoroughness in organising these two wonderful services and for bringing our community together. Moving words were spoken, and it was a wonderful, lovely morning. Veterans who have served in more recent times were included in the commemoration of this significant day of 11 November.

Hazelwood power station

Mr BLACKWOOD (Narracan) — We have heard a lot over the past two weeks about the fallout from the impending closure of the Hazelwood power station. Daniel Andrews and his government are complicit in a decision that is going to devastate the Latrobe Valley and undermine energy security across the country. They have refused to look at real alternatives, ignored genuine employment opportunities for Hazelwood workers and their families, and chosen to ignore the massive hit that will be delivered to the economy of Gippsland.

People in my electorate are asking why — why would Daniel Andrews do this or allow it to happen? As the old saying goes, 'If you sleep with dogs, you are bound to wake up with fleas'. This can be applied to the Andrews government-Greens alliance that is currently governing Victoria. During a recent sitting week the member for Prahran put a question to the Premier that was based on a total lie. The premise of the question was that all of the Leadbeater's possum's habitat would be logged by 2018. This is a blatant lie and deliberate deception of this Parliament aimed at influencing the outcomes of the Forest Industry Taskforce.

Given the actions of the Andrews government — or the lack of action with the closure of Hazelwood — their alliance with the Greens and their total dependence on Green preferences to remain in government, the people

of Gippsland are extremely nervous. If the Andrews government does not shut down the Forest Industry Taskforce, Australian Paper will be the next major Latrobe Valley employer to close. Another 1000 direct and 4000 indirect Latrobe Valley jobs will be gone at the hands of Daniel Andrews.

The DEPUTY SPEAKER — Order! I did not want to stop the honourable member for Narracan, but he has been in this place for a while. Firstly, you do not accuse others of lying in this house — you just do not do it — and I will not put up with that in the future.

Mr Blackwood interjected.

The DEPUTY SPEAKER — Order! Sit down. Secondly, you address honourable members by their titles in this house, not by their names. That is the custom and practice. I did not interrupt the member for Narracan. This is just a warning for next time.

Moonee Ponds paramedics

Mr PEARSON (Essendon) — I would like to acknowledge the hardworking paramedics from the Moonee Ponds ambulance station who did a power of work last night. I understand that there was a call coming in every 4 seconds across the metropolitan network. There were 1900 calls between 6.00 p.m. and 11.00 p.m., which is six times the normal workload. Our paramedics do a fantastic job. I am so proud of the work done by the hardworking paramedics at the Moonee Ponds ambulance station.

Awate Awards

Mr PEARSON — I was delighted to attend the Awate Awards, which are organised by the Eritrean community for their recently graduated students. This was a great celebration of the achievements of many young people from the Eritrean community. Congratulations to Al-amin Idris for organising a wonderful event.

Rotary Club of Essendon

Mr PEARSON — Congratulations also to the Rotary Club of Essendon for arranging four steam train trips involving the City of Melbourne that departed Essendon station on Sunday to raise funds for the redevelopment of the Moonee Ponds courthouse. Particular thanks go to Cr Richard Lawrence for his stewardship in making this great event possible.

South Sudanese Australian Youth Festival

Mr PEARSON — I was delighted to attend the South Sudanese Australian Youth Festival on the weekend, which seeks to promote social cohesion within the South Sudanese and wider Australian community. The event showcased the South Sudanese identity and collective lived experiences through traditional dances from various tribes. Through this the festival sought to educate all attendees about how distinct, rich and diverse South Sudanese tribes are. Congratulations and well done. I look forward to attending your next event.

Newmarket Phoenix Football Club

Mr PEARSON — I was delighted to attend the Newmarket Phoenix Football Club presentation night, which was another great success. Thanks to Abdi Ali, Nor Shino and Ahmed Dini on organising a successful night.

St Brendan's School, Flemington

Mr PEARSON — I was delighted to be afforded the opportunity of attending the St Brendan's School fete in Flemington last week. St Brendan's is a great local school. I congratulate Peter Hayes and his team on a great event.

Vermont Garden Club

Mr ANGUS (Forest Hill) — I recently had the pleasure of attending the Vermont Garden Club's 85th birthday celebration. It was a great night to hear about the history of the club, including the wide range of activities undertaken over the years, some of the key people involved in the club and the more recent personnel and events. I congratulate all those involved in the club, particularly the committee members and other volunteers, including the current president, Dianne Pugsley. It was a time for former and current members to reminisce and catch up as well as enjoy a lovely supper. Well done to all involved.

Whitehorse Relay for Life

Mr ANGUS — Last weekend I was very pleased to attend Cancer Council Victoria's annual Whitehorse Relay for Life event, held at the Burwood East athletics track, which is in my electorate. I congratulate all those who took part in this very important and meaningful fundraising event as participants, sponsors or volunteers. It was a great team effort, once again resulting in a significant amount of money being raised to assist in cancer research.

Remembrance Day

Mr ANGUS — On Friday, 11 November, I had the honour of attending the annual Remembrance Day ceremony at the Blackburn RSL. It was great to see so many people in attendance, including students from primary and secondary schools, preschool children, veterans and other community members. I was privileged to lay a wreath on behalf of the residents of the Forest Hill electorate. My thanks go to the club president, Graham Hutchinson, and the school liaison officer, Jim Marshall, along with other club members for once again organising this very important local event and afterwards hosting everyone back at the clubrooms for refreshments.

Government performance

Mr ANGUS — As we reach the halfway mark of this parliamentary term, all Victorians can now clearly see the divisive and ideologically left-wing Premier this state is led by. With the Country Fire Authority issue that he proudly announced was fixed weeks ago now a bigger mess than ever, Victorians are wondering who will be the next person or group sacked by the Premier to ensure the United Firefighters Union get what they want.

With the youth justice system out of control within the supposedly secure juvenile justice facilities and gangs also roaming wild outside in the streets, Victorians are truly wondering who is in charge here in Victoria. Within my own electorate residents are concerned at the level of violence being seen in the community.

RACV Energy Breakthrough

Ms EDWARDS (Bendigo West) — It was a huge pleasure to return to my home town, Maryborough, on Saturday to represent the Minister for Education at the 2016 RACV Energy Breakthrough. I had the great honour of waving the flag to start the secondary school 24-hour event for human-powered vehicles and energy-efficient vehicles. It was a great pleasure to also open the newly extended RACV Energy Breakthrough racetrack, a 400-metre extension funded by the Andrews Labor government.

It was really impressive to see the stunning examples of innovation and ingenuity on display. I congratulate the over 5000 primary and secondary students from about 150 schools across Victoria and a few from interstate on their remarkable feats of engineering using alternative energies from pedal to solar to electric. These students and their teachers have worked hard,

often in their own time, to collaborate on the design, building and testing of these marvellous machines.

Every single student taking part in this event used science, technology, engineering and mathematics (STEM) to create the vehicles on display. STEM education is, without question, the foundation for an advanced economy, driving innovation and growth. STEM education is a Victorian Labor government priority as we roll out our vision for the education state. We recognise that our future prosperity greatly relies on a workforce with knowledge and skills in these areas. This event always champions the participation of girls and is an inclusive event, with a number of special schools participating.

The commitment of schools, teachers, students and parents to this engaging way of learning never ceases to impress. This event continues to grow and is an enormous boost to the Maryborough economy. Congratulations to all the competitors and to the winning schools in each of the categories.

Remembrance Day

Mr PAYNTER (Bass) — I rise today to thank the Koo Wee Rup RSL committee for inviting me to speak at the Koo Wee Rup Remembrance Day service. I paid tribute to my great uncle Martin Augustin Barry. Martin was one of the fortunate soldiers to return from Anzac Cove to his loving family. It was terrific to see so many local school students and local groups at the service. I commend president Ron Ingram and the committee on a lovely service.

Powlett River Primary School

Mr PAYNTER — On Wednesday, 16 November, I visited Powlett River Primary School to present two Indigenous flags to the principal, Justin Curry, for the school hall. It was fantastic to tour the spacious grounds with Justin and the school council president, Dave Battye. We discussed the school's needs for maintenance of school buildings.

Wonthaggi Little Athletics Centre

Mr PAYNTER — Recently I visited the Wonthaggi Little Athletics Centre as kids ranging from 5 to 16 went through their paces. The Wonthaggi Little Athletics Centre offers an opportunity for kids to work on their confidence and fitness by competing in sprints, distance, hurdles, walks, jumps, shot-put and discus.

An honourable member interjected.

Mr PAYNTER — And high jump. I forgot high jump.

Well done to committee members Jenna Meloury and Suzette Timmermans on a great job and to the volunteers and parents who keep the kids on track, safe, well and fit.

Government achievements

Mr J. BULL (Sunbury) — The Andrews Labor government was elected to put people first, and we have spent every day of the last two years achieving that by building a state that is stronger and fairer. Our achievements are not just promises kept or runs on the board; they are changing people's lives for the better. For the last two years we have delivered on the things that matter most to people, creating more jobs and making sure that every Victorian has better schools, hospitals and public transport.

Let me list just some of our incredible achievements in my electorate: \$7.8 million to upgrade Sunbury College, \$700 000 for Kismet Park Primary School, \$4 million for the Sunbury and Macedon Ranges Specialist School, \$2 million for the Sunbury aquatic centre's warm water pool, \$6.4 million to signalise the dangerous and congested Gap Road and Horne Street roundabout, \$30 000 for the men's shed expansion, \$3 million for the Sunbury global learning centre, \$400 000 for the Sunbury tennis club, \$490 000 for an upgrade to Boardman Reserve, additional bus services as part of the route 486 upgrade, \$2 million in additional equity funding for schools, a \$2.3 million upgrade to improve the safety of Riddell Road, a \$53 million upgrade of the Sunbury recycled water plant, a \$3.1 million upgrade to boost safety at the Mickleham Road and Melrose Drive intersection in Tullamarine, reinstating a 100-kilometre-per-hour speed limit on an outbound section of the Calder Freeway, \$12 000 in new funding for Sunbury West Primary School for an outdoor exercise space, new sound barriers for Gowanbrae as part of a \$10 million commitment and \$20 000 for an industrial play pod at Sunbury Primary School.

Compare this to nothing from the Liberals in four years. I am proud of this government's outstanding achievements and proud that I could play a role in delivering such wonderful projects. We will never stop putting people first.

Vicki Jellie

Ms BRITNELL (South-West Coast) — I congratulate Warrnambool's Vicki Jellie, who was last

week named the Victorian Local Hero for 2017. Vicki had a goal: she wanted to carry out the wish of her late husband, Peter, to bring radiation therapy services to Warrnambool so people needing such treatment could stay in their own community, close to their families. She was told it could not be done and would never happen. It is a perfect irony that one of the people who told her that, the then Minister for Health and now Premier, was the one who shook her hand and presented her with the award last week.

Vicki did not take no for an answer. She formed Peter's Project and continued to advocate for the service. She mobilised the community, who backed her every step of the way, but there was still resistance from the federal and state Labor governments. It was not until the election of the Liberal-National government that things started to happen.

My predecessor in South-West Coast, Denis Napthine, listened to Vicki and Peter's Project. His government understood the need for this service, and the South-West Coast electorate made it happen. The federal coalition government also listened and committed funding. Then the community raised \$5 million in just five months — an incredible effort led by Vicki and the Peter's Project team. The centre has been treating patients for six months now, and already 100 people have received their radiotherapy treatment close to home. But in the time the centre has been open not one member of this government — not the Minister for Health or the Premier — have acknowledged the centre. They have not visited it and have not mentioned it anywhere. What an insult to the people of South-West Coast who fought for this centre. Perhaps government members are embarrassed that when the community asked them for help they turned them away and said it would never happen. Well, it happened.

Pascoe Vale Primary School

Ms BLANDTHORN (Pascoe Vale) — On 12 November I was very pleased to attend the school fete at Pascoe Vale Primary School. We set up a mobile office at the school fete, which was extremely well attended by the local community and was held in celebration of the 125th anniversary of this fabulous school. A particularly good historical exhibition was put together, which was appreciated by past students and teachers and their families, some of whom came from overseas for the occasion. The fete also raised a considerable amount of money for the school, which I understand the school wants to put towards a new school hall. Based on the success of the day it may well turn into an annual event, bringing the local community together.

The Sussex Neighbourhood House and the Pascoe Vale Football Club were there, as were the Broadmeadows SES and the Essendon SES, which I would like to make particular mention of. It was an extremely windy day, and the Essendon SES provided vital assistance to my team in ensuring that our marquee was secured. I was particularly grateful for their assistance, and I know that other stallholders on the day were as well. The Coburg RSL were also represented at the school fete.

Can I also congratulate the organising committee. Bringing things such as school fetes together is no small task, and Bree, Carla and Lyndal put in an amazing effort. They worked tirelessly on the day running from stall to stall and making sure the day ran smoothly, so congratulations to them.

Phil Flaherty

Ms COUZENS (Geelong) — I want to acknowledge and pay tribute to Phil Flaherty, who passed away last week at the age of 86. Phil fought the fight for working people and was committed to the labour movement. A lifelong member of the ALP and the Electrical Trades Union, he had a long history with the Geelong Trades Hall as a delegate, executive member and president. Phil's involvement in the labour movement is a legacy that his family should be very proud of. He worked on many election campaigns over 50 years, including the campaigns of Nipper Trezise in 1964, Ian Trezise in 1999 and mine in 2014. On 13 February 2008 Aboriginal people across Australia were deeply moved when the then Prime Minister, Kevin Rudd, delivered the apology to the stolen generations and said sorry. Phil and I discussed how proud we were that it was being done by a Labor government.

Ms Asher — On a point of order, Deputy Speaker, during the course of members statements you made reference to standing order 108, which is headed 'No member to be referred to by name', and provided correct counsel to one member. I draw your attention to the fact that the Minister for Energy, Environment and Climate Change referred to the member for Yan Yean by her name and not her correct title, and I ask you please to consider providing similar counsel to a member of Parliament who has been a minister on two occasions and who should know better.

The DEPUTY SPEAKER — Order! I uphold the point of order. I did not hear the minister for energy, but I shall have words with her. Thank you for bringing that to the attention of the house.

Mr Pakula — Well done, Louise — sorry, member for Brighton.

Ms Asher — It is the tiny victories these days.

The DEPUTY SPEAKER — Order! They might be tiny victories, but they are very important ones.

FAMILY VIOLENCE REFORM IMPLEMENTATION MONITOR BILL 2016

Second reading

Debate resumed from 26 October; motion of Mr ANDREWS (Premier).

Ms VICTORIA (Bayswater) — I rise to speak on the Family Violence Reform Implementation Monitor Bill 2016. The purpose of this bill is to establish the position of the family violence reform implementation monitor, which will provide for the functions, powers and duties of the family violence reform implementation monitor. Can I place on record, firstly, my admiration for the work that the shadow minister, Georgie Crozier in another place, is doing in this space, for her ongoing work and also for her interest and diligence in this area.

The report of the Royal Commission into Family Violence was handed down to the Parliament in March of this year, and there were 227 recommendations. One of those recommendations, no. 199, which I will read out in a moment, was the establishment of an entity to monitor and report on the implementation of the royal commission's recommendations and action plan. The implementation monitor is modelled on the bushfires royal commission recommendation that an implementation monitor be in place to oversee the recommendations of the royal commission. I am certainly very proud of the work that we as a coalition government did in this space under various ministers and across various portfolios and of the way we helped to make Victorians safer. I just want to read out recommendation 199 of the royal commission, which recommends the Victorian government establish an independent statutory family violence agency by 1 July 2017 to:

monitor and report on implementation of the commission's recommendations and of the statewide family violence action plan;

provide expert policy advice on family violence at the request of Cabinet, the Premier or the Victorian Secretaries Board;

undertake and commission applied research, policy and evidence reviews and conduct own-motion inquiries into the operation of the family violence system;

liaise with relevant commonwealth government and national agencies in developing policy and practice to enhance primary prevention efforts and improve responses to family violence;

establish a means by which service providers can share information about programs;

liaise with the Crime Statistics Agency and other agencies to coordinate data collection and sharing for the purposes of assessing the overall performance of systems that respond to family violence.

I want to go through some of the main provisions of the bill and talk about some of the questions we have around those. Obviously there will be a whole lot of speakers after me, and I hope that those on the government side have the opportunity to clarify some of the questions that we have that we think need just a bit of clarification.

Clause 5 provides that the minister must publish the implementation plan or plans and any amendments or variations on the department's internet site. That is fine; we do not have a problem with that. I will talk about the plan later.

Clause 13 provides that the monitor has complete discretion as to the content of each implementation report, but it is subject to the general direction of the minister in respect of the monitor's functions, powers or duties. My concern is that the independence of the monitor could be seen as questionable. The bill gives a fair degree of control to the minister. We are talking about an independent monitor, but then in the same clause we are talking about the minister. The clause states that the monitor has complete discretion in respect of the content of each implementation report but that the monitor is subject to the general direction or control of the minister in respect of the monitor's functions, powers or duties. Again, that is one that I look forward to clarification on, as to which one is correct, because I am not sure about the dual content there. It challenges logic a little bit.

Clause 14 sets out the functions of the monitor, including monitoring and reviewing agencies as to the implementation that they would be responsible for.

Clause 15 provides that the minister may request any information from the monitor relating to implementation actions carried out in response to the Royal Commission into Family Violence recommendations. My concern with that one is that it states that the monitor must comply with a request by the minister to provide advice on any issue relating to implementation actions. When those in attendance at the bill briefing asked what happens if there is non-compliance, the answer came back:

The bill itself does not expressly set out consequences for the implementation monitor's failure to comply with a request under clause 15 of the bill.

Under clause 12(1) of the bill, the Governor in Council may suspend the implementation monitor from office on specified grounds, including misconduct, neglect of duty, inability to perform the duties of the office, and on any other ground on which the Governor in Council is satisfied that the implementation monitor is unfit to hold office.

I do not know whether non-compliance actually deems the monitor unfit to hold office, so some clarification around that one would certainly be welcome.

Clause 23 requires the monitor to prepare the implementation report as of 1 November. I am questioning the date on that because we know that in the state of Victoria every four years on the last weekend in November there is a state election. The report is due on 1 November regardless of which side of politics is holding government at the time but the report will not be able to be released at that time, and so we asked about that. The concern is that if the monitor is required to prepare the implementation report as at 1 November in 2017, 2018, 2019 and obviously beyond, in 2018 the government will actually be in caretaker mode. This could be very convenient, depending on where figures are heading at the time — we hope, obviously, that they are going to improve; that is what everybody in this house wants — for the government of the day to be able to say that that report is not yet through because the government is in caretaker mode. Of course in an election campaign those sorts of figures might be very handy.

If we look again at the response given by the department when we asked about that, we see that it said:

As the Parliament would have expired by 1 November 2018, the implementation monitor will table its 1 November 2018 report in Parliament when the new Parliament is constituted.

Again I am not sure whether there could be some sort of change to that to actually provide that the report is given to the Parliament by 1 November, rather than prepared as at 1 November. That might be something that the government wants to look at, to say that it is truly clear and open about the report that may come out, regardless of what the report says, and that it is truly accountable for all the figures whilst it is in government. That is something I would like to see corrected. Certainly if there can be a resolution as to how greater clarity can be achieved in an election year — for example, in 2018 — that would be most handy. As I said, providing that a report must be prepared as at a date does not specify when the report must be tabled. Again if the date was changed, it would

have to provide that it must be tabled on or by a certain date, rather than prepared as at a certain date.

Another concern I have is more about a definition — that is, of 'agency' in clause 3. I think the bill is a bit silent on whether special bodies that may be left out of the definition of agency are those included in the Public Administration Act 2004. Looking at clause 3(c)(i) to (vii), according to answers from the department:

'Special bodies' is defined in section 6 of the Public Administration Act 2004, and includes a number of bodies beyond those listed in clause 3(c)(i)–(vii) of the Family Violence Reform Implementation Monitor Bill 2016 ... such as Victoria Police.

Representatives of the department were also asked where the courts come into this and what is the status of the courts. The answer came back:

The courts fall within the definition of an 'exempt body' under the Public Administration Act 2004, and therefore are not captured by the definition of 'agency' in clause 3 of the bill.

It is envisaged that the courts and Courts Services Victoria will participate with the monitor on a consensual and cooperative basis, which would include the provision of information to the monitor voluntarily.

So it is not explicit in the way it is laid out there, but I think we get the intent of it. Obviously we all know, as lawmakers in this place, especially those of us who have been around for 10 years, that sometimes there are unintended consequences of not being totally dictatorial in what we actually put into bills.

I want to take this opportunity to congratulate the former deputy commissioner of police who has been appointed to the position of implementation monitor, and that is Mr Tim Cartwright. I know that when Mr Cartwright was a deputy commissioner he was extremely proactive in the area of finding out more about the whys and how to get through and how to progress in the areas of violence against women and children, and he developed a strategy that certainly saw some leaps forward. He advocated for people who have experienced family violence, so he is certainly ultimately very qualified to be in that role. He also oversaw the commencement and implementation of a family violence command, which was very proactive, and he did a review into the behaviour of those who perpetrate family violence. All of those things make him very well qualified to be the monitor, and I certainly wish him well.

There are a lot of things that are progressing in this state. They certainly needed to. Under our former coalition government we went in absolute leaps and

bounds from where the previous government to ours had been. We are very proud of the work that we did. Certainly when Mary Wooldridge, now a member for Eastern Metropolitan Region in the other place, was minister she did some phenomenal work in this area. The government, by having its royal commission, did progress the status of the discussion even further. Certainly a lot of the recommendations arising out of the royal commission have progressed. Some have been implemented fully, others have progressed, some are not quite there, but I do believe that on so much of this we need bipartisan support. It is important for all men, women and children who suffer family violence — or domestic violence as it used to be called — in the home or in the workplace, for those who are working all day long with people who are perpetrating that sort of thing, and it is really important that that support from government is there, no matter which side is in.

I think this is one of those recommendations out of the royal commission that is very welcome. The government has done this in a timely manner, so I thank it for doing that, and I do wish the monitor all the very best in his work. I hope that this is another step forward so that hopefully one day we can say that we have eradicated family violence. I do not think it is going to be in my lifetime, but I live in hope.

Ms KNIGHT (Wendouree) — Last weekend I sat down to consider the work of this government over the last two years, and there has been an absolute ton of work. No matter how I considered the work of this government, the Andrews government, whether as a representative for Wendouree or as a member of this Parliament trying to act for all Victorians or as a member of my local community, there was one action of this government that was included on each of those lists. There is one item that I think will make a difference in the lives of millions of Victorians every day for years and years to come, and that is the Andrews government's commitment to tackling the causes of family violence. This is something that I am especially proud of.

The Royal Commission into Family Violence has been the centrepiece of this government's approach: to get the best information possible on the root causes and then act. The royal commission's work in investigating family violence was a critical first step. It was a huge undertaking, with the report and appendices extending over seven volumes. I just want to take this opportunity to thank the Premier for his foresight in having this royal commission and to also acknowledge the huge amount of work undertaken by the Minister for the Prevention of Family Violence. But I think what will make a very real and continuing difference to the lives

of women and children across our state is implementing the 227 recommendations of the royal commission. This is what the Andrews Labor government has committed to do.

One of the royal commission's recommendations was the creation of a monitor to report on the recommendations made by the royal commission, and I quote:

The commission recommends that the Victorian government prepare a statewide family violence action plan to guide implementation of the commission's recommendations. A new family violence agency should be established to monitor and report on implementation of the recommendations in this report and of the action plan.

The family violence reform implementation monitor being created by this bill will review, and most importantly report on, the Victorian government's implementation of the recommendations of the royal commission and on the recommended statewide family violence action plan. This is a really important step because a failure to implement the recommendations of the royal commission or to deliver on a truly statewide family violence action plan is just not an option.

The cost, particularly for women and children across our state, would continue to be too high. The form family violence takes, as we all know, varies, but I think it bears repeating, and if I can quote again from the royal commission's report:

Family violence can take many forms. The commission heard in submissions, at community consultations and in the hearings of the varied experiences of family violence. This section explores some of these forms of violence, including emotional and psychological abuse; physical and sexual violence; financial abuse; technology-facilitated abuse and stalking. All these forms manifest as part of the perpetrators' desire to control the victim.

As the royal commission reports:

The most common manifestation of family violence is intimate partner violence committed by men against their current or former female partners. This violence can also affect children.

In just the last financial year 45 lives were tragically lost due to family violence, and the lives of so many more, predominantly women and children, were ruined. Women fled for their lives under the threat of continuing violence against them. Children lived knowing that far from being a place of safety the family home was a place of intimidation and violence. Again from the report of the royal commission:

In 34 per cent ... of all family incidents recorded by Victoria Police in 2013–14 there was at least one child present.

Children across our state are living lives where violence within the family is an all too regular occurrence. This is something that as a community we cannot accept.

The Premier's second-reading speech for this bill outlines the particular reporting responsibilities of the monitor in terms of communities, including culturally and linguistically diverse and faith communities, LGBTI people, people with disability, children and youth, seniors and people living in rural and regional areas. These were particular communities noted by the royal commission as experiencing higher levels of family violence or particular manifestations of family violence, being more vulnerable to the impacts of family violence and facing greater barriers to obtaining support. In regard to people subject to family violence outside metropolitan Melbourne, the royal commission noted:

Victims living in rural, regional and remote areas can have limited access to services and more limited means of leaving a violent relationship. This too can lead to the continuation of or an escalation in violence.

I think it is important that there is a particular focus on these groups within our community as they are subject to family violence at levels higher than the Victorian community as a whole. Even the best intentioned governments, like the Andrews government, need a system of monitoring and checking to make sure that the recommendations of the royal commission are implemented. The fact that a monitor will be created with the passage of this bill demonstrates that the Andrews government is serious about delivering on the royal commission's recommendations. It shows that the government is dedicated and committed to taking the recommendations of the royal commission seriously, not just in rhetoric but in action. Of course the Andrews government has also made a significant investment — \$572 million over two years — to address the most urgent of the royal commission's recommendations.

But we need to keep a focus on the issue of family violence and a spotlight on government action to tackle this scourge on families across our state. As we saw with the appointment of former Chief Commissioner of Police Neil Comrie as the bushfires royal commission implementation monitor, the new role of the family violence reform implementation monitor will keep a focus on implementing important recommendations. So with the passage of this bill we will see a monitor in place and reporting to this Parliament each year on 1 November to ensure the delivery and implementation of each of the recommendations of the Royal Commission into Family Violence.

I believe that delivering on the recommendations of the Royal Commission into Family Violence cannot be left to the vagaries of politics. The determination of whether we are meeting our obligations to women and children across Victoria by implementing the royal commission's recommendations needs to be objective and undertaken by an individual that Victorians can have confidence in. The monitor will give an objective assessment of the Victorian government's implementation of the recommendations. I am very pleased that this role will be filled by an individual with the experience of Tim Cartwright. As a former acting chief commissioner Mr Cartwright is uniquely placed to monitor the implementation of the royal commission's recommendations.

In addition to creating the family violence reform implementation monitor, this bill outlines the functions and powers of the monitor. This is important as the monitor, in order to fulfil their role, will be provided with powers to require any agency to provide information that the monitor reasonably believes is required to perform their function.

I would like to conclude by acknowledging the survivors of family violence. These are brave people who have had violence perpetrated on them by people who should have cared for them rather than harmed them. They are people who have supported another person who has been a victim of this crime. They are the mothers, fathers, brothers, sisters, extended family and friends who have lost loved ones to family violence. The royal commission was about getting to the root causes of family violence, and we owe these people — the victims of this terrible crime — our commitment to end this scourge on our society. I commend the bill to the house.

Ms KEALY (Lowan) — I rise today to add my contribution to the Family Violence Reform Implementation Monitor Bill 2016 debate. I have raised concerns around family violence in my electorate of Lowan on many occasions in this house, and unfortunately I think it will be something that I speak about on a number of future occasions also. Unfortunately we do see in rural and regional Victoria a much higher rate of family violence. It is very, very difficult for us to address this for a number of reasons, which I will go through later in my contribution.

I think that the Royal Commission into Family Violence, which provided 227 recommendations, has some strong strategies for how we can eliminate family violence in rural and regional Victoria, but it is important that we implement all of those recommendations in full and further look at amending

some of those recommendations to ensure complete coverage of rural and regional Victorian women who are seeking to escape family violence situations and also men who are seeking to change their behaviour so that they are no longer perpetrators of family violence.

In relation to the Royal Commission into Family Violence, there were 227 recommendations, and this bill addresses one of those recommendations in order to bring in a monitor to ensure that the recommendations are implemented in full. There will be a report to government on an annual basis by an independent statutory entity, which will be established to monitor and report on the implementation of the commission's recommendations and of the recommended statewide family violence action plan.

As I have mentioned, there are a lot of challenges in relation to family violence in my electorate of Lowan. Family violence is not just limited to physical beatings, although that is obviously very, very difficult not just for the women involved and the perpetrators, the men, but also for the families and the children. As parents, as many of us are in this chamber, we are in fact role models for the next generation. If we are men who show their affection — perhaps that is the wrong term for it — it shows your partner that 'I love you, but I am going to hit you' is simply not acceptable, and this is what we are teaching our young boys when we accept that sort of behaviour and do not do anything about it. As women, when we are beaten and we do not feel confident to escape from that situation or we do not have the ability to access services for other reasons, every time that our daughters see that, it reinforces that this is what love looks like.

We need to do all we can to stop that cycle, because those little boys and little girls who are learning that that is normal behaviour are more likely to replicate that behaviour when they become adults and are in relationships in the future. It is very, very difficult to break that cycle, but unless people are willing to take a stand and government provides supports for people who are looking to make changes in their lives, then nothing will change, particularly in rural and regional Victoria.

It is not just physical violence, it is also emotional violence — making people feel guilty for wanting to go out with their friends or accusing them of cheating. It is financial abuse — withholding money so that somebody cannot go out and buy what they want. They do not have financial freedom. They do not have the ability to do anything or they are reprimanded if they do not bring back exactly the right change from whatever they have set out to purchase for the day.

I have heard stories from women who have been in these situations, whether it is physical, emotional or financial abuse or any of the other types of abuse, and at the end of the day it is about control. Nobody should be a smaller person than another and be controlled in a way that does not allow them to live full and happy lives and be able to be a decent human being, which I am sure everybody should have the right to do.

In looking at some of the impacts on families, particularly in rural and regional communities, one of the challenges is around access to support services. As a woman, if you are seeking to escape a violent family relationship in, say, Edenhope, you would have to relocate to Ballarat to access a women's shelter, and that is some 3 hours away. You would have to not only uproot yourself and step away from the existing supports that you may have in your community but also take your children out of their school, away from their friendship groups and from their very important education. Of course you are creating an enormous upheaval in their lives as well.

I have raised this issue a number of times in this Parliament, and I would like to see greater support for shelters and women's support services in western Victoria, because the services simply are not there at this point in time. It is also very difficult to access support workers. Often there is only one social worker in a region. You may play football or netball with them or you may work with them. To then have to go to someone you know and admit that you are a victim of family violence or you are a perpetrator of family violence is often very challenging. It creates another barrier for people who would like to seek help but are not confident enough to do so because they fear there may be retribution through breaches of confidentiality or privacy or that people may judge them differently because they are a victim of family violence.

The other challenge is around access to men's behavioural change programs. There are men's behavioural change programs available in some of the larger centres; however, it may be difficult to commute to those services or to be able to allocate the time away from work. The programs are always during business hours and there is limited public transport available in the Lowan electorate. It puts another barrier in place for men who really want to change the way they communicate within their family unit to seek and get the help that they need and that they want. It is an ongoing challenge to access services, whether it is around family violence, health care or even education, but we do need to make sure we prioritise people in rural and regional Victoria and not forget about them just because they do not live in Melbourne.

I would like to reinforce one of my concerns around recommendation 37 of the Royal Commission into Family Violence, which is in regard to the development of support and safety hubs. It is proposed that there will be 17 support and safety hubs across the state, which basically means there will be only one for all of the electorate of Lowan. Lowan is the biggest electorate in the state; it actually represents one-sixth of the size of Victoria. The fact that there would be only one support and safety hub in the whole of the electorate is really not looking at the welfare of every single Victorian and ensuring that they all have access to services.

Our population challenges in western Victoria are unique. There are a number of reasons for this, and that is why we are developing a population task force to try and balance the growth of Melbourne versus the decline of population in regional Victoria. This government cannot forget that there are a number of women in rural and regional Victoria who desperately need access to these support and safety hubs. Having a hub, say, in Ararat or down in Warrnambool would mean that women are over 3 hours away from their nearest support and safety hub. Given that women who live in rural and regional Victoria have a much higher incidence or higher likelihood of being victims of family violence, I think that that balance is completely wrong and that we should have many more support and safety hubs to address this scourge of family violence.

We do not want to see the highest rates of domestic violence in rural and regional Victoria, and unless we put strategies in place, like the support and safety hubs, where they are needed, which is in rural and regional Victoria, I fear that we are just going to ignore the problem for a large section of the community. I have written to the relevant minister regarding this, and given that the Premier is now the responsible minister for this bill, I certainly will be writing to him also, because rural and regional Victorian women certainly deserve to have access to the same supports that women who live in Melbourne have.

Ms THOMAS (Macedon) — I am very proud today to rise to speak on the Family Violence Reform Implementation Monitor Bill 2016. When I was campaigning to win the seat of Macedon back in 2014, I doorknocked a young woman in Woodend and was very struck by her and her experience. I must say I was very affected by it at that time. This young woman, the mother of two small, gorgeous boys, told me that she had left her partner — she had been previously living in Romsey — because of his physical abuse of her. We had quite a chat that afternoon, and what I understood as a consequence of my conversation with her was how important it was that women like me and members of

this house who have power in our community do all we can every day to stand up and speak for those who do not have the same access to power and to make change in our society.

What this young woman said to me was that one of the factors holding her back from seeking the safety that should be her right was her inability to talk about what was happening to her and the shame that she felt. For her to know that a person like me could affirm that she had done the right thing and that she was a good person and a good mum was a really important and powerful thing to do on that day. I suppose what it did for me was to underline again the importance attached to those of us who do have power to make sure that we use that power to advance the interests of the powerless.

I am so proud of the work that this government has done and continues to do in addressing the scourge of family violence. Any time a bill is brought to this house or any time we announce actions we are taking in response to the Royal Commission into Family Violence, I think back to that young woman and to the great big change that she had to make in her life to secure her own safety and the safety of her children and the power that she felt in being able to talk to someone who affirmed that what she had done was the right thing.

If we look at the statistics, we see that they are still frightening, horrific and unacceptable. Forty-five lives were lost as a result of family violence in 2015–16. That is 45 lives too many. More than 78 000 family violence incidents were reported to Victoria Police in 2015–16, a figure that has increased by over 43 per cent since 2012. We do know that part of the reason for that increase is that more women are feeling more confident in calling Victoria Police to seek the safety that is their right. That is a good thing; it is to be encouraged that reporting continues to increase.

It is really very important to note that family violence is still our no. 1 law and order issue in this state. While I commend the member for Lowan on her contribution — she spoke about the importance of talking about how family violence disproportionately impacts women and children in regional Victoria at this point — I do want to say that I would like to see a little more attention paid by those on the other side to working with us constructively to address family violence, to recognise that it is the no. 1 law and order issue in this state and to treat it with the degree of seriousness that it deserves.

Mrs Fyffe interjected.

Ms THOMAS — As I said, I am extremely proud of the work this government did in introducing Australia's first ever Royal Commission into Family Violence. I note some interjections on the other side. Let me just say that while the opposition has committed to a bipartisan approach on the issue, it is worth noting that the shadow Minister for the Prevention of Family Violence, a member for Southern Metropolitan Region in the other place, Ms Georgie Crozier, after she was pressed on this issue by Jon Faine about whether or not the opposition would commit to the implementation of all 227 recommendations, Mr Faine noted that:

I am none the clearer after our interview, Ms Crozier, on whether or not the opposition will work with the government or whether you will in fact try to stop the government. That is all I want to know.

That is what Mr Faine asked, and he did not receive a response to that.

The work of the Royal Commission into Family Violence is exceedingly important, and that is why we are introducing the Family Violence Reform Implementation Monitor Bill 2016 and establishing an independent monitor. It really is a terrific step forward, and it is something that has worked previously. I am delighted to see that Mr Tim Cartwright has been engaged by the Department of Premier and Cabinet to begin establishing the office of the implementation monitor and to commence monitoring activities. Over the next two years the implementation monitor will receive \$2 million to perform its functions, and that is part of the \$572 million urgent package that we announced in April. Of course many people in this place will know of Tim Cartwright's distinguished career with Victoria Police and his 41 years of service. He is a person in whom I think we can have complete confidence in monitoring this government and holding it to account in our commitment to deliver on each and every one of the recommendations of the Royal Commission into Family Violence.

As I was saying, family violence is and remains Victoria's no. 1 law and order issue. Certainly when I speak to members of my community, that is how I talk about it. I talk about the role that we all have in bringing family violence out into the open, giving victims support and encouragement to speak up and seek safety, and holding perpetrators to account for their behaviour. It is these reasons and the power of the conversation I spoke about earlier that I had with that young woman in Woodend that led me to implement in my own electorate my own family violence awareness campaign, Macedon Ranges Says No to Family Violence.

I must at this point thank the member for Narre Warren South, because she commenced a similar campaign in her electorate, and I really copied it directly off her. I am delighted to say that almost 50 community organisations in the Macedon Ranges have signed up to my campaign, and that entails those organisations making a banner and publicly displaying it, receiving information, committing to learn more about family violence in our community and ensuring that they have information they can give to people in their organisation who might be seeking support, such as contact details for the fantastic organisations supporting women and children in my electorate, including the Centre for Non-Violence and WRISC.

This is a really important bill. It is part of the suite of reforms that the Andrews Labor government is introducing to tackle family violence. I think it is very important that we are clear that this is not a hotchpotch approach to family violence. This is about fundamental systemic changes. This is a whole-of-government response, and I can assure members that every minister in the Andrews Labor government is committed to delivering on each and every one of these recommendations, and I can also assure members that every member of the Labor caucus takes this issue extremely seriously. We are committed to doing all we can in our communities, and we will not stop until we have worked to eradicate family violence in our community. I commend this bill to the house.

Mrs FYFFE (Evelyn) — I am pleased to speak on this bill, but before I do I must make comment on the contribution of the member for Macedon. To say that there is not a bipartisan approach on this issue from this side of the house is appalling. The member selectively quoted from a Jon Faine interview that I think — and my memory is not perfect — was either just before the recommendations came out or just after. How on earth could someone say they were going to totally accept 200-odd recommendations until they had read them? That would be irresponsible. Of course there is bipartisanship on this issue.

Just before I lost my seat in 2002, the last speech I gave in this house was on family violence, and when I came back in 2006, the first speech I gave in this house was on family violence. It has taken us a long time to get to this position. It took a tragedy. It took Rosie Batty's awful tragedy to wake us up. That tragedy gave us all a wake-up call, and I have got to commend Ms Batty for the work she has done in continuing to raise awareness, to make us all more accountable and to make us all acknowledge that this is a serious crime. It is a crime that affects people of all ages, all genders and all races. Elder abuse sadly seems to be growing, and it can be

just as violent as what we have traditionally called domestic violence, which to too many people is just seen as being between a man and woman.

We have got physical violence, we have got mental violence and we have got the withdrawal of financial support, which is also a form of abuse, where the victim has no money to buy the essentials of life. I have been helping one of the senior members of my community. Because she has been diagnosed with the early stages of dementia, she handed over the control of all of her finances to a family member. At the time she thought this was the wisest thing to do, but that family member would not give her any cash at all, so she did not have the money to go to the supermarket to buy the feminine essentials that she still liked and still needed. It is a very difficult situation, because of course over time that will not be possible for her. At this time it is, but that family member now has total control of the money, and that is also domestic abuse.

No-one should have to live in fear or grow up in an abusive home, and hopefully as a result of the government accepting all 227 recommendations of the Royal Commission into Family Violence and the opposition also accepting them, this bill will be a step closer to preventing those kinds of situations.

We are not opposing the bill. I have got a couple of small concerns, as one should have when you are scrutinising a bill dealing with such an important subject as this. They are based around the control of the minister over the new body, the timing of the annual report and whether the government will really be held to account.

As I said, family violence causes terrible harm both physically and mentally, destroys families and harms communities. We can see that there is a significant group who as children have been part of family violence homes, and they have a higher chance of contributing to or being the victims of family violence in their adult years. It is so sad that violence becomes a normal part of their lives and they take it into the playground and into their own relationships. I do not know if all of these young people who are running rampage at the moment have been subjected to violence in the home, but it seems to be that there is no respect and no thought of the other person.

The Napthine government doubled spending on the prevention of domestic violence, the federal government increased spending and this government has announced funding. We are all of similar minds here now; I think every government in Australia is of similar minds.

The Royal Commission into Family Violence was established on 22 February 2015. The Honourable Marcia Neave, AO, was appointed commissioner, with Patricia Faulkner, AO, and Tony Nicholson appointed deputy commissioners. The commission recommended new approaches covering support and safety hubs in the local community to make it easier for victims to find help; new laws to ensure that privacy considerations do not trump victims' safety; an immediate funding boost to services that support victims and families; additional resources for the Aboriginal community; reforms to rehouse women and children forced to leave their homes; expanding investigation capacity for police, with upgrades to technology; more specialist family violence courts; stronger perpetrator programs to increase monitoring and oversight of agencies; family violence training for all key workforces; investment in future generations; and an independent family violence agency to hold the government to account — we are talking about that today.

This year it was reported that the Ringwood Magistrates Court had to add an extra sitting day to process the extra family violence matters in the outer east. Family violence matters of crime are being reported in the Yarra Ranges at an alarming rate of more than four a day, and 1500 reports of family violence were made in the last year. In the district of Evelyn the statistics for family violence are far too high. We have had an increase of over 64 per cent in the past five years. Police figures for the past financial year show 1374 reported incidents, up from 840 in 2010–11. The police attribute this rise to reporting and the media encouraging women to come forward, but I do know from people I talk to that the violence has increased.

There is a lot I can say about the individuals in my electorate, but like many pretty electorates, evil things are hidden. People drive around the valley and think it is all lovely, pretty, peaceful and prosperous, but we do know that it does not matter what position you hold in life, it does not matter whether you are rich or poor and it does not matter what community you come from: family violence occurs across all races and all religions.

If it is really serious about domestic violence — and I believe it is — the government needs to urgently increase the number of frontline police around the state. There are so many police having to prioritise their call-outs, and, sadly, some calls go to the back of the queue. We will need more vehicles in the Yarra Valley. A vehicle can be 45 minutes away from where an incident is reported. The police have to go two-up, naturally, and a person can be there and it could be an hour or an hour and a half if the police are involved in

another call. Sadly, there was one case that took even longer. We need more vehicles in areas like ours where it takes time to crisscross from one side to the other. There are just not enough police to keep up with the crime wave, and the community is losing trust in this government to keep them safe. The community, as I do, feel that the government is more preoccupied with their ideological bent than with protecting victims of crime.

The report from the royal commission recommended that an independent monitoring body be established to monitor the implementation of all 227 recommendations. The standalone monitor created by the bill will ensure there is a single, dedicated focus on reporting on the progress of the government. Hopefully this will hold the government to account on the progress of their reforms.

Clause 13 causes a little bit of concern, as I mentioned earlier, about the independence of the monitor, but we will find out as time progresses. The bill gives a fair degree of control to the minister; not that that is necessarily bad, but it is something that we need to watch. That is not to mention I do not find it clear who that responsible minister would be, so unless advised otherwise I presume it is the Special Minister of State. An independent monitor will be appointed by the Governor in Council.

I do not oppose this bill, because I find it very similar to the proposals after the 2009 Victorian Bushfires Royal Commission and Victoria wants action to combat domestic violence. As I said, I do have concerns about the independence and the control of the minister, but time will prove that. I also have concerns about the timing of the annual report, being so close to the next state election in two years time. That will make it difficult to hold the government to account. I recommend the bill to the house.

Ms WARD (Eltham) — I rise to speak on the Family Violence Reform Implementation Monitor Bill 2016. Before I get started I would like to support the member for Evelyn in not opposing this bill. I thank her for that and thank her also for her long history of supporting policies to address the issue of family violence in this place. However, I do want to comment on her notation that we are too occupied with ideology in this place and on this side of the house. We are absolutely occupied with ideology; our ideology of fairness and our ideology of not leaving people behind. This is a fundamental platform of what the Australian Labor Party stands for and what the Victorian branch of that party stands for. We do want to create a fairer Victoria, which is what this bill goes another step to address.

It is clear to all of us in this place how important it is to address family violence, the challenges that it poses for our community and the heartache that it gives our community and our community members. A few people have already mentioned Rosie Batty, and I would like to join with them. While it is horrific what occurred to her and her son, while it is horrific what occurred to her community and to the broader Victorian community, I have to thank Rosie for allowing our community to have the frank conversation that it needed to have.

It was evident in Rosie's honesty in her approach to this, her lack of shame and her unwillingness to show shame or be shamed by the actions of another and her ability and her strength to speak about what happened to her in a very matter of fact way. She was able to talk about the devastation of her family — in fact the destruction of her family — by one person who was unable to control himself and his need for control of her and control over their son. For her to open that conversation and have that very public conversation when so many people before have felt shame when they have been victims of family violence was remarkable. It has really helped us get to the place that we need to be now. We have had our Royal Commission into Family Violence and we have its 227 recommendations that this government is absolutely determined to have implemented.

We see regularly the effects of family violence. Most recently in our papers we have had the court case around the tragic and horrific death of a two-year-old in Mildura, Nikki Francis-Coslovich. We have been appalled by the violence put upon that child. We have been appalled to read about her small body being shoved into a cavity in the roof. We have been heartbroken at the devastation that has affected people within that immediate community but also, again, within the broader Victorian community. When these tragedies and horrible acts of violence occur, it is not just the immediate family that is affected, it is a whole community that has to deal with and process these horrible acts of violence against vulnerable people.

I cannot really express to the house how deeply my heart sinks when of a night-time I am sitting on the couch scrolling through my Facebook page, like countless others, and a post by Destroy the Joint comes up and again tells me the latest tally of women murdered in this country. At the moment 68 women have been murdered this year; 80 women were murdered last year. The vast majority of them were murdered by people they should have felt safe with and loved by, people whom they should have felt were with them, not against them.

When thinking about this bill my mind went back to only a few decades ago — within my lifetime — when rape was actually legal in marriage. It was legal to rape your wife in marriage: a wife did not have the right to say no, to withhold herself from her husband. We have come a long way since then, but we still have so far to go. We still have so much work to do, which is why it is very important that this family violence reform implementation monitor be appointed to monitor the recommendations of the royal commission so they are implemented and acted on, because we do not want them to sit there and do nothing. We do not want them to be ignored. We do not want there to be words; we want there to be actions. We want the royal commission not to be an empty gesture. We want to have an impact on how people live their lives and how people can feel safe. We do want people to feel safer and live in a safer way.

I commend the Premier and the Minister for Women for the proactive stance they have taken in having the conversation around power and control and for really understanding that this conversation is about equality. It is when we treat our children equally and when we treat women equally that we will be able to reduce family violence in this community.

We have released \$572 million in funding to combat family violence, and that massive amount of money can only meet the first 65 most urgent recommendations. So much more investment is needed because there is so much work to do. This is such a huge problem. As has been said in this place before, it is the no. 1 crime issue confronting the state. While I appreciate that those opposite want to make political mileage out of youth crime, let us also focus on the causes of youth crime. Of those children who are behaving in ways that are not acceptable, how many of them have actually lived in families that are dysfunctional or experiencing family violence? We need to eradicate this problem, and we need to make sure that these recommendations are implemented so that the problem can be reduced and, we hope, eradicated. We have got a 10-year plan to combat family violence in this state. This is how long it will take to really see the results of our work and investment, what we are doing to show that we care about this problem.

In Victoria 45 lives were lost to family violence in 2015–16 — that is, 45 people were murdered at the hands of someone who loved them or who should have loved them. The home is a place where people should feel safe. I should be safe in my own home, my children should be safe in my home and my partner should be safe in his own home, as should everybody in this place and everybody in this state. Yet 78 000 incidents of family violence were reported in Victoria last year.

That is mind-boggling. That is my electorate times two; that is an amazing amount of people.

I am glad that this government has taken such a strong step in addressing this problem. It is a determined effort to ensure that our communities are safer and that our women and children are safer. We have seen what happens when royal commissions deliver findings and they are not implemented because there is no-one to oversee them. We saw what happened with the Royal Commission into Aboriginal Deaths in Custody in the early 1990s. Recently the federal government had committee hearings and people were tearing their hair out in despair because recommendations that were made in the early 1990s were again being made. We are seeing in Canberra that people are still having the same conversations and making the same recommendations that were not implemented in the 1990s or since despite the recommendations of the royal commission, and we certainly do not want that to be the case in Victoria. We want to make sure that things do happen. We want to make sure that our children are safer, that women are safer, and that men who are experiencing family violence are safer. We do not want any of them to experience it. We absolutely want this crime to stop.

I congratulate the government for the very proactive stand that they are taking on this. Again, I go back to the comment that I made when I began this speech: the Labor Party is a party about fairness and at the heart of fairness is equality. It is when we have equality in this state that we will be able to see the end of family violence. I commend this bill to the house.

Mr THOMPSON (Sandringham) — I am pleased to rise to contribute to the debate on the Family Violence Reform Implementation Monitor Bill 2016, and note that the main purposes of the bill are to establish the position of the family violence reform implementation monitor and to provide for the functions, powers and duties of the family violence reform implementation monitor. Members across the 88 electorates of the state will be familiar with stories of domestic violence, of homelessness and of criminal prosecutions. This chamber has in fact in recent years heard from a number of key stakeholders who have been impacted gravely by the pernicious actions of people inflicting violence within a family context.

In relation to the bill before the house, the main clause, clause 5, provides that the minister must publish the implementation plan or plans, or any amendment or variation made to the plan or plans, on the department's internet site.

Clause 13 provides that the monitor has complete discretion in respect of the content of each implementation report. However, it is subject also to the general direction of the minister in respect of the monitor's functions, powers or duties. Clause 14 sets out the functions of the monitor, which include monitoring and reviewing the progress of agencies as to the implementation of actions that they will be responsible for. Clause 15 provides that the minister may request any information from the monitor relating to implementation actions carried out in response to the Royal Commission into Family Violence recommendations. Clause 23 requires the monitor to prepare implementation reports as at 1 November 2017, 2018, 2019 and 2020.

In relation to the coalition's areas of concern, it is not clear at this stage who the responsible minister will be, but there is a view that it may be the Special Minister of State. There is a concern whether special bodies are left out of the definition of 'agency' in this bill which are included in the Public Administration Act 2004.

A question arises in relation to clause 13 and the independence of the monitor. The bill gives a fair degree of control to the minister. The clause states that the monitor has complete discretion in respect of the content of each implementation report, but also that the monitor is subject to the general direction or control of the minister in respect of the monitor's functions, powers or duties.

Clause 15 states that the monitor must comply with the request by the minister to provide advice on any issue relating to implementation or actions. As I said, clause 23 requires the monitor to prepare implementation reports as at 1 November 2017, 2018, 2019 and 2020. The point needs to be made that on 1 November 2018 the government may be in caretaker mode. The timing is also convenient for a party during the election campaign, and to prepare a report as at a date does not specify when the report must be tabled. It may take months. Many annual reports covering the financial year to the end of June are tabled in October. The Department of Premier and Cabinet should take this matter on notice in that regard.

In relation to bills of this nature, as I indicated earlier on, members representing the 88 electorates of this state would be familiar with a range of concerns from their own electorate experiences. During my time as chair of the then Victorian parliamentary Law Reform Committee we had occasion to embark upon an inquiry on access to legal services in rural and regional Victoria. There were a number of issues that related to concerns in those districts of Victoria where there was

limited access to legal services and we did have the opportunity to make a recommendation that the information in the Fitzroy Legal Service's handbook could be distributed via the internet. I think that was a great achievement and a great outcome because it provided direct access to firsthand information to local communities and to individuals, at low fee or cost, and enabled people to be informed as to their rights. Community legal centres and other agencies were at the forefront of providing advice to victims in different circumstances.

The Sandringham electorate has a number of women's refuges that provide important havens for people who have been victims of domestic violence. I might also add that during the parliamentary inquiry I heard stories of incomprehensible acts of violence against women, horrific acts that were certainly beyond the comprehension of members of the all-party parliamentary committee. So it is important that we develop protocols within our society and a value framework which respects the rights of all people within society to be harm free.

There was a statement made a number of years ago in a Californian legislature that it is not always by external laws or agencies that outcomes are achieved, that there is an important element of the moral compass of individuals and citizens within a society as to how they choose to regulate their lives, how they choose to build cohesive communities and cohesive families and to respect the rights of people to be harm free, to protect the interests of children, to protect the interests of women and to protect the interests of men.

In recent times I had the opportunity to attend McAuley Community Services for Women, where a presentation was given on family violence and the causes of family violence. I note that the member for Bundoora also took the opportunity to attend that course during a day program. There were keen insights that we were able to glean as to the causes of family violence and wise ways forward.

The day when there were hearings within this building of evidence from Victoria Police and from victims of domestic violence provided difficult insights into the circumstances of people who were victims. So there are key issues that do need to be addressed by the Australian community and in this case by the Victorian legislature. The balance between government regulation and building strong communities is an interesting one to try and achieve. The opposition in this case has the position of not opposing the legislation before the house. The coalition recognises the seriousness of the issues that impact upon the wellbeing of women and

that impact both directly and indirectly upon the wellbeing and welfare of children and also on family units.

The matters that have been presented to me even in recent days through my electorate office show that if there is an act of domestic violence — and one was reported to me in the last couple of weeks — it can lead to the fracturing of families. That leads to economic duress and it leads to housing difficulty and the dislocation of family life. There was a practice a number of years ago where Canberra led the nation in taking out apprehended violence orders and where the police had an active role also in prosecutions, where it was not left to the victim to prosecute a matter but where upon attending a crime scene the police took on the responsibility of prosecuting the case.

There have also been other examples in the United States. While police intervention is welcomed in many contexts, it also important to think about how the situations of these people can be resolved in the future, taking into account the complexities of family structures, economic circumstances, welfare and the wellbeing of children. Matters are not always simply, easily or readily resolved. But following on from the experience of Canberra, the Law Reform Committee has made certain recommendations, including that police will continue to intervene in these matters.

Ms SULEYMAN (St Albans) — I rise to speak on the Family Violence Reform Implementation Monitor Bill 2016. This bill establishes the family violence reform implementation monitor, an independent statutory body that will make government accountable for delivering reforms in the area of family violence. As we know, the Andrews Labor government has been a leader in this area. It commissioned the Royal Commission into Family Violence, which made 227 recommendations on how we should deal with family violence issues in this state.

Specifically, the bill will establish the family violence reform implementation monitor as a statutory office, which will monitor the government's progress in implementing the royal commission's recommendations. This also includes a 10-year action plan. The bill will empower the monitor to inspect an agency's premises and request information, and the agency will be required to provide reports on the progress of its work during that period of time. It will also require the monitor to independently table reports to Parliament about the agency's progress and how this relates to the 10-year action plan and the implementation of the royal commission's recommendations.

A standalone monitor will ensure that there is a single, dedicated focus on reporting of the implementation of the recommended reforms to the family violence system. The monitor will have complete discretion regarding the content of their reports, and will operate independently. Reports will be tabled in Parliament but also, importantly, they will be published online. This will allow the community to read and understand some of the monitor's progress in relation to this issue. It will also ensure the implementation and independence of the monitor's reports while maintaining the government's ability to provide input into the direction and administration of the office.

We are very pleased that former Acting Chief Commissioner of Victoria Police Tim Cartwright has been appointed family violence implementation monitor to begin this very critical work. Mr Cartwright brings extensive knowledge and experience of the operations of Victoria Police and government, which comes from over 41 years of service at Victoria Police. As Acting Chief Commissioner Mr Cartwright had oversight of the Victoria Police violence against women and children strategy, and he has been a very strong advocate for those who have experienced family violence. Mr Cartwright has the endorsement of key stakeholders such as Fiona McCormack, the CEO of Domestic Violence Victoria, and Ken Lay, APM, chair of Ambulance Victoria and former Chief Commissioner of Police. Mr Cartwright's detailed experience will be crucial to effectively monitor the breadth of the commission's recommendations and making sure that the recommendations are delivered.

We have heard from the member for Eltham that more than 78 000 family violence incidents were reported to Victoria Police between 2015 and 2016. This is an unbelievable figure, and a figure that has increased by over 43 per cent since 2012. In 2015 and 2016 family violence concerns made up approximately 68 per cent of child protection reports. These are alarming figures.

From 2013 to 2014, 39 per cent of people seeking assistance from homelessness services did so for family violence reasons. I know in my electorate we provide advice and support to women from non-English-speaking backgrounds to help them take that step of moving away from family violence situations. It is a very difficult step for many to take for reasons ranging from language and cultural barriers to financial constraints to mental health and other health reasons. These reasons tend to compound. What most of them seek is a safe home. My office deals with a lot of people in relation to these sorts of concerns.

Family violence is a national emergency in this country. It impacts on all communities, all races, all colours and all religions, no matter what postcode they live in. As I have briefly touched on, on 16 April 2014 in Sunshine we saw the tragic death of Fiona Warzywoda. She was tragically killed as a result of domestic violence in a public place, at the shopping precinct in Sunshine. Fiona was a mother of four, and she was trying to escape from her dangerous partner. On the very day she succeeded in gaining an intervention order against her ex-partner from the Sunshine Magistrates Court, Fiona had been at a nearby women's refuge and was then waiting at Sunshine shopping precinct when, in a public place in broad daylight, tragically, Fiona's ex-partner killed her.

Fiona's death and the public outcry following it reminds us all that we must tackle family violence. I am really proud the Andrews Labor government is tackling this issue, leading on this issue and putting it at the front and centre of every policy. It is an issue that captures not only police but also the justice system. It is about a number of areas, including health and wellbeing, and it is also about children. I go back to the fact that these reforms are about ensuring that tragic deaths like Fiona's can be prevented and that women and children are able to seek help and find safety within their own communities.

Currently many agencies, such as Women's Health West, are stretched beyond capacity. We want to make sure that these vital services are able to help women in need before it is too late. This is why the Andrews Labor government is getting on with tackling family violence across every community in Victoria. Family violence is our no. 1 law and order issue. As I have said, the Andrews Labor government launched the first Royal Commission into Family Violence less than 100 days after coming into office. Following the royal commission's report we acted quickly to accept all 227 recommendations, which we will implement together with the recommendations from the coronial inquest into the death of Luke Batty. I want to commend the work of Rosie Batty in relation to her sad, tragic story and for bringing it into the public eye. I think that is one of the stories that makes a very lasting impact. It has certainly made an impact in our community.

Over the next few years we are investing \$572 million to address these 65 most urgent royal commission recommendations in relation to housing, counselling and legal services across Victoria. We are implementing a housing blitz, and we are giving children the best possible start with \$121 million. We are providing \$133 million specifically for family

violence services for non-English speaking communities, which is extremely important. As I said before, the Andrews Labor government is getting on with implementing all recommendations of the family violence royal commission. We must protect Victorian women and children from family violence and any form of violence, quite frankly, in our state, so I recommend the bill to the house and commend the minister.

Mr D. O'BRIEN (Gippsland South) — It is a pleasure to rise to speak on the Family Violence Reform Implementation Monitor Bill 2016. This continues a suite of legislation that has arisen as a result of the Royal Commission into Family Violence. As discussed by previous speakers, it has been in large part a bipartisan commitment by this Parliament, and certainly I think that is as it should be. This is an issue that we all should take a stand to highlight, and we should seek to do our best to address the scourge of family violence throughout our community, not just in Victoria but right across Australia.

The purpose of the bill is to establish the family violence reform implementation monitor. This bill sets out the powers and functions that will apply to that monitor, who has been announced as Tim Cartwright, former deputy commissioner of police, as of 1 September. I am sure that he will do an excellent job in the role of implementation monitor. It is an important position in that there were some 227 recommendations from the Royal Commission into Family Violence. Their sweep was broad with respect to lots of different agencies and entities of government, and it will be a difficult task for the government to ensure that that is all delivered, that funding is available and that it is well managed and efficiently used. I would hope that the implementation monitor would be able to do that job effectively. As I said, I am sure that Tim Cartwright, in heading up that role, will be very capable. The implementation monitor is modelled on the 2009 Victorian Bushfires Royal Commission that followed Black Saturday, so there is a precedent for this legislation.

I must say that I often find this topic a difficult one to speak on. I commend the member for Eltham, who made a good contribution. I do not always agree with everything the member for Eltham says. I probably did not agree with everything she said in her contribution, but she talked about the personal issues, which I must say that personally I simply cannot fathom. I do not understand why men in the overwhelming majority end up being violent to their spouses or to their children. It is just incomprehensible. As the member for Eltham said, it does enormous damage to children in particular.

Having such poor role models leads to so many problems throughout our community and society. Since becoming a member of Parliament I have particularly noticed just how important a stable, loving family relationship is. When you see otherwise, you see so many social problems arise. It certainly is a great concern.

What I would add, though, is that while the royal commission was important and the response of the government is certainly very important, this is not just a problem that can be tackled by governments. It is not a situation where governments can click their fingers, provide money and fix things. This is an issue where society as a whole must play its part to stamp out this violence. We need to stand up as leaders of the government of the day — just as the federal government, both Labor and coalition parties — have done, along with previous federal governments, and work together to do what we can to address this. It is for governments, for police, for community groups, for members of the community and for the wider community generally to stand up and make sure that we stamp out this scourge.

Likewise it is very important that men, and particularly men in leadership positions, take a leading role in this. I acknowledge that there are a small number of men who experience family violence. I noticed that the member for Eltham acknowledged that too. I think this is important because almost every time I raise this issue in my electorate there is someone that says, 'What about the men?'. There are a small number, but it is overwhelmingly a female issue. It is important that men, including those of us here in Parliament, take responsibility, take the lead and say, 'Enough is enough'.

With respect to that, White Ribbon Day is this Friday. I believe there is an event here at Parliament on Thursday. White Ribbon Day is a movement designed to encourage men to take the lead. Last year I was one of those who took the oath as a member of my community — Wellington shire in this case — to say that I will not accept violence against women in any form or against children.

I do add, though, that I think it is important that those working in this space, including the government today, are careful not to demonise all men and all boys. There are good men and there are bad men. It does concern me a little when some of those who are extremely active and extremely passionate in this area sometimes give the wrong impression and suggest that all men are somehow responsible. We are responsible if we are not standing up and speaking out against domestic

violence, but we do not want to send the wrong message to young men, particularly boys, that somehow just by virtue of their gender they are responsible for this. There was a comment made in this place last year by a guest that I certainly found quite confronting that suggested effectively that all men were in some way responsible for family violence. I just do not think that is right. I do not think it is helpful at all to have that sort of position coming across. Nonetheless it is a concern, and as I said, it is certainly overwhelmingly an issue of violence by men against women. That is something we must condemn and stamp out.

I appreciate that there are always updates to these statistics, but going back to 2005, over 350 000 women experienced physical violence and over 125 000 women experienced sexual violence. That is nationally of course. The member for Eltham also gave some statistics for Victoria, but these are really frightening statistics. When you consider the fact that one in four women will allegedly be sexually assaulted in their lifetime, it is frightening when you bring it home.

There is a slogan that I saw on TV once — 'Will it be your mother, your wife or your daughter?'. That really brings it home to the individual. I think it was a very good message that that particular TV campaign brought because it highlighted that it is not happening somewhere else, it is not happening in a certain socio-economic part of the community and it is not happening in a certain geographic part of the community specifically. It is happening everywhere. It is quite scary to think of those statistics.

I must say, and I have said it before, that it is a great shame, as a country member of the Parliament, that the statistics are significantly worse or in fact the rates of family violence are so high in many of our rural and regional areas. I think the top four areas for reporting domestic violence last year were all in the country. Latrobe city, adjacent to my electorate, was number two after Campaspe shire.

I note that rates of family violence generally peak or increase when there is a crisis in the community of whatever type, whether it is bushfire, drought or flood. It is also economic dislocation, and we are going to see more of that in the Latrobe Valley in the coming years with the closure of Hazelwood, where we already have high rates of unemployment. I think that is certainly a concern. I would hate to see family violence increase in the Latrobe Valley and other parts of Gippsland, but the reality is and the evidence elsewhere shows that that is something we will need to brace for and we will need to

have the resources in place for, because that is certainly going to be a great concern.

I think we have seen in the last few years a spike in statistics with respect to family violence, but I actually see that probably as a good thing because the focus that has been put on this issue has brought the reporting out. It has come out from under the carpet, and it has come out from behind closed doors. People are starting to speak up, and I think that is actually a good thing — not that it is a good thing that there are more incidents occurring but that the reporting is coming out. That is good.

Usually I would be concerned that we are setting up yet another agency or commission, but in this case, as it was with the bushfires royal commission, I expect that this implementation monitor is necessary. I look forward to seeing the implementation monitor do its bit to reduce family violence in the state.

Ms COUZENS (Geelong) — I am pleased to rise to speak on the Family Violence Reform Implementation Monitor Bill 2016. I firstly want to acknowledge the Premier's commitment to addressing family violence. The election commitment to hold a royal commission into family violence was welcomed by Victorians, and one of the first things he did as Premier was set up the royal commission as promised. I also want to acknowledge the significant role of the Minister for the Prevention of Family Violence, her ongoing commitment and hard work, and the legacy that she will leave for all Victorians. It is just a shame that the federal government does not pick up on what the Victorian state government is doing and start addressing it at a national level as well.

Geelong police data is no different to that of a lot of other electorates. Family violence is one of the biggest issues that the police are dealing with at the moment. The Royal Commission into Family Violence reported on 29 March 2016 with 227 recommendations to government on the reform of the family violence system. This included the recommendation that the Victorian government establish an independent statutory family violence agency, the functions of which would include monitoring and reporting on the implementation of the commission's recommendations and a 10-year action plan. The establishment of the independent statutory implementation monitor will fulfil in part this recommendation.

I have been really privileged to have been able to meet and speak with many women about the impact of family violence, and I want to pay tribute to them for the important contribution that they have made. There

are many women in Geelong who I have had many discussions with, and I have heard horrific stories and things that you cannot imagine are happening in our own community. I want to pay tribute to them because the outcomes of the royal commission are obviously due to the contributions of many women around Victoria, including those in my electorate of Geelong.

This bill is really important, and it is important because it will ensure that the royal commission outcomes will not just sit on the shelf collecting dust but will be implemented and monitored by this government. I am proud to say that in my electorate of Geelong we have already seen many benefits from the royal commission recommendations, like the \$59 million given in 2015–16 to respond to the immediate demand for family violence services. Geelong-based services like the Barwon Centre Against Sexual Assault (CASA) and Minerva Community Services are working in partnership with an intention to merge to offer a comprehensive specialist service, and this is responding to people impacted by sexual assault and family violence. This is a great service with committed workers, and I want to pay tribute to the work they do and to the many workers who are there supporting women in family violence situations and their children. Barwon CASA provides specialist therapeutic counselling, violence prevention programs and professional education regarding sexual assault and family violence and is a partner organisation with the Barwon Multidisciplinary Centre, Victoria Police and the Department of Health and Human Services child protection unit in providing a comprehensive victim-centred response.

There will also be \$572 million in 2016–17 to implement the recommendations of the royal commission and for the housing blitz to provide shelter for women and families at risk of abuse. The housing side of this is extremely important, and I know it is important for my community of Geelong. For many of the women I have spoken to, one of the key factors for them in making the decision to leave a violent situation was where they were going to go and what housing options were available to them. For many women who did leave and who went into some alternative housing for a short period of time, they did not have any medium or long-term housing to go to that was safe for them and their children, so addressing housing and shelter for women and children is really important.

The introduction of family violence leave for public sector workers was also a great initiative. Five years ago the Geelong Women's Union Network assisted in getting the first ever family violence leave into an enterprise bargaining agreement (EBA) in one of the

local councils in the Geelong region. A number of the women who were part of that women's network had experienced family violence at different times in their lives and they were very committed to ensuring that this sort of strategy was put in place as much as possible not only in their own community but right across Victoria. One woman who actively worked very strongly on that was Elwyn Young, who was a long-term member of her union and someone who cared about what was happening with other women in her community. Sadly, Elwyn passed away about two weeks ago. It is quite sad that she never got to see this legislation introduced, but she would have been very proud of the fact that she played a significant role and was instrumental in having that EBA implemented at one of our local councils. I want to pay tribute to Elwyn.

We have also had many, many forums in Geelong with the Minister for the Prevention of Family Violence. This has been important to my community because it has actually put the subject high up on the agenda, where it should be. It has also encouraged more and more people to have input into the various processes that we have had. They have come to the forums and talked about their experiences and what they think should happen as a preventive measure in family violence and they have welcomed the recommendations of the royal commission. So there is a great deal of interest. Also G21 in Geelong, along with the City of Greater Geelong, have implemented their family violence strategy, which is really pleasing to see.

The minister has had a strong commitment to Geelong and, as I say, has been down there on a regular basis talking about firstly the establishment of the royal commission, then what was coming out of the royal commission and then the 227 recommendations that we saw from the royal commission. The minister has talked to my community about how those recommendations might be implemented. One of the topics that has come from the forums is the gender equity strategy and how important that is in addressing family violence. The minister has been very committed to that process as well, and hopefully we will soon see that strategy rolled out in Victoria to address the issues that we know are part of family violence.

We have some amazing services in Geelong, particularly Bethany Community Support, which is introducing the Safe Steps 24/7 response that is supporting women and children and making sure they are safe. We also have announced \$233 000 to expand the adolescent family violence program run by Barwon Child, Youth & Family services in Geelong to address the issue of young people committing family violence. That is a really important issue that we need to be on

top of. I was really proud to have announced that funding last week. Having worked in a youth refuge, I know very well the impact of family violence on young people but also how it affects those young people and their attitudes to women and children as they grow older, so this is a project that I support very strongly.

The Barwon Community Legal Service was awarded funding to provide more family violence support services for the community, thanks to the Andrews Labor government. They will share in \$1.3 million worth of Community Legal Centre Family Violence Fund grants that will be provided right across the state.

It is really important that we continue to be able to address family violence in our community, and certainly for Geelong these different projects and funding grants that have been rolled out are going to make a significant difference. There will be a lot more to come into the future, I am sure. I know that the Geelong community are very grateful for the Andrews Labor government's commitment to addressing family violence and not only that but also to implementing the recommendations of the royal commission and rolling them out. I commend the bill to the house.

Ms EDWARDS (Bendigo West) — I am also very pleased to rise to make a contribution to the Family Violence Reform Implementation Monitor Bill 2016. I note that I have risen in this house to speak on family violence on quite a few occasions this year. This is another piece of legislation being introduced as we move towards progressing the ending of family violence in this state. We as legislators need to get on with that work, and that is why this bill is particularly important.

Back in 1999 the United Nations General Assembly declared 25 November the International Day for the Elimination of Violence against Women and of course the White Ribbon movement was formed. I just remind members that Friday is White Ribbon Day. I know that there are many activities across Victoria on that day. In my electorate I will be marching in a White Ribbon walk along with many, many community members from across Bendigo. I think it is a really important way of engaging with the community, particularly with men and boys, as we work towards ending men's violence against women and girls, and promote gender equality and healthy relationships and of course a new version of masculinity.

Like many regional members, I understand how prevalent family violence is in our regional communities. Without a doubt women who live in remote and rural areas not only suffer family violence

at a higher rate but also have less access to services to support them. The sense of isolation and the sense of loneliness and often desperation are very, very pronounced in regional communities. I think it is really important that the Victorian government, under our Premier, announced the establishment of the royal commission because it did not focus just on metropolitan areas but talked about and took submissions from many, many people across regional Victoria.

I want to in particular acknowledge the work that has been done and continues to be done by people in a number of organisations in Bendigo. The Minister for the Prevention of Family Violence has said to me on numerous occasions, 'They do it so well in Bendigo'. It is not just in Bendigo but in the whole Loddon-Campaspe-Mallee area, so it is a very wide area that people in our service organisations cover. They are often under the pump and they do an amazing job. I was very pleased, along with my colleague the member for Bendigo East, who is the Minister for Public Transport, to make a submission to the royal commission. We of course would not have been able to make that submission without the support of some of the stakeholders and service providers we have in Bendigo. Without that consultation we would not have had a good understanding of what was missing, where the gaps were, what was needed and how desperately in need of further support regional women were.

I want to acknowledge Kim Sykes from Bendigo Community Health; Liz March, who is now at Bendigo Community Health but was at Castlemaine District Community Health at the time; Jenna Abbot and Alannah Jenkins from the Loddon Campaspe Centre Against Sexual Assault; Bonnie Renou and Chris Casey from the Loddon Campaspe Community Legal Centre; Margaret Augerines from the Centre for Non-Violence; Makenna Bryon from Loddon Mallee Women's Health; Robyn Trainor from the Annie North Women's Refuge; and of course Julie Oberin, who is the head of the Annie North Women's Refuge.

These groups, these woman, do an extraordinary job under very difficult circumstances. I know when we first came to government, it was only just within 100 days that our Premier announced the royal commission, which was met with quite extraordinary gratitude from so many of these particular groups, but also from many women. I remember being in the audience when he announced before the election that we were going to have a royal commission. There were actually people crying when he made that announcement because there was so much emotion in the room.

Mr Dimopoulos — And relief.

Ms EDWARDS — And relief. I think what it has shown is that we as a government are taking this issue very seriously. As has been mentioned by others, it is the no. 1 law and order issue in our state. We set about addressing the issue right from the start: 100 days in we announced the royal commission and then, just 12 months later, we were able to put out the recommendations.

This bill goes to recommendation 199, which outlines a number of functions to be delivered within a family violence agency, including implementation monitoring, providing expert policy advice, commissioning research, conducting inquiries into the family violence system and establishing information-sharing arrangements. While we will get on with delivering all of these functions and will do so in the best possible way, it is really important that the implementation monitoring function be established as quickly as possible. And of course it is really important that the monitor be at arm's length from government. That is a very important point that has been made by other members as well, because this issue is far too important for it to be entangled in bureaucracy or government departments; it actually has to be a stand-alone agency that is separate from government. That will make sure that we as a government get on with doing what we said we would do, and indeed of course we are.

It is really important to remember that — along with the \$572 million over two years that was announced back in April to implement some of the recommendations of the royal commission — it is not just about the money. The money is really important, but it is also about making sure that our agencies have the capacity to go out and do that important work. When the royal commission put up its report on the internet, I, like many members I am sure, read some of the submissions from victims, some of the victims statements, and it was pretty harrowing reading. I have to say. I know as a local member — and I am sure other local members have had the same experience — I have had women come into my electorate office in absolute despair because they are in situations of family violence. But when you read through those written submissions to the royal commission, it just breaks your heart to think that so many women and so many children have suffered at the hands of people who purportedly once loved them.

One of the things that I often mention when I am on my feet talking about family violence is the increased risk of family violence involving women with disabilities. It is a fact that women with disabilities are not as

protected as other women, not only by our service providers across the state but also by the justice system. They are often let down, their voices are not heard and certainly they are much more vulnerable than other women. I am very passionate about this issue and want to make sure that women with disabilities and their children are afforded the same protections and rights as every other woman when it comes to family violence or indeed any violence. As I said, over the next two years the government is investing \$572 million to address 65 of the most urgent royal commission recommendations. I think this money will make a difference, particularly when it comes to the expansion of housing, counselling and legal services.

Before the end of the year the Andrews Labor government will release a 10-year plan for family violence reform and Victoria's first gender equality strategy. Like other members, I want to congratulate the Minister for the Prevention of Family Violence for the work she and her team have done on the gender equality strategy. It has been an enormous piece of work and goes hand in hand, I think, with our policies as well. It will make a huge difference to women and girls across Victoria, and of course it will be another first for this state. I want to thank the Premier, I want to thank the Minister for the Prevention of Family Violence and I want to thank everybody who has contributed to the royal commission because without them we would not be standing here today making this legislation happen.

Ms THOMSON (Footscray) — I rise to support the Family Violence Reform Implementation Monitor Bill 2016, and I do so with a great deal of commitment to this piece of legislation. This legislation will ensure that the implementation of the royal commission recommendations will do what we expect them to do and make a difference in the lives of victims of family violence and survivors of family violence. That is why this piece of legislation is so important.

I also want to acknowledge the work of the Premier in, firstly, establishing the first prevention of family violence ministry and, secondly, establishing the royal commission as quickly as he did it. I also commend the work of the Minister for the Prevention of Family Violence and the commitment she has shown to ensure that we do try to get this right. I want to follow on from the previous speaker in relation to all those who gave evidence before the royal commission, because this is not a simple issue and there is no simple solution. The member for Gippsland South said that this is not something that governments alone can solve, and that is absolutely true. Family violence and the prevention of it is a responsibility for all of us, not just members in this

chamber but for the community as a whole to tackle. Having said that, we have made a commitment that we are going to implement all the recommendations of the royal commission. We can do that and just tick boxes and say that this job is done or we can say that we are really serious about making sure that what we put in place works, and for this reason we have set up the monitor to ensure that is exactly what we do.

The appointment of a former Acting Chief Commissioner of Victoria Police, Tim Cartwright, as the family violence reform implementation monitor is a great appointment, and it does mean it will be given the seriousness that is deemed necessary. So I am pleased to see this legislation before the Parliament.

I want to single out a couple of things, if I might. There are culturally and linguistically diverse communities and women within those communities who come from backgrounds that are very different from the norms of Australian society in many ways. They come from cultures, in some instances, where their role is just to accept their lot no matter what it is, and now they are settling here and realising that they do not have to. They do not have to accept verbal abuse. They do not have to accept the fact that they are not given access to money. They do not have to accept the fact that they are not given access to freedom of movement and association, nor do they have to accept the fact that their husbands might get violent and abuse them physically or sexually. They do not have to accept that. But from their cultures that is a big step to take. We have seen an increase in reporting, but not enough in these communities.

I have worked very closely with the Indian community as it tackles issues of family violence. I want to make it very clear: I do not think these communities are any more victims of family violence than long-term Australian communities. We know that family violence occurs right throughout every one of these communities. No matter what their socio-economic background is, their ethnicity, their religion or the colour of their skin, we know that family violence occurs in all these communities. But what we do need to understand is the cultural circumstances these women face, and we have to be sensitive to that need. We have to ensure that we work through their issues in a way that respects their culture. It does not mean that we ignore what is going on, and it does not mean that we do not confront what is going on. But it means that we act in a way that ensures they are protected and that they do not become victims after they have left their husbands or partners. We have seen instances within the Indian community where women have been set alight, where women have been murdered and where

there have been incredible acts of violence once a woman has chosen to leave. We certainly need to protect these women and their children.

I have confronted in my own office — and I know other members will have too — people who come to you as victims of family violence who need emergency housing, but because of shortages in that housing they are having to go to places outside their areas of knowledge and outside their communities where they get support and, most importantly, outside where their kids go for their schooling and their education, which means their lives are disrupted. Being able to work in those communities to ensure we keep them close to the places they know and for their children to be kept close to their friends and their schooling and giving them some continuity often is really important.

That is why I was so pleased about the housing packages that have been announced this year. In April we announced \$152 million to go towards accommodation for victims of family violence. I was really pleased to see that McAuley Community Services for Women in my own electorate is building a facility for women, just around the corner from my office, that will enable women to stay in and around the communities that support them.

Then recently we had \$109 million announced for housing for rough sleepers. We know that there is an increase in the number of women and children who are forced into that circumstance, and to be able to put them into housing that supports them and makes sure that they get not only a roof over their heads but the support they need to survive and keep going and the skills they need to keep going is truly important.

So while we can meet the recommendations of the royal commission, we need to make sure that those recommendations, as they are implemented, meet the needs. Right through until 2020 the opportunity is there to ensure that the monitor, who will have the independence to choose what goes into the reports that will be presented to the Parliament, shows that we are meeting those needs — that we are not just spending money willy-nilly on a bunch of words but are actually making a difference to the lives of the most vulnerable. We need to be doing that. This is not an issue that is going to go away. This is an issue that we desperately need to address. It is the no. 1 cause of crime against women, and it is the no. 1 cause of hospitalisation of women. We need to make sure that we are making a real difference to the lives of those victims and the survivors and improving their opportunities and chances to lead full and enriched lives and be supported in being able to do that.

That is why this piece of legislation is before us. I think it shows our commitment to ensuring that we do not just pay lip-service to the recommendations of the royal commission but that we are about making a difference. I hope everyone in this Parliament really takes on board the role of the monitor and when the reports are made really looks at those reports, and where we are showing that we are making improvements, we acknowledge it. Where it shows that we have not quite got it right and we may not have got the impact and outcome we wanted, I hope that we do not just jeer about it but understand that the monitor is about allowing us to correct that. I think that is what is important. It is not about making an opportunity to criticise; it is about an opportunity to fix it and make sure we meet the real needs of the people this is meant to affect.

So for all those women and children out there who have been the victims of family violence — and it is true to say there are more to come — for those who have been too frightened to report because they have felt fear about the consequences, I hope they feel more confident that they will be kept safe and that they can report and that they will be supported, that there will be provisions for them to be housed, that they will have the services they need to ensure they can live independent lives and their children can continue to go to school and be educated. I hope that all these things can be met through the recommendations of the royal commission and can be measured through the work of the monitor. I commend the bill to the house.

Mr McGuire (Broadmeadows) — Tragically family violence is our leading law and order issue. It is a scourge that cost 45 lives in 2015–16. It is also 100 per cent avoidable. This is the critical point: we can make the change to address this issue. What it needs is scrutiny, accountability and compliance, the three critical propositions to help reduce family violence over time and to make sure that we are staying on top of how this issue evolves within the community. As has been said by a number of speakers, this is not just a responsibility of any government; it is a responsibility right throughout the community.

That is why I think it is important today to have a monitor who is independent of the government and who can report to the Parliament so there is openness and it can be reported right through the media. Every MP can address the proposition on behalf of their constituents, we can keep the issue at the forefront of public discussion and we can keep evolving in how we address this issue, because it is going to take some time; that is the truth of the matter. What we have seen, though, with the stance that the Andrews government has taken, is national leadership. This is something that

I think will be recognised in the future as one of the absolute legacies of this Parliament.

What we need to do is to address this oldest fear in the world — women being afraid. If you think about it, it is extraordinary that we are still addressing this issue in the 21st century, but the reality is we actually have to make that cultural shift, the power shift and the gender shift, because overwhelmingly this is a gendered issue. Yes, there are some men who suffer in this perspective, but it is overwhelmingly women who are the victims.

I want to commend the minister for the big-picture strategy that has been rolled out and the Premier for instigating the Royal Commission into Family Violence and looking at how we bring in the reforms, including a whole suite of measures at the legislative level. At the housing level we are making sure that individuals are taken care of and families in particular are safe, because the dilemma for many women is to work out: ‘How do I actually address the violence in my life but take care of my children?’. This is the shocking dilemma that many women unfortunately face.

Victoria’s Chief Commissioner of Police, when he addressed this Parliament, said that family violence is at an epidemic rate and is a community shame. He said victims are still living in fear, that is unacceptable and the issue is about power and control. Attitudes are concerning and must change in order to build gender equality as a reality and not just an aspiration, so I look forward to the forthcoming address on what the Minister for the Prevention of Family Violence will do about outlining a long-term strategy to actually look at this.

This bill looks at the recommendation of the Royal Commission into Family Violence that an agency be set up with a number of functions, including the monitoring of the implementation of its recommendations. This bill will provide the mechanism to do this. The former acting chief commissioner of Victoria Police, Tim Cartwright, has been appointed as the family violence implementation monitor to begin this work. I need to make a declaration: I know Tim personally. But let us put that aside and look at his professional record. He has had a long and rich career at the height of force command in Victoria Police, and I think he brings tremendous insight. In his manner and demeanour he is a very measured person, and I look forward to his contribution. I know he will bring the sense of responsibility and commitment that he has displayed over decades to the fore on this issue. I look forward to Tim’s ongoing contribution.

Over the next two years the Andrews government is investing \$572 million to address the 65 most urgent royal commission recommendations. This funding is really making a difference for victims, with the expansion of housing, counselling and legal services. It is to ensure that there is a genuine partnership in delivering reform, with the establishment of a number of different bodies, including the Victim Survivors’ Advisory Council, chaired by Rosie Batty. I think we all owe Rosie Batty a debt of gratitude for her courage in coming to this Parliament. It was one of those occasions that is seared into your memory because of the way Rosie was able to address the horror that happened in her family and because of her emotional intelligence in being able to actually open up this issue in a way that has not happened before. I commend her for her insight, her emotional intelligence, her courage and her commitment over a long period of time to try to help us work through what the remedies are.

In addressing that, I want to go to the proposition that there are some particular areas that we need to concentrate on. I remember on a cold winter’s night the Minister for the Prevention of Family Violence came to Broadmeadows for a family forum at the Hume Global Learning Centre. It was packed out. We were addressing the issues of how we make sure that we give women permission to feel safe to come and talk about it. There were plenty of men there as well. So it was an important night, and there were important insights.

The City of Hume had the highest rate of family violence in the north-western metropolitan region for the period of 2015–16, according to figures from the Crime Statistics Agency. One of the issues with that is that the statistics just look at the north-western metropolitan region, and a problem that I have uncovered with a whole series of different indicators is that postcodes of disadvantage are not spelled out specifically within these aggregate figures. I just know from my previous work in the community before I was an MP that we need to address some of these absolute hotspots for family violence and other crimes and actually look at the social issues that are occurring within these areas.

As the Jesuit Social Services report entitled *Dropping Off the Edge 2015 — Persistent Communal Disadvantage in Australia* referenced, it is far more complex in these communities now, and they are bearing a much greater burden of how to deal with these issues. You have the aggregation of unemployment, and it is an absolute fact that during the convergence of two coalition governments — state and federal — the unemployment rate in these postcodes of disadvantage in Melbourne’s north was equal to that of

Greece. Youth unemployment was more than 40 per cent, and the Australian government's employment department could not even tell me the number of youth aged between 16 and 24 who were disconnected totally, either not learning or working.

These are the other issues, and we need to actually drill down into the figures and have a look at what is going on in these areas. As the member for Footscray referenced, there are particular issues with people from different countries who have come to Australia to make Australia their home — as my family did before them — and how they are actually coping with this convergence of issues, including deindustrialisation, the lack of jobs and how we actually address what is happening in these backblocks of suburbs. It is hidden. It is not revealed within the figures, so we need to investigate more rigorously to find out what is going on there and to make sure that these are not the truly forgotten people. I commend the bill to the house.

Mr PERERA (Cranbourne) — I wish to speak on the Family Violence Reform Implementation Monitor Bill 2016. The work of addressing family violence issues in Victoria has slowly but progressively developed over the past four decades. It emerged in the 1970s in the work of women's groups who provided support to women and children experiencing family violence. Historically family violence services have been closely linked with homelessness services. This work began to emerge at about the time the first women's refuge was established. It was not until the late 1980s that measures to address family violence began to be reflected in legislation, and it was not until the 2000s that significant momentum in support of law and policy reform in Victoria took place in this space.

The Royal Commission into Family Violence was established following several high-profile family violence incidents. This includes the murder of 11-year-old Luke Batty by his father in February 2014. The establishment of the royal commission is an acknowledgement of the seriousness with which the Victorian community has come to regard family violence and its consequences for individuals and families. Family violence is a behavioural issue, and it is not straightforward. It could be physical or sexual abuse, emotional or psychological abuse, economic abuse or threatening or coercive behaviour. It does enormous damage to growing children who take this sort of abuse as the norm.

The commission met with women in metropolitan suburbs and regional areas. It heard from women who were well educated and financially comfortable. The commission heard from women who had struggled for

their entire lives with poverty and disadvantage. It spoke with women from many different cultural backgrounds and faith communities. It met with Aboriginal and Torres Strait Islander women. The people the commission met with all had one thing in common: they have all endured family violence both as children and as adults and now have sons or daughters who are in violent relationships. The commission heard from women whose capacity to live full and productive lives has been shattered as a result of sustained abuse they have experienced in their relationships and families. The issue is widespread and bigger than Ben Hur.

After 13 months and hearing from 220 victims and producing a 1900-page report, the Royal Commission into Family Violence released its 227 recommendations. To its credit the Andrews government has taken on board all 227 recommendations. The commission's recommendations for a new approach cover the provision of support and safety houses in local communities throughout Victoria; new laws to ensure that privacy considerations do not trump a victim's safety; changes to laws to create a centralised service to share information about perpetrators with police, courts, family violence services and safety hubs; an immediate funding boost to services that support victims and families; additional resources for Aboriginal community initiatives and dedicated funds for preventing family violence in those communities; a blitz on rehousing women and children forced to leave their homes, supported by expanded individual funding packages; an investigative capacity for police and mobile technology for frontline police; more specialist family violence courts that can deal with criminal, civil and family law matters at the same time; stronger perpetrator programs and increased monitoring and oversight by agencies; family violence training for all key workforces, including hospitals and schools; investment in future generations through expanded respectful relationships education in schools; and an independent family violence agency to hold the government to account.

The implementation of the royal commission's recommendations is a huge task that will run over a few years, involving many government agencies and departments, such as schools, hospitals, courts and community organisations. Therefore it makes sense that the royal commission has recommended that an independent statutory entity be established to monitor and report on the implementation of the commission's recommendations. The bill before the house will establish the family violence reform implementation monitor to hold government to account for these reforms that will protect the victims and hold

perpetrators to account. It will also monitor the 10-year statewide family violence action plan.

The bill empowers the implementation monitor to compel agencies to provide information and demonstrate the operation of relevant systems. The bill grants the monitor permission of entry into and an inspection of agency premises to make sure that these systems are meeting expectations. The bill requires that the implementation monitor independently table reports in Parliament annually about the progress of agencies against the 10-year action plan and the implementation of the royal commission's recommendations.

The implementation monitor will have complete discretion regarding the content of its reports, which will be tabled in Parliament and published online. Considering the significance of the issue, this independence is very important. This approach will ensure the independence of the implementation monitor's report, while maintaining the government's ability to provide input into the strategic direction and administration of the office.

Given the sensitivity of family violence and the need to protect the privacy of individuals, including victims and survivors of family violence, the bill contains the following safeguards. The implementation monitor will only be able to publish information in its report that it considers to be in the public interest; the monitor will be prohibited from including information that is likely to lead to the identification of an individual, unless that information is already in the public domain or the person has consented to its disclosure; and the monitor will be prohibited from disclosing confidential information however gained, except as permitted by the act. The implementation monitor's first report to Parliament will be on 1 November 2017 and annually thereafter until 1 November 2020.

Each report by the implementation monitor must include information on the progress of the implementation of the commission's recommendations; the implementation actions of agencies with lead responsibility for implementing recommendations under the 10-year action plan, and the actions of any other agencies with which those agencies will collaborate; the progress of agencies in completing particular implementation actions, including in relation to diverse communities; and agency timeliness in completing implementation actions.

The commission was given \$36 million to run its investigation, and it has only spent \$13.5 million. The commission recommends that the remaining \$22.5 million be used to kickstart the response towards

the current crisis and be given to family violence services. The Andrews Labor government allocated \$80.6 million to addressing family violence in 2014–15. The commission finds that its recommendations will cost far, far more than this amount. Therefore earlier this year the Andrews Labor government announced a significant funding package of \$572 million in response to the recommendations made in the report.

This package will provide funding for the implementation of 65 of the royal commission's 227 recommendations over the next two years. Stakeholder groups have welcomed this announcement. Family violence and homelessness campaigners, along with specialist service providers, have applauded the speed of the Andrews government's response in implementing its recommendations. Domestic Violence Victoria has stated that the government had set a benchmark for the level of investment that is needed across Australia in addressing violence against children. I commend the bill to the house.

Mr RICHARDSON (Mordialloc) — It is a pleasure to rise and speak on the Family Violence Reform Implementation Monitor Bill 2016, another very important step in our work to prevent family violence in Victoria. The establishment of this implementation statutory authority which will be independent of government is an important milestone in how we monitor and how we view our task as a Parliament, as a government and as a collective in society in trying to address both the symptoms and the root causes of family violence. We can never move away from the urgency of this task.

I note that the first reporting requirement in the bill is that reporting will take place year on year, just like the 2009 Victorian Bushfires Royal Commission implementation monitor had yearly reporting requirements. The urgency could not be any greater. Each and every year we are seeing tens of thousands of family violence incidences reported to Victoria Police. This is the equivalent of 200 families each and every day who are living with the scourge of family violence.

My local police region, Moorabbin police — that covers Chelsea, Mordialloc and Cheltenham — consistently say to me that this is more than 40 per cent of their work. I take this opportunity to say that while there is a lot of coverage of various law and order issues at the moment — and legitimately there is coverage of some of those issues — we do not see anywhere near comparable coverage of the families that are subjected to family violence in those numbers: more than 200 instances every day. That is a new family that has

to look at their living arrangements, that has to think about their individual circumstances and how they can be safe in their community, and who potentially have young ones who will grow up with those scars and the trauma of seeing their parents or guardians being subjected to that horrendous violence.

It seems only yesterday, but it is now two years since the then opposition leader, now Premier, stood up and made a commitment to a royal commission into family violence. I want to also acknowledge the work of organisations and stakeholders to this point. This journey to the Royal Commission into Family Violence's report does not take away from the work and the dedication of providers, of organisations like, for example, Women's Health in the South East and WAYSS, that have tried to support people who have been subjected to family violence with housing and tried to get them the support they need and tried to relocate people into safe living circumstances. It has been a journey over time from when we saw refugees put forward for the very first time in the 1970s — that desperate campaign to ensure that women who were subjected to family violence could get away from the perpetrators — to the law reforms and reforms to police that happened over the last decade.

Significant milestones have been achieved, but it just shows the gravity of the problem that we face as a state, that we required such a powerful legal instrument like a royal commission to try to take it to the next step and aim to eradicate family violence. This monitoring system is absolutely integral to hold not only our government to account but also future governments and to ensure that this is always front and centre of mind. Like so many reports that are put forward, whether they be by committees of the Parliament or the largest legal instrument — a royal commission — we should never lose sight of the task ahead of us. Tragically lives continue to be lost each and every year. This year 45 people have been lost, and we need to address those issues.

It is also worth acknowledging that the Victorian budget this year allocated \$572 million to some of those very important projects: 17 support and safety hubs; a housing blitz to support families, particularly focused on vulnerable women and children; and supporting our Indigenous communities and our culturally and linguistically diverse communities, who have significant challenges. Sometimes those language and cultural barriers can prevent people even more from coming forward and reporting family violence.

The challenge before us, with the 65 recommendations that have been implemented in the Victorian budget, is

for this government and future parliaments to ensure that all of the 227 recommendations are implemented in full and that we are ensuring that the most efficient use of resources is always front and centre of mind. I refer to a statistic that I think talks about the economics of this. When we talk about investment and trying to prioritise things and things that we need to fund in Victoria, I am amazed that across the Australian economy the cost of family violence is estimated to be \$13 billion each year. That is lost productivity, that is the health cost, that is the suffering, that is the resourcing for support services and for our law enforcement. I think that tells a story of the need for our federal government to consider this as a national priority.

The fact that Victoria is contributing so substantially to these support services and implementing these recommendations, and substantially more than the commonwealth, which has more than \$360 billion at its disposal, really needs a rethink. I think the commonwealth jurisdiction needs to reconsider how they can support state jurisdictions and how they can really take a leadership role, because the economics of this, the social impacts on people and the lives that are torn apart by family violence have so much urgency. While we can talk about budget priorities, there is no greater priority than being safe in your home, and there is no greater priority than being safe in our community.

I heard the comments of the member for Gippsland South in his contribution. I share his view of it being quite shocking and hard to understand how anyone in our community could ever be violent towards a woman or towards children, to understand how that even comes to being. But we must look towards those root causes, and inequity in our society needs to be acknowledged, whether it is in the workplace — gender pay gaps — or whether it is positions of authority and the over-representation of men.

We need to acknowledge that this is a gendered issue. It is not about blaming men for everything, and I think some political commentators go on a bit of a tangent in that regard. That is a cop-out of the broader problems and lacks empirical evidence, because the evidence suggests that this is a gendered issue. We must change attitudes and approaches, right down to early childhood, to how we respect women in every facet of life — from the workplace through to social settings through to positions of authority. That is an absolute necessity. It is supported with policies like the Victorian government's policy to have 50 per cent of board appointments made up of female appointees. That is not a tokenistic thing. One out of two women would be absolutely justified to be on those boards and hold those positions.

We hear comments and discussions about merit, and of course appointments should be based on merit, but when you have entrenched stereotypes or entrenched views that are based on gender, that are subconscious and systemic, you must take action to ensure equity. It is not necessarily the same thing as equality, where there are unequal participants. So we need to acknowledge that. That is about addressing the root causes of family violence. The symptoms are treated with the enforcement, the extra housing, the extra support and the counselling for families. That is treating the symptoms. They are the outcomes; they are the end products of a broken system and a broken society. To get to the root causes of those challenges, we must acknowledge some of those gendered issues that are so systemic.

The introduction of the implementation monitor is a fantastic step. Just like when the 2009 Victorian Bushfires Royal Commission made substantial recommendations, it is hard for departments and governments to keep up with and to try to ensure that they meet those outcomes. This monitor will provide that yardstick and provide the government and the community with the surety that we are meeting those requirements. We are absolutely steadfast in protecting families from family violence. I commend the bill to the house.

Mr PEARSON (Essendon) — I am delighted to make a contribution to the Family Violence Reform Implementation Monitor Bill 2016. As other speakers have indicated today, the bill is important because it gives effect to a recommendation of the Royal Commission into Family Violence. I think it is important that we do have an independent officer of the Parliament looking at independently monitoring the establishment of the recommendations from the royal commission.

What I find most interesting about this issue is that we are having an honest and open conversation with the community. As a consequence of this royal commission work and the work of this government, things which were previously tolerated and regarded as fair and appropriate behaviour are no longer tolerated. Like many others, I previously thought that family violence really revolved around the notion of invariably a man hitting his wife. I think probably my mother would have had a similar view when she was growing up. But when something like the royal commission happens, it actually opens your eyes and makes you contemplate and consider these issues through a very different lens.

Like many others, I can relate to that royal commission through the personal experience of my own family. My

grandfather, who passed away before I was born, married my grandmother in the Great Depression. They had no money. At that point in time his one recreation relief was having four beers on a Saturday night. That was the only time he was allowed to drink because that was the only time it could be afforded. It was the one indulgence he had at the height of the Great Depression, which was fine. He was a little bloke. It was probably seen as something that you could do. Where things started to come awry was when the Great Depression ended and he got a good job in a protected industry during the war. His response was to tell my grandmother, ‘The money I was giving you for housekeeping, for raising the four children, well, there is not going to be any increase in that. So what you were getting paid previously, you will still get. The excess that I have now secured through good wages and conditions by working in a protected industry, that is mine — and it is all mine’.

While my grandmother spent a lifetime in poverty and drudgery — a couple of rungs above being destitute — he wore fine clothes. He would go to the pub every night, drink with his mates and have a wonderful old time. As was often the case, he would come home angry, threatening to burn down his house. My mother would talk about fleeing the house at 10 o’clock at night on a school night because he had come home in a rage. She was a child fleeing from her home in terror. She would hope that he would sleep it off and go back to bed in the wee hours of the morning. She would get up the next day and he would be fine; it was all forgotten — and the cycle would repeat itself.

My mother told me these stories when I was growing up in the 1970s and the 1980s, and at that time I do not think she would have seen herself as a victim of family violence. I do not necessarily think she would have regarded herself in that way. She did not regard her father as a monster. I heard these stories and I thought, ‘Well, surely you must have hated him for what he did to you and your family? You were denied so much as a consequence of his controlling behaviour and his excesses’. But she did not feel that way.

This bill is important, and the work that was done by the royal commission is important. We recognise the fact that this behaviour is entirely inappropriate. Where what might have been a fairly common occurrence in many homes where the father earned the money and could spend the money as he wanted, he could control his wife and his children and occasionally flare up and that was seen as appropriate, I think we are moving on as a society and a community where we now recognise that that is no longer appropriate.

That leads to some broader discussions about equal pay. I hope that from this great work that has been done at some point in time we will start having a conversation about addressing the superannuation gap. We have got a pay gap between what women and men are paid in this country, but also we have got a wealth gap. You often have a set of circumstances where a man and a woman get together, they marry, they have children and they have comparable earnings at a comparable age, in their late 20s or their early 30s, yet by their 40s the male's superannuation balance far exceeds that of his partner, and the gap is never quite closed.

I think we have also got an issue in our community with the view that women should be streamed out of science, technology, engineering and mathematics (STEM), that women are more attuned to and more adept at studying English literature and that that should be an appropriate thing to do. The reality is that it is not. We must fight against these gender stereotypes and prejudices because most of the high-paying, stable and secure jobs have got a STEM background. So if we turn around and say, 'We are going to use gender stereotypes for education' and we basically encourage girls to leave that field of endeavour at the first opportunity, then effectively we are going to be ensuring that this patriarchy remains and that the secure, high-paying jobs of the 21st century go to men and women are not allowed access to them. We cannot allow that.

You might ask, 'What's that got to do with family violence?'. What the Royal Commission into Family Violence did was basically shine a light on the way in which gender relations operate in our society and community. Whereas it was previously seen as, 'Well, that's just the way it is, it is just how society is and it has always been that way and always will be', I think we are now able to be in a position to say that is not how we want it to be. One in three women is a victim of sexual assault. When we look at this report we can say, 'You know what? That is not good enough. We do not want this to happen'. I have got three daughters. I do not want to see any of my girls be a victim of sexual assault. I do not want them to live in a society that statistically shows that one in three women will be assaulted.

Work like this is important because we need to try to change the conversation. We need to recognise that times have changed and that we have moved on and the old standards no longer apply. We have got to try to make sure that we send a clear message to the community that what previously might have been condoned, might have been tolerated, is now no longer tolerated and is to be condemned. Part of that process is

about educating people to make sure that they recognise the fact that this is not the way it should be.

Encouraging the individual to make informed choices is the most effective tool of public policy. We can regulate until the cows come home, we can legislate and have statutes from here to the moon, but the most effective tool of public policy is making sure that people can understand and appreciate the way in which they should lead a good life and what is appropriate behaviour.

In 1970 I think the population of Victoria was around 3 million and the road toll was over 1000. By rights you would say that now we should be losing probably 2000 people on our roads every year. We do not, and that is because in the area of road safety we have had that conversation with the community over decades and people know what is appropriate and what is inappropriate behaviour. People have started to make their own choices and their own decisions. Yes, there has been a regulatory and legislative framework to back that up, but people are now more adept at making better choices for themselves.

The bill is important. It gives effect to recommendations of the Royal Commission into Family Violence. I am heartened by the fact that hopefully we can start changing the conversation. Hopefully my girls can live in a world, in a society and in a community where they have got more support, where they can live safely and securely and where violence against women is seen as an aberration — and a very small aberration — in their lives, that it is not seen as something that is pervasive, that it is not seen as something that is commonplace, but that it is an occasional incidence of violence rather than a pattern of behaviour or pattern of abuse.

This is an important piece of legislation. I am so proud to belong to a government that has brought this bill to the chamber and to the Parliament. I wish it a speedy passage. I commend the bill to the house.

Mr J. BULL (Sunbury) — I am also pleased to contribute to the debate on the Family Violence Reform Implementation Monitor Bill 2016. As the member for Essendon has said, this is a very important bill. It is important because it continues the great power of work done to prevent family violence, which we know is the most important law and order issue in the state and, certainly in my view, in the nation. Over the course of the last two years we have learned of, heard about and seen the horrors of family violence. We have seen and heard about the devastation that is caused through

harm, through fear and through intimidation that breaks families and inevitably shatters lives.

I did speak in the house some time ago about a local community forum that I hosted with the Minister for the Prevention of Family Violence in Sunbury. That brought together a number of local groups, including Victoria Police, Sunbury Community Health, both Hume and Melton city councils, individuals and local organisations. To hear firsthand the powerful local stories about the impacts of family violence was incredibly devastating. But for me it only solidified my resolve that all of us in this chamber, and in the other chamber as well, must do more in this space. As members of this government we committed to establishing Australia's first Royal Commission into Family Violence, which, as we know, handed down its report on 29 March 2016, with 227 recommendations. One recommendation relates specifically to the bill before the house this afternoon: to establish an independent statutory monitor to report on the implementation of the royal commission's recommendations.

This bill is essentially about holding this government to account and also governments to come after it. It is about oversight, but most importantly it is about real reform and real action that saves lives and protects the most vulnerable in our society. A standalone monitor, as we have heard, will be created by this bill. This will ensure that there is a single, dedicated focus on reporting on the implementation of the recommended reforms to the family violence system.

The implementation monitor will carefully look at the whole range of recommendations that have been put to the government and report extensively to the government on the progress being made in this incredibly important space. The implementation monitor will be appointed by the Governor in Council and will independently report directly to the Parliament. The implementation monitor will have complete discretion as to the content of these reports, and that separation, which members have spoken about this afternoon, is incredibly important. We need to ensure that we have a separation of government business and government policy and that we have a body that will inevitably check the pulse and ensure that these recommendations are being implemented. Nothing could be more important than getting this right. Nothing could be more important than looking at the 227 recommendations that the government has accepted from the royal commission and ensuring that there is transparent and independent oversight.

We know that former Acting Chief Commissioner of Police, Tim Cartwright, has been appointed as the family violence implementation monitor. This is a very good appointment and he certainly will do important work. Mr Cartwright's detailed experience of government, community organisations, the justice sector and of course the operations of Victoria Police will be crucial to effectively monitoring the breadth of the royal commission's recommendations that reach across various government departments, agencies and the community sector.

If we look at the 227 recommendations — and we have certainly heard from members this afternoon about the detail of the recommendations, the work that is required and the need for a holistic approach to community policy — I think it is very difficult to pigeonhole this in any one particular space. Having that intergovernmental department approach ensures that we are able to work on a whole range of fronts, whether it is within education, within our schools, within our hospitals or within local community organisations and whether it is about how we interact with each other or how we treat women — all of these very important things. I know the member for Essendon spoke extensively about this, and I could not agree more that this is a holistic change that is required, and it is certainly important to be addressing it in this way.

Over the next two years we are investing \$572 million to address the 65 most urgent recommendations. This funding is already beginning to make a real difference to victims through an expansion of housing, counselling and legal services — all of those on-the-ground services that we know make a genuine and real difference to assisting people and helping people in the most dire of circumstances.

To ensure a true partnership in delivering family violence reform, we have established a number of bodies, including the Victim Survivors' Advisory Council, chaired by Rosie Batty, and before the end of the year we will release the 10-year plan for family violence reform and Victoria's first gender equality strategy. This goes back to that holistic approach right across a range of government departments to ensure that real action is occurring. We know that the monitor will be tasked with reviewing the government's progress as well as implementing the royal commission's recommendations and the 10-year statewide family violence action plan.

Quite often people in the community come to me and say, 'Well, you in government may do a whole range of things, but then the next government, state or federal, will come in and reverse what you've done' or

'Nothing lasts; nothing sticks'. This 10-year statewide strategy and the bill to actually introduce the monitor mean that these are things that will last. These are things that will stand across governments. It is my view that the Andrews Labor government has a long-term view in a whole range of policy areas, none more than this one. I think this is incredibly important as, right across the various political parties, we all look to make a genuine difference and stop this happening in the first place.

As we have heard, the bill will require the implementation monitor to report to Parliament on 1 November 2017 and, after that, annually until 1 November 2020. The monitor has complete discretion about what is included in each report, as I have already mentioned. That separation is vitally important to make sure that the monitor is able to do its job appropriately and to ensure that we are doing our job appropriately. In addition to the primary monitoring and reporting role, the implementation monitor's functions will include informal consultation and engagement with departments and agencies in the course of monitoring, and we know that the responsible minister can ask the monitor for advice on issues of concern in implementing those recommendations.

If you look at direct investment, I think that those of us on this side can be incredibly proud of the money that has gone into this space. As I have mentioned, in April 2016 we announced a \$572 million package to start delivering on 65 of the royal commission's most urgent recommendations: \$152.5 million for a housing blitz; \$121.9 million to give children the best possible start in life through expansion of the maternal child health program, family services and counselling; and \$61 million to expand the respectful relationships in schools program and to deliver Victoria's first gender equality strategy.

There are a whole range of financial commitments that come with supporting the recommendations, and I certainly want to take this opportunity to commend the Premier for his leadership on this issue. From day one he has put this on top of our agenda as a government, and he has not once deviated from his commitment to get things done in this incredibly important space. I also want to take the opportunity to thank the Minister for the Prevention of Family Violence and her staff for all their hard work and efforts. Victoria Police, our local community legal centres and community health and support workers — can I also just say that we as a government thank you for all of the work that you do in supporting those who need it the most. I am incredibly proud of everything that we have achieved thus far in this space, and I want to take the opportunity to thank

each and every one of the agencies that have assisted. I commend the bill to the house.

Ms GRALEY (Narre Warren South) — It is a privilege to rise this afternoon and speak on the Family Violence Reform Implementation Monitor Bill 2016. I am going to begin by quoting a person who has been referred to by previous speakers, and that is of course the Australian of the Year, Rosie Batty. She said when she received her award that family violence:

... is an entrenched epidemic that we've lived with since time began, so we've got a long way to go. But I do believe the tide is turned. It's no longer a subject that only occurs behind closed doors.

I am very pleased to say that we are a government that has really taken this issue out from behind closed doors and supported those who have been on that mission for some time. I will take the opportunity to commend the hundreds of mainly women who have established and worked in family violence refuges, and the number of women and men who have worked in organisations like community housing co-ops. In my electorate WAYSS, Our Watch and places like Safe Steps have for decades been campaigning to have this issue of family violence put at the forefront of government decision-making, and we certainly have done that.

People on this side of the chamber are very pleased that we were the government that established the Royal Commission into Family Violence, which has given us an incredible amount of information and a set of recommendations — 227 of them — that can empower us and inform us and make sure that our decisions are heading in the right direction and that we are on the right path in trying to tackle the issue of family violence.

Hopefully we will see family violence reduce in frequency as we go about putting into place measures that prevent it — support mechanisms that women and families can rely on when they find themselves in danger. I am not just talking about community housing, which the government has already invested in significantly. Indeed, in my own electorate of Narre Warren South 11 new houses will become available in coming years. We look forward to those being available for women and their families. We also have a very strong commitment to making sure that the legislation and the court system and all the infrastructure around our legal system are really focused on supporting women and their families to make sure that family violence is prevented and eradicated as much as possible.

The Family Violence Reform Implementation Monitor Bill is about exactly that: making sure that the government remains accountable for what it says it will do. It is about making sure that the recommendations of the royal commission do not just sit on some dusty shelf but are put to work to make lives better for people. This monitor will be a statutory officer and will report independently back to Parliament. Frankly, I know that people in the field are very pleased that such a monitor will be put in place. We all know that in politics there can be flavours of the month or issues that have their day and go away because they are not as appealing to new decision-makers that may come into government or because they are another person's agenda. The establishment of this implementation monitor means that the royal commission's recommendations will be looked at forensically. It will make sure that the government delivers on what the royal commission has asked us to do.

I want to draw the attention of the house to some of the information that is in the royal commission report's pages. I do so because I actually believe that prevention is better than cure. Thankfully the royal commission did focus on this aspect, and it has made significant suggestions, indeed recommendations, around this element. I just want to refer the chamber to the comments of Ken Lay, a former chief commissioner of Victoria Police. He told the commission:

So despite all that investment, despite all the work, despite all the goodwill, we still have a court system that many victims and women describe as a horrendous experience. We still have women being murdered at almost a weekly rate. We still have terrible, terrible injuries. We still have much of our focus on trying to arrest our way out of this. So the violence continues. I don't see the current model, unless we get into that primary prevention space, moving.

So it is very, very important that the royal commission's recommendations around prevention are focused on, delivered and monitored. I make reference especially to one of the recommendations around the need for an investment in respectful relationships education. As a person who has actually taught in schools and been a student welfare coordinator — I taught what they used to call 'human relationships education' — I have always been a fan of trying to talk to young students about some of the very pressing human sexual equity issues that they face as they grow up. I truly believe that if you talk to kids about these issues early enough, you make a real difference to the way that they see the world and the way they see themselves partaking in the world. I believe that we can actually skill up people to have much healthier and much more trustworthy relationships.

I notice that in the commission's report it actually talks at length about the importance for all students, whether they be straight or LGBTI, whatever postcode they live in, whether they come from rich families or poor families, of respectful relationships education. The report says that when we trialled this respectful relationships education project there were some outstanding results. That is why the royal commission has gone on to recommend that we roll it out. I am very pleased to say that the government is doing exactly that. I believe it is going to make a significant difference to people's lives. The Royal Commission into Family Violence report states:

The draft evaluation report for the project provided to the commission said that students demonstrated increased understanding about violence, gender and gender inequality and were also less likely to trivialise and excuse gender-based violence or victim blame.

It also had the important benefit that whilst these students were learning about these very important issues around gender inequity, family violence and how to have healthy, respectful relationships — and to those opposite, why would you not want to have respect taught in a classroom? — one of the greatest impacts was the positive changes in student behaviour, with 64 per cent of 42 teachers stating that there had been a positive change in classroom behaviour. Every classroom benefits from having respectful relationships education taking place in it. It is not only great for the school community but it is a win-win for our wider social community as well if it is to take place.

As we get closer to the festive season, when we know there is a spike in family violence, it is very important that we focus our efforts on making sure that family violence is tackled by the government and that we are accountable for it. Hopefully we have bipartisan support on this issue. Indeed the greatest gift you could probably give to people in the festive season would be to call out sexism when you see it; make sure that people are aware of gender inequality issues; if you are in a situation where you see family violence happening in your neighbourhood, report it to police; and if you have to, provide safe refuge for the people in those circumstances so that as a community we take responsibility for driving down sexist and violent behaviour and we truly do have something to celebrate at Christmas. It would be a much more respectful and healthy environment. I commend the bill to the house.

Mr EDBROOKE (Frankston) — It is my pleasure to rise to speak on the Family Violence Reform Implementation Monitor Bill 2016. I would like to acknowledge the hard work of Women's Health in the South-East, WAYSS, the Sisterhood Frankston and

Mornington Peninsula and all the other agencies that serve my community and do such a good job with such a hard and confronting issue. To the stakeholders that also contributed to the royal commission, thank you for your input on this journey. We said we would take action and we would have the first royal commission into family violence, and that is what we did. We did that because 45 lives are being lost each year — 45 family members are being lost each year — and one in three women nationally have experienced physical violence since the age of 15, which is just a remarkable figure.

In our law and order and public safety portfolio, as mentioned, we established Australia's first Royal Commission into Family Violence. We have invested \$57.9 million in the 2016 year to respond to the immediate demand for family violence services, which were much needed. We have invested \$572 million in the 2016–17 budget to implement the recommendations of the Royal Commission into Family Violence, of which we have implemented or plan to implement every one. We have also provided housing to provide shelter for women and families at risk of abuse and introduced family violence leave for public sector workers. In contrast to that the coalition has provided now and previously no whole-of-government family violence package, and the federal government has only committed \$100 million over four years. This was a problem that was definitely identified, but sadly nothing was actually done about it.

Frankston North unfortunately has the highest number of police call-outs responding to family violence in the state. That is something that we obviously need to do something about, and we are. It is a very complicated issue, and I am so glad to see so many people on this side of the house getting up to date and having a chat about it. It is a very confronting issue, but it needs very forthright action.

The royal commission of course recommended that an independent statutory entity be established to monitor and report on the implementation of the commission's recommendations and on the recommended statewide family violence action plan. This bill actually establishes that family violence reform implementation monitor to hold the government to account so there will be no sneak peeks, as we had a couple of years ago when the former government would not actually release data on ambulance statistics. This government actually wants transparency. We want to see what is happening so we can take appropriate action and undertake real reform. There will be no hiding of statistics. This standalone monitor which is created by this bill ensures there is a single dedicated focus on reporting on the

implementation of the recommended reforms to the family violence system. Of course if we need to make changes and alterations, we can do that.

What does frustrate me today is that we are talking about the no. 1 law and order issue in Victoria. We have heard a little bit from the other side of the house, but I thought this was a bipartisan approach to reducing family violence. Today we have had one or two speakers from the opposition. Is it not a big enough issue? It is the no. 1 law and order challenge we have. Is it that it is about gender and that is so confronting, especially for a male, to accept and be educated about? This is actually a gender issue, and it is hard to speak about. I would not miss the opportunity to speak on this bill, and I am very proud that it is this government that is bringing it to fruition.

I would also like to pick up on what the member for Narre Warren North stated in that this bill and the implementation of these recommendations are also linked with the Safe Schools program. We have heard many rubbish stories about that Safe Schools program from the other side of the house, but I might just say that it has actually been endorsed in the past week by the Salvation Army's Victorian state council. Like the Safe Schools program, which teaches kids respect and shows them right from wrong with regard to some challenging gender stereotypes, this is hard and this is confronting. This is hard and confronting because it is culture change. It is evidence based, it challenges people's stereotypes and it is very hard for some people to digest. It is not a sugar hit. It is a long-term goal, and we know that. This is just the start.

It seems like across the chamber they are just not interested. I would like to say to our coalition buddies: this is your call to action on the no. 1 law and order issue in Victoria. All of our community needs to be involved, and you need to be leading our communities on this. From what I have seen today there is no leadership there in the Liberal-held seats. It would have been respectful to see some more opposition speakers; it is just a shame. Identifying specific crimes in question time and doing that for political gain is one thing, but at the same time ignoring the no. 1 law and order issue that this bill actually touches on and puts a monitor in place for is kind of pathetic.

One in three women experience some kind of physical abuse after the age of 15. That is one in three women. All the other side of the chamber has to talk about are single law and order incidents that are brought up in question time, but no-one can speak on this. It is absolutely pathetic. What does it tell us? It shows that they are not interested in any positive change at all. It is

just not on their agenda. They are interested in pulling things down and tearing things apart.

We heard that Rosie Batty called this an entrenched epidemic. If Rosie Batty can call this an entrenched epidemic, why is this not on the front page of the *Herald Sun*? Why is our action on this — the action that we are taking as a government with apparently bipartisan support — not on the front page of the *Herald Sun*? If you are so upset by crime in Victoria, why are you not leading your community by example by getting out there, taking action on these issues, showing that leadership and making that change? I note that there is just no interest from the other side of the house.

We know that in Frankston there are local issues as far as family violence and respect for women go. We have just recently this week unveiled the next stage of the Frankston service response partnership, which is a wraparound partnership for people experiencing homelessness and mental illness and for those escaping family violence. What we have done is brought Professor Allan Fels's Haven Foundation on board with some accommodation. There is Wintringham as well, with their over 40 beds for people over 50 experiencing homelessness, and many of them will be escaping family violence. Wintringham's CEO is the great Bryan Lipmann. The government is acquiring 16 new houses in Frankston. They will be there for people experiencing homelessness and escaping family violence.

As I said before, I am absolutely proud to be part of a government that will, instead of giving a sugar hit which will last four years and which is worth some votes, actually put its foot to the floor and look at this very, very hard issue and at the long-term treatment that we need to do. I just hope that those on the other side of the house can take a good look at themselves and think about whether they want to be part of this change or whether it just about political point-scoring, pulling out a single crime each week and telling us about it and totally ignoring the no. 1 law and order issue in Victoria.

Again, 43 women die each year, and one in three women over the age of 15 experience some kind of physical abuse. Those are amazing figures, and I just do not see how in the position we are in, as members of Parliament, you would not want to lead your community. It is probably a little bit too easy to come in and scream about White Ribbon Day. Today is the day that you can actually show some leadership. People can get up and add sufficient content which reflects their

opinion on this very, very important issue. That said, I commend the bill to the house.

Ms WILLIAMS (Dandenong) — It is a pleasure to rise in support of this bill. Sadly, there are few in our community who have not been touched either directly or indirectly by family violence. Like many in this place, I am no exception. I was very fortunate to have grown up in a very loving household with not even the slightest hint of the violence or manipulation or controlling behaviour that we know characterises so many others. But I think it is fair to say that family violence has echoed through the generations, and it has certainly left its mark.

For me that mark was not even knowing my paternal grandfather. My immediate family was in many ways protected from him by my grandmother and my father, who recognised that he was not and would never be a constructive influence on our lives. So there was a void. Sadly, this is not the only interaction that I have had with family violence. Like many of us in this place, I have had friends who have endured family violence situations, and there are probably others I have not known about because, as we all know, these things tend to happen behind closed doors.

I am pleased to be able to speak on this bill on the day that the City of Greater Dandenong Walk Against Family Violence is taking place in my electorate. For obvious reasons I could not be there for the walk today, so to be able to speak on this bill in solidarity with those standing up in my community is very welcome indeed.

We know that more than 78 000 family violence incidents were reported to Victoria Police in 2015–16. That figure has increased by over 43 per cent since 2012. This is not to say that the rates of family violence have increased by this much over that time, but the reporting certainly has. In some ways it is positive that women are feeling more comfortable about reporting these incidents, but I think we would all agree that the statistics point to something truly awful happening in homes across the state.

My electorate straddles two municipalities, those being Greater Dandenong and Casey. The local statistics in Casey are frightening. I do not have the 2015–16 figures to hand, but I do know that in 2013–14 Casey had the most reported incidents of family violence, with a total of 3752. That is horrifying. That was likely to have been 3752 women, it was 3752 families, and it could well be that over 3752 children were forced to endure family circumstances that are truly horrifying and that will most likely have an impact on them for the rest of their lives — no-one walks out of that unscathed.

It is really difficult to make sense of these numbers. Equally it is difficult to come to terms with the reality that 45 lives were lost as a result of family violence in 2015–16. So 45 families will never be the same again.

For many of us on this side of the house the Royal Commission into Family Violence is one of the greatest achievements of this government. It has thrown up an enormous task and some enormous challenges in its 227 recommendations, but I think it is a testament to the energy of this government and to how seriously we on this side take this issue that we immediately set about addressing these recommendations. As we have heard, over the next two years we are investing \$572 million to address the 65 most urgent of these recommendations. This funding is going towards making meaningful changes in housing, in counselling and in legal services. This marks the largest single investment by any state, territory or federal government to address and prevent family violence. As the member for Bendigo West very rightly said, it is not about the money. She said the money is actually not important; it is about what it can achieve in real outcomes, and I share that sentiment. It is actually about a genuine attempt to rid our communities of this terror, and it is that: it is terror.

To outline in more detail the investment, we have invested \$152.5 million in hundreds of new social housing properties being purchased or leased and in upgrading family violence refuges. We have invested \$121.9 million in expanding child and maternal health programs, family services and counselling. We have invested \$103.9 million for specialist family violence services, crisis support and case work, as well as services for culturally and linguistically diverse (CALD) and LGBTI communities. As a representative of the most multicultural district in the state, I am particularly pleased to see resources being put into tackling these issues in CALD communities and into ensuring that we are approaching these communities in not just a sensitive and respectful way but a relevant way that gives the best possible chance of meaningful outcomes and change in this area.

We are also investing \$61 million in prevention, expanding respectful relationships in schools and delivering a gender equality strategy. I was very disappointed to learn that the opposition education spokesman, the member for Ferntree Gully, referred to the respectful relationships program as propaganda. Quite frankly, I think these are the sorts of comments that rightly haunt community leaders and they are comments about or perhaps insights into a person that are not easily forgotten by anyone — and for all the wrong reasons. Finally, to conclude the breakdown of

that \$572 million investment, we are investing \$25.7 million to work in Aboriginal communities, including funding for prevention programs, for new approaches to dispute resolution and for women's programs.

While we have made a great start, the work does not end here. There is still much to do, and the bill before us today is a key part of these steps. As we have heard, the bill will establish the family violence reform implementation monitor as a statutory office with responsibility for, in broad terms, monitoring the implementation of the recommendations of the royal commission and reviewing the government's progress. Before the end of the year we will release the 10-year plan for family violence reform and Victoria's first gender equality strategy. The monitor will have the task of reviewing our progress in meeting that 10-year plan as well.

I am particularly pleased that the monitor being established through this bill will not be someone who will just rubber-stamp things. He will have the power to compel government agencies to provide information and demonstrate the operation of relevant systems and to permit entry into and inspection of government agencies and premises in certain circumstances. The legislation before us will require the monitor to report to Parliament on 1 November 2017 and every year after that until 1 November 2020. The monitor will be able to conduct informal consultations and engagement with departments and agencies in the course of his monitoring role. The minister will be able to ask the monitor for advice on issues of concern about the implementation of the royal commission's recommendations.

The importance of this work justifies prompt action in establishing the implementation monitor, which is why the government has acted quickly to engage former Victorian Acting Chief Commissioner of Police Tim Cartwright. Mr Cartwright's experience of police operations and in government and his previous advocacy for those experiencing family violence make him a very suitable candidate for this role, and we all look forward to working with him.

Finally, in winding up, earlier on I touched on this government's gender equity strategy and the work that is taking place and being put into that. I think this is a very important issue in the broader discussion about family violence. I must say that for me gender equality is very much at the heart of this issue. We know, for example, that overwhelmingly it is women who are the victims of family violence. At their heart these statistics tell a story of enormous and systemic disrespect for

women in our community. As a society we need to change the way we speak about women, we need to be more inclusive of women, we need to listen to the voices of women more than we do currently, and we need to actively work to change some of the more toxic environments where sexism persists.

Quite frankly, sexism has been normalised in our society. I do not think anybody can doubt that. It is in our advertising, it is in casual conversation, it is in business, it is in leadership areas across so many different sectors, it is in sport — it is everywhere in our community. We encounter it every day, and the worst part of it is that it does not make us flinch — and it should. You hear comments and you barely bat an eyelid. But it is not only women who should be flinching. Men should be flinching when they hear these things too. I have had some incredibly solid and fruitful conversations with the member for Bass on this very issue, and I have heard him speak very passionately at some local football clubs on this very issue and the need for men to start feeling uncomfortable when this sort of discourse goes on around them. This is a great challenge for our community and one that all of us in this place and out of it need to work on each and every day. We have got to stop letting the little things slide, because they are not little. Cumulatively they are a very large and significant issue.

We are making inroads bit by bit. We have started on a long and difficult path through all those measures I have outlined in my contribution today. For that, I am very proud, and I commend the bill to the house.

Mr CARROLL (Niddrie) — It is my pleasure to speak on the Family Violence Reform Implementation Monitor Bill 2016. In thinking about my contribution today, I want to dedicate it to the memory of Nikki Francis-Coslovich. She was someone who did not live in or have anything to do with my electorate, but hers was a case I followed closely and it is burnt into my conscience, just like the case of Luke Batty is burnt into every Victorian's conscience, and if you go back, just like the case of Daniel Valerio is burnt into every Victorian's conscience, just like the case of Jaidyn Leskie is burnt into every Victorian's conscience. One thing these cases that had such a profound impact on the Victorian community had in common was that they were all children killed at the hands of someone who essentially should have loved them and should have given them everything in life.

I think the reforms of the Andrews Labor government are incredible and I think it is so important that we do implement all the recommendations of the Royal

Commission into Family Violence. It is great that we are using a stick, essentially, in terms of this legislation, to have the monitor there in the person of Tim Cartwright to ensure that the 227 recommendations are put in place.

The case of Daniel Valerio I remember from back when I was doing my Victorian certificate of education. I was obviously very young back then — I think it was about 25 years ago. It was a case I had read about and I could not get over the horrific injuries that young Daniel had been made to suffer — his organs crushed at the hands of his mother's boyfriend — and the photos that were published in the paper.

That case led to the mandatory reporting of child abuse. As that case showed, Daniel had an older brother, Ben. He was four years old and he had often told authorities of the abuse that went on in the home at the hands of the mother's boyfriend. Unfortunately nothing was done, and young Daniel Valerio was murdered in one of the most brutal crimes you could think of — essentially a defenceless two-year-old boy was beaten to death.

That is also what happened to young Nikki Coslovich in Mildura. I read that case — as someone who has practised in law — very closely and I followed it right through the courts. It is a case that is definitely burnt into my conscience. This young girl was murdered. She was put into a roof cavity, according to reports, and left in the roof for a couple of hours where she finally passed away. She is now buried in the Mildura children's cemetery, and it is hard to say it, but she is probably at peace, in a better spot now than perhaps she was. There has been a court case and the justice system has dealt with it. There will now be a coronial investigation as well, which will be very important. This was a case that really seared the conscience and, if not for the Donald Trump election reports, I think we would have read a lot more about it.

On that note, I do want to pay tribute to some of the journalists who wrote about this horrific crime. I start with Andrea Hamblin, who wrote in the *Herald Sun* the article headed 'Injustice of an angel's tragic death'; she also wrote the article headed 'Nikki agony'. I also pay tribute to Katie Bice who wrote the opinion piece headed 'We must learn from Nikki's death'. It goes on and on, and I will not read all the headlines because I do not think that would be fair to some people in the community. Nikki's case is very important and will also lead to some significant change and the reform that we all hope for.

I also pay tribute to Neil Mitchell on 3AW radio, who spent a fair bit of time on this case and wanted to find some answers and justice done. But what is important about what we are debating here today with this reform and the legislation going through Parliament is that if you look at the *Summary and recommendations* of the Royal Commission into Family Violence, the Premier himself said it best. I quote from the summary:

In announcing the Victorian government's intention to establish the royal commission —

and I was fortunate as a newly elected member back in 2012 that my first conference as the elected member for Niddrie was when the Premier, the then opposition leader, got to his feet to say that he was announcing a royal commission and that every recommendation would be implemented with no ifs or buts about it and that it was the highest national priority facing our nation, and that when he became Premier he would lead from the front and make sure something was done. The summary continues:

... the Premier declared that family violence was 'the most urgent law and order emergency occurring in our state and the most unspeakable crime unfolding across our nation'.

The summary continues in part under the heading 'Why does family violence occur?' to state:

There is no doubt that violence against women and children is deeply rooted in power imbalances that are reinforced by gender norms and stereotypes. Factors such as intergenerational abuse and trauma, exposure to violence as a child, social and economic exclusion, financial pressures, drug and alcohol misuse and mental illness can also be associated with family violence. These factors can combine in complex ways to influence the risk of an individual perpetrating family violence or becoming a victim of such violence.

As I noted earlier, family violence can cause terrible physical and psychological harm, particularly to women and children. I heard the contributions of the members for Mordialloc, Frankston, Sunbury, Dandenong and the member for Eltham earlier today, and every one of my Labor colleagues in government that I am so proud to call colleagues spoke eloquently. But what is most important is that they all get it. They are proud to speak on this legislation because it is so important. It is unfortunate that members of the opposition are not also taking this opportunity to speak on this bill because it is important legislation. We all talk about things we are doing in government in relation to economic infrastructure, transport and level crossings, and all that is so critically important. This is social infrastructure that you might not see in a physical sense, but it is there to ensure that support is there for the victims, and that, going forward through the family

violence royal commission and the implementation of its recommendations, we bring about systematic cultural change in what is regarded as the most progressive state in Australia and that we lead from the front.

Very importantly, today we saw the Attorney-General introduce new laws that will go to the heart of protecting children from abuse by addressing the onus of proof and ensuring that there is accountability for victims of child abuse in different organisations. Even the state is made accountable — the onus of proof and the creation of the statutory duty of care are all there to ensure that our most vulnerable, our children, are protected.

So I am very proud to be part of the Andrews Labor government that is doing so much. I was fortunate, along with the Minister for the Prevention of Family Violence — like the member for Sunbury — to have a forum in my electorate at Penleigh and Essendon Grammar School and to have Tim Cartwright as a speaker. He was excellent. I cannot think of a more important choice to have as the implementation monitor for these important reforms. I have got to know Tim personally through my work as the Parliamentary Secretary for Justice. He did an excellent job when he was Acting Chief Commissioner of Police. He is a man of integrity and he is a doer. He is also someone with a level head that will work very well in ensuring that we get the reforms implemented and that we change Victoria forever. I commend his appointment; I think he will do great things.

I really do also want to commend the work of the Minister for the Prevention of Family Violence. I want to commend the Premier for his leadership first as opposition leader and now Premier in bringing about this important reform. I also want to commend all members not only of cabinet but all my caucus colleagues who are getting up and speaking on this important legislation. Boosting family violence support services will change Victoria. It will make us an even more progressive state and a proud state. I commend the bill to the house.

Debate adjourned on motion of Ms HALFPENNY (Thomastown).

Debate adjourned until later this day.

CRIMES LEGISLATION FURTHER AMENDMENT BILL 2016

Second reading

**Debate resumed from 26 October; motion of
Mr PAKULA (Attorney-General).**

Mr PESUTTO (Hawthorn) — I am pleased to be able to speak this afternoon on the Crimes Legislation Further Amendment Bill 2016. I have said in this place previously that we would like to see a government that has its priorities right, but this year we have seen bill after bill come before this house and on most occasions those bills have not been altogether contentious but they have, in our view, failed miserably to reflect the priorities that the Victorian people are expressing today.

We are in the midst of a crime wave, and I do not think that even members of the government and those on the middle and back benches can any longer deny that we are facing a set of circumstances that this state has either never seen or not seen for a very long time. We know that the crime statistics are heading north. The average crime rates are masking in many suburbs skyrocketing rates of crime around our community. In my own electorate, in Camberwell we have seen crimes against the person in the year to June 2016 increase by nearly 51 per cent — a 51 per cent increase in crimes against the person in one year.

We are waking up to news every day of another carjacking or another person getting bail when they have previously breached it. We saw this morning a horrific story of a police officer who was defending his family — his wife and children — from an intruder and in the course of defending his family and home he was stabbed between the eyes. It turns out that this offender had previously breached bail on two occasions. The crisis we are facing is real, and the Premier and his colleagues need to accept that we are in the midst of a crisis and start dealing with it appropriately.

We have before us a bill which on its face is not contentious, although I will raise some concerns. But I have said previously that we have been waiting for far too long for the government's response and for urgent legislation to deal with very serious matters. It took the government nearly two years to bring a bill before this house to deal with community correction orders — nearly two years — and even then we had a bill which is not likely to result in longer jail terms for serious crimes. Sure there is mandatory sentencing, but that does not guarantee that sentences of any significant length will be imposed. So it is altogether possible that because of the government's changes people who

historically would have faced heavy duty terms of imprisonment for serious crimes will be given mandatory sentences that have them out of the corrections system before they would have been either under the previous regime or under community correction orders. That is the irony of the changes the government has brought forward.

In relation to baseline sentencing, something that we have been calling on the government to address for nearly two years now, we all recall the Court of Appeal taking upon itself the liberty of striking down legislation which reflected an explicit policy of the then coalition opposition leading into the 2010 election, for which it secured a popular mandate. That baseline sentencing legislation, which we introduced in the last Parliament, had the support of the Victorian people and yet it was struck down. Ever since that decision in Walters we have been calling on the government to address baseline sentencing.

My understanding is that the government will not be bringing a bill forward this year. That is now clear given that we have only got one more full week of sitting after this week. It will be well into next year, I imagine, before the government presents a bill to deal with baseline sentencing, and I have previously commented on that in this house.

It comes down to a question of priorities, and this government's priorities are skewed. They are skewed in favour of the wrong people. They are skewed in favour of the least deserving. Why else would you weaken bail laws? It is a decision which we are now seeing the dire consequences of. People are repeatedly being brought before our courts having breached bail not once, twice or thrice but even more than that. We had a recent case of somebody breaching bail on five occasions, and that is unacceptable to us as an opposition and it is clearly and unmistakably unacceptable to the Victorian people. So I am again calling on the government to get its priorities right and stand with law-abiding Victorians, stand with victims and deal with those matters, given their urgency.

I should also say that today has seen the tabling of the Victorian Law Reform Commission's report on victims, and I pay tribute to my colleague and a former Attorney-General, the honourable member for Box Hill, who commissioned that report by the law reform commission. The government has had that report since August of this year and it has only tabled it today. I call on the government to deal with the matters that the report raises with a great deal of urgency, not just because victims deserve to be at the top of the list of any of the government's priorities in the area of

criminal justice and community safety but because it should be clear to anybody who has broken the law — criminals and would-be offenders alike need to understand — that victims will be given more support and that added to the custodial and non-custodial outcomes of criminal wrongdoing in our state there will also be stronger reparation provisions to ensure that as far as possible we can support victims and their families as they experience trauma, particularly from very serious crimes. If the government wants to be faithful to its rhetoric about getting tough on crime, it can do that partly by getting its priorities right and bringing bills before this house which reflect those priorities.

Having said that, I just want to make a few comments about the bill before us. We will not be opposing the bill. In most respects we see it as non-contentious and I will go through those matters now.

In terms of the purposes of the bill, the key purposes are to permit the hearing of concurrent and consecutive expert evidence in criminal trials. We know this happens now in civil causes of action, and, subject to the comments I will make, we see no reason why that should not be available in a prosecutorial setting.

The bill also deals with the ability of the Supreme and County courts to deal with summary matters that are heard at the same time as, or along with, indictable matters in the Supreme or County courts. At the moment there is no clear ability to conduct a summary matter once the indictable components of the prosecution have been discontinued. It also makes changes to the law of attempt in relation to a number of serious sexual offences, and I will come to those in a moment.

The first set of changes that are dealt with in part 2 relate to the hearing of expert evidence consecutively or concurrently in a criminal trial. New section 232A(2) provides:

The trial judge, with the consent of the prosecution and the accused, may direct that 2 or more expert witnesses give evidence concurrently or consecutively.

New section 232A(3) provides:

In determining the procedure to be followed for the giving of evidence concurrently or consecutively, the trial judge may direct that any expert witness —

- (a) give evidence at any stage of the trial, including after all factual evidence has been adduced on behalf of the prosecution and the accused; or
- (b) give an oral exposition of the opinion of the expert witness on any issue; or

- (c) give the opinion of the expert witness of any opinion given by another expert witness; or
- (d) be examined, cross-examined or re-examined in a particular manner or sequence, including by putting to each expert witness in turn each question relevant to one matter or issue at a time; or
- (e) be permitted to ask questions of any other expert witness who is concurrently giving evidence.

That is, as I said, non-contentious and in many respects it makes a good deal of sense. I do note one concern that we have about how this might operate in practice. It is easy to conceive of a scenario where the proposal to hear expert evidence concurrently or consecutively prior to the conclusion of the prosecution case could be put to the defendant's counsel, and it may well be a forensic choice that the defendant's counsel makes to resist the hearing of concurrent or expert evidence on the basis, for example, that exposing your own expert witnesses to cross-examination could weaken a potential no-case submission that the defence might make at the conclusion of the prosecution case.

What we would not want to see happening is that a refusal by a defendant through his or her counsel to agree to a proposal could in some way, either indirectly or directly, or explicitly or subtly, operate adversely upon the defence. There may be very good reasons why the defendant may not want to submit his or her expert witnesses to the processes of cross-examination and the other steps that might be involved during the giving of evidence before an opportunity arises to make a no-case submission. We certainly would not want to see that, and in practice it is not inconceivable that at some stage that might need to be made explicit in the act. We are happy to see the change go through, subject to the comments I have made.

The second set of changes I want to touch on relate to the ability of the Supreme and County courts to hear summary matters where the indictable component of a prosecution has been discontinued. We think those changes are sensible. We do note that in the course of disposing of the summary matters that remain after the discontinuance of the indictable components of an offence will involve the court being able to admit into evidence all of the matters that have been deposed and adduced up to that time, and it will be interesting to see how that works in practice, particularly in relation to summary offences. That is the case with related summary offences. We know that a summary offence that is heard at the same time but is not related to the indictable component will be subject to the consent of the defendant and also to the condition that the defendant plead guilty as is the case with related summary offences.

I should note that clause 8 of the bill clarifies that the Court of Appeal can substitute a conviction on the same facts for a different offence and also clarifies that that can be the case where the decision has resulted from a judge sitting alone rather than in the case of a jury trial. For the record we note that these changes will extend to investigations into the capacity of a person to be tried, and we have no objection to those changes being made.

The final change I want to spend a couple of moments on relates to the law of attempt to commit an offence in relation to sexual offences. We understand what the government is proposing to do here is to clarify that in relation to a number of sexual offences, including rape in section 38 of the Crimes Act, rape by compelling sexual penetration in section 39, sexual assault in section 40 or sexual assault by compelling sexual touching in section 41, these will be governed by new section 321N(2A). What this is intended to achieve is that the prosecution must prove that at the time of the attempt at the underlying offence person A does not reasonably believe that the person against whom the offence is to be committed, B, would consent to the penetration or the touching, as the case requires.

The explanatory memorandum goes on to say that the first change means that the accused's state of mind about whether the victim would consent to the penetration or touching must be determined as at the time of the alleged attempt — that is, at the time of the attempt A's state of mind concerns whether B would consent to the future conduct. It then goes on to say:

This belief about a possible future event is not relevant to the offence of attempt.

That is, let us say the accused believes that the victim will consent to the act at a later time.

On the face of it we can see what the government is trying to do. The government will need to watch this carefully, because the question of the reasonableness of the belief will not be that easy to determine, given provisions in the bill in relation to the difference in time between the attempt and the actual act which the accused has allegedly attempted to commit. That is not very clear, and it is easy to conceive of a situation where a victim may consent to the act at the time it is committed but not consent at the time of the alleged attempt. It is a very unlikely scenario; I raise it not to express any objection to the clause, because we do not oppose the clause of the bill that is designed to make this change, but we would not want the law to be productive of uncertainty or ambiguity, and as far as possible we would want that to be clarified.

I have noted that the government has said that the clause is modelled on section 42 of the Crimes Act 1958 — 'Assault with intent to commit a sexual offence' — subsection (1)(d) which provides that the accused does not reasonably believe that the victim would consent to taking part in a sexual act. So there is a precedent for it, but again it is likely that these offences will be used more and more, given the changes that this bill brings in. It will be very important to see how they operate in practice.

Finally, I note that the bill makes some changes to the Jury Directions Act 2015. In our view if you are to make the other changes the bill makes, it is sensible that those changes apply across the board in respect of jury directions. On that basis, and subject very much to the concerns I have raised, I commend the bill to the house.

Mr CARROLL (Niddrie) — It is my pleasure to speak on the Crimes Legislation Further Amendment Bill 2016. The Premier and the Attorney-General, and indeed all cabinet members, are committed to ensuring that our criminal justice system is fair, modern, transparent and efficient. This legislation makes some minor but also substantial technical amendments, in particular to the Criminal Procedure Act 2009, as well as some other amendments that will help our criminal justice system better operate, particularly in the area of trials, allowing a simpler and more effective trial system. The Crimes Legislation Further Amendment Bill 2016 will help to achieve this by ensuring that the following amendments are applied. It will improve the procedure for hearing expert evidence in criminal trials, increase the efficiency of Victoria's criminal procedure law, simplify attempt provisions where a reasonable belief in consent is an element of a sexual offence and ensure relevant jury directions apply in all sexual offence cases.

The bill inserts a new provision in the Criminal Procedure Act 2009 to provide Victorian courts with a clear power and process for hearing evidence from prosecution and defence expert witnesses concurrently or consecutively in a criminal trial. I will get on to the issue of expert witnesses and hot tubbing a little bit later on in my contribution. Essentially the process will allow expert witnesses to present evidence issue by issue at the same or a similar time and undertake a rigorous discussion and peer review. Often it is complicated. We know of various high-profile cases where expert evidence has been quite important. It could be a car accident or another issue where you might have an expert in the area of automobiles giving evidence at a trial. It does require a lot of consideration. Often you can take a lot for granted until you hear from an expert giving evidence in the witness box, and for a

jury or a jury member that usually means processing a whole lot of information that is new to them.

To ensure fairness for both parties, the prosecution and the accused must consent before the procedure is used as this involves a variation in the traditional order and procedure for hearing evidence in a criminal trial, where the defence calls evidence after the close of the prosecution's case. Concurrent or consecutive evidence is intended to provide for a more structured and rigorous discussion between experts in the same field, which will enhance jury understanding and evaluation of the key issues in the expert evidence.

As I said before, in relation to consecutive and concurrent expert evidence, there is a procedure for hearing expert witness evidence concurrently or consecutively, which is colloquially known as hot tubbing. The expert witness hot tub allows two or more expert witnesses to give evidence at the same time or directly following one another. Recent studies and commentary highlight a number of benefits of expert witness hot tubbing, and these include reducing adversarial bias and the distortion of expert evidence, facilitating discussion and peer review, enhancing comprehension and analysis by the jury, distilling expert evidence to the key issues in dispute and reducing court time and costs. These provisions will allow expert witnesses to give evidence concurrently or consecutively only with the consent of the prosecution and the accused to ensure that the jury understands and can take in all the relevant material.

The trial judge can give directions related to the form that the hot tub will take. Generally, two or more expert witnesses are sworn in and give evidence at the same time, issue by issue. The experts are given the opportunity to explain their assumptions and opinions and to question the other expert evidence. Counsel and the trial judge can also ask questions. The hot tub essentially involves a participative discussion between the expert peers, counsel and the trial judge that focuses on the key issues before them.

There are other reforms in this bill that the member for Hawthorn touched on that I also want to touch on. They very much go to the heart of a criminal trial in relation to procedure. The Criminal Procedure Act 2009 is a major body of legislative work that was undertaken by my predecessor in the seat of Niddrie, the Honourable Rob Hulls, when he was Attorney-General, and it updated legislation in relation to expert evidence. It is a massive body of work, and I commend him on his efforts in doing that. Here we are today, seven years later, still adding to it, fine-tuning it, which is what we as legislators have to do.

This bill ensures that the Supreme and County courts are able to hear and determine related or unrelated summary charges where the prosecution discontinues all indictable charges. Currently there is no clear authority for the superior courts to even strike out an uplifted summary offence. As such the amendments will improve the efficiency of the courts. The bill will also enable the Court of Appeal to substitute a conviction for an alternative offence in certain circumstances where an appeal against conviction is successful following a guilty plea.

The recent matter of *Riley v. The Queen* [2015] in the Victorian Court of Appeal highlighted the limitations of the current power of the Court of Appeal to make orders following a successful conviction appeal arising from a guilty plea. The bill amends these powers to allow the court to substitute a conviction for an alternative offence where an appeal against conviction was successful following a guilty plea. The facts presented in the original court must have been able to prove the alternative charge. This amendment will improve efficiency and reduce delays because the Court of Appeal will not have to order a new trial in these circumstances. These amendments will improve the efficiency of court processes.

The bill does go further than just dealing with procedural matters. I want to highlight that in the area of sexual offences there have been a range of reforms over the time of the former member for Niddrie and of the member for Box Hill, when he was Attorney-General. I also note that the Victorian Law Reform Commission handed down its latest report today on dealing with victims of crime, and I do commend the member for Box Hill for his work in making sure that that report went forward. We saw it brought into the Parliament today, and it is an important body of work.

In closing, I want to highlight that the bill will amend the Crimes Act 1958 to clarify attempt provisions as they apply to sexual offences that contain an element of reasonable belief in consent. The Crimes Amendment (Sexual Offences and Other Matters) Act 2014 introduced an objective fault element — that the accused does not reasonably believe that the complainant consents — into certain sexual offences, such as rape and sexual assault. The wording of this element makes attempt provisions that apply to these substantive offences more convoluted — for example, that the accused intends or believes that he does not reasonably believe the complainant consents. The bill provides that for an attempt involving rape, sexual assault or the compelled versions of these offences, the prosecution must prove that the accused does not

reasonably believe that the complainant would consent to the penetration or touching. This amendment is necessary so that the consent and attempt provisions can be read together in a logical manner. This charge will ensure that the law on an attempt to commit certain sexual offences is clear and that they would be understood and applied by the jury.

In relation to the jury, the bill will amend the Jury Directions Act 2015 so the jury directions specific to sexual offences on consent, reasonable belief in consent, and delay and credibility apply in cases of conspiracy, incitement and attempt to commit certain relevant sexual offences. These amendments complement broader reforms for sexual offence law undertaken in Victoria as a result of a strong commitment to addressing the complexity, inconsistency and uncertainty of these offences.

In my time remaining I do want to just commend the Department of Justice and Regulation for their work and also the Attorney-General, his office and the parliamentary library for the material that they have supplied to ensure that all members speaking on this bill have all the information at hand.

Essentially in closing, this bill will improve the procedure for hearing expert evidence in criminal trials, increase the efficiency of Victoria's criminal procedure law and simplify attempt provisions that apply to sexual offences involving a reasonable belief in consent as an element of the substantive offence. It is very important that this legislation is passed. I acknowledge the opposition's support of this bill, and I wish it speedy passage through both houses.

Mr CLARK (Box Hill) — In contributing to this bill I wish to address in particular the provisions that relate to the concurrent giving of evidence by expert witnesses, the so-called hot tubbing provisions. I do at the outset echo the point made by the member for Hawthorn that with the law and order crisis that we are currently facing in Victoria there are probably a wide range of far more pressing measures that we would have expected the government to bring before the house to ensure stronger and more effective sentencing, and it is very disappointing that those measures have not been brought to this house in order to play a crucial role in reversing the attitudes of contempt for the law that have been allowed to build up and unfold in this state in recent times.

However, the provision for giving concurrent evidence by expert witnesses in itself is a worthwhile measure. It is a measure that was first introduced into this state under the previous coalition government by

amendments made to the Civil Procedure Act 2010 in 2012, and in that context the measures were intended to address the problem of so-called duelling experts, whereby each side in civil proceedings felt obliged to line up its own range of experts who were often only put before the court because the side that had approached them was convinced that the evidence that they were going to give would support that side's version of events and support that side's success in the litigation. Judges and juries often had to contend with a succession of independent experts, each giving a different point of view and with no opportunity to have those competing points of view tested against one another.

The reforms that were introduced by the previous coalition government first of all limited the ability of parties in civil litigation to bring on an unfettered number of expert witnesses. It did so by providing for a need for leave of the court in certain circumstances, providing power for the court to order that the parties might jointly engage a single appointed expert, providing for the court to appoint its own expert, providing for the concurrent giving of evidence or the so-called hot tubbing of evidence by expert witnesses from different parties and allowing the testing of the evidence of those witnesses one against the other.

Those provisions were put to use during the bushfires litigation which took place in the mega-trials courtroom that was established in the William Cooper Justice Centre, the former old County Court buildings, and was provided specifically in time for the bushfires litigation to take place. All the accounts that I received at that time were that the concurrent giving of evidence by experts in the bushfires litigation and in other litigation had proved to be very successful. So it is welcome that a move is now being made to adopt and apply those provisions in the context of criminal litigation.

The point should be made, however, that there are some significant differences in the way that the provisions are being applied across the criminal and civil contexts. Some of those differences may well be justified, but I think it is important to note them, to test them and to seek some explanation from the government as to the reasons for the differences. The provisions in the Civil Procedure Act that I referred to earlier in relation to the court requiring a single expert to be jointly appointed by the parties or the court to appoint its own expert witness and for the court to restrict the freedom of the parties to put expert witnesses into the box are all omitted from this bill.

I can understand a degree of caution in relation to adopting those provisions in a criminal context, either

initially or indeed perhaps at any time in the future. I can understand the government, as it were, wanting to dip its toe in the water in terms of introducing concurrent evidence in a criminal context.

On my reading of the bill, in contrast to the 2012 provisions, there is a new and different requirement in the provision of bill that enables the concurrent giving of evidence and indeed the other new powers that are being given to a trial judge in relation to expert witnesses, other than the power of a trial judge to question an expert witness to identify the real issues in dispute, including questioning more than one expert witness at the same time. Other than the provisions in proposed section 232A(4), all the remaining provisions can only be exercised with the consent of the prosecution and the accused and that, as far as I can see, is not a provision that is required in the 2012 reforms.

I do raise some concern about the need for consent of both the prosecution and accused, because it does seem to be a provision that is likely to operate to skew the benefit of these reforms in favour of the accused. That is not to say that it is likely to result in accused persons obtaining an unfair benefit where the provisions are invoked, but it does run the risk that circumstances where these provisions could operate to achieve a fair conviction of the accused are likely to be stymied. In other words, a defence counsel is only likely to agree to these provisions being used where the defence counsel believes that the concurrent giving of evidence will benefit their client. If the accused's counsel believes that an accused is better off without their expert evidence being exposed to the greater scrutiny of being concurrently examined with prosecution expert evidence, then the accused will not give permission.

It seems to me to run the risk that occasions where fraud and defective expert witness evidence on the part of an accused would be exposed through concurrent examination will not occur because the accused's counsel will not agree to that occurring. It is a concern that those occasions where an unsubstantiated defence with dodgy defence expert evidence, if I can put it in those terms, will not be able to be exposed because counsel for the accused will not agree to the concurrent testing of evidence in those circumstances. That is a worry, and I very much look forward to subsequent government speakers explaining why they have this provision requiring the consent of both parties to occur.

I should make the point that the prosecution is under an obligation to act fairly and impartially in the presentation of a case. A prosecution should not be expected to refuse to consent to concurrent giving of evidence on the grounds that it might advantage the

accused, but the accused's lawyer is under no reciprocal duty. If the accused's lawyer believes that the accused can get a forensic benefit by refusing to consent, then it is perfectly open to the accused's lawyer to do so, consistent only with very broad limitations in terms of their duty to the court. I am concerned that this will skew the outcomes of this otherwise beneficial measure, and I very much would like the government to explain the reasoning behind this. Is it intended simply in the early stages or is it intended to operate on an ongoing basis? Because of this, there is grave concern that this will not achieve the benefits for the public that it should.

Ms WILLIAMS (Dandenong) — It is my pleasure to rise in support of this bill today. Much of the discussion that takes place in our community about court processes, particularly by those who have been indirectly impacted by them, relate to efficiency. Certainly I have experienced, and I am sure many others here have experienced, constituents raising the complexity of the court process and the time it often takes, sometimes to the detriment of a fair process. I would like to think that it is the objective of all in this place that in a process of continuous improvement we work towards hopefully achieving a system that is fair, modern and efficient. It should be high on the list of all democratic societies.

Ultimately achieving this fair, modern and efficient system is what this bill before us today is about. This bill introduces amendments that we hope will improve the procedure for hearing expert evidence in criminal trials. It will increase the efficiency of Victoria's criminal procedure law. It will simplify attempt provisions where a reasonable belief in consent is an element of a sexual offence and will ensure relevant jury directions apply in all sexual offence cases.

The first of these areas I would like to discuss relates to the hearing of evidence from prosecution and defence expert witnesses. Increasingly expert witnesses are relied upon to determine the facts of a case, and as technology improves, this trend is only likely to continue. In many ways it has improved the accuracy of our court processes and decisions, but equally it has made them more complex, particularly for jury members who ultimately need to determine outcomes. We now use experts in DNA profiling, in traffic accident reconstruction and for issues related to the mental impairment of an accused, among other things.

The information provided by experts is often crucial, but it is not always easy to follow, especially the way our court processes are currently structured. As it stands, juries will often hear competing expert opinions

on the same issues days or even maybe weeks apart, and experts will deal in the same facts but their conclusions may have subtle but key differences, which may go largely undetected with the passing of time or even be forgotten. Alternatively, the evidence may be misunderstood or distorted by tedious cross-examination. This is not just an issue because it may lead to confused determinations, but it also impacts on the efficiency of the process itself. It can lead to delays, increased costs and adversarial bias, and none of these are desirable outcomes in our quest for a fair, modern and efficient system.

To deal with this, this bill introduces provisions into the Criminal Procedure Act 2009 to give the courts a clear power and procedure for hearing expert witness evidence concurrently and consecutively. This practice is often referred to as 'hot tubbing', as we have heard, and evidence suggests that this leads to improved accuracy, utility and efficiency of expert evidence in criminal trials.

So what is 'hot tubbing'? It is an unusual term. As previous speakers have outlined, it is a practice that effectively involves a variation in the traditional order and procedure for hearing evidence in a criminal trial and allows experts to give their evidence at the same time or directly following each other. It allows these experts the opportunity to explain their assumptions and opinions and to question the other experts' evidence, and counsel and the trial judge can also ask questions. In this way the process promotes discussion between expert peers, counsel and the trial judge that allows for an emphasis on key areas of dispute. The hope is that this will assist jury members to better understand the points of difference and nuance that may be lost or forgotten in the way this sort of evidence is currently given. I understand this process was used very successfully in the Royal Commission into Family Violence, so we have a good and recent example before us of how it might operate.

In terms of the attempt provisions relating to cases involving attempted sexual offences, in 2014 an objective fault element was introduced for certain sexual offences such as rape and sexual assault. The fault element — that is, whether the accused reasonably believes the complainant consents — was designed to be clear and simple for juries to understand and to apply. However, the wording caused some level of confusion about the attempt provisions that apply to these offences. It would essentially require the prosecution to prove beyond reasonable doubt that the accused intends or believes at the time the offence is to take place that he does or will not reasonably believe that the complainant consents or will consent to the

sexual penetration or sexual touching. Now that was difficult for me to say, so I can only imagine how difficult this instruction would be for a jury to understand and make sense of in various serious circumstances where they are forced to then make a decision on that.

The amendment put forward in this bill today would mean that in the case of an attempted rape, sexual assault or the compelled versions of these offences, the prosecution would need to prove that the accused does not reasonably believe that the complainant will consent to the sexual penetration or sexual touching. It is much simplified. This is clearly a much simpler construction and much easier to understand conceptually.

I will now touch on the jury directions portion of the legislation. This bill amends the Jury Directions Act 2015 so that jury directions specific to sexual offences on consent, reasonable belief, non-consent, delay and credibility apply in cases of conspiracy, incitement and attempts to commit certain relevant sexual offences. The bill also amends the Criminal Procedure Act 2009 to ensure that the courts can hear and determine related or unrelated summary charges where the prosecution discontinues all indictable charges. This is designed effectively to improve the efficiency of the courts.

The bill will also enable the Court of Appeal to substitute a conviction for an alternative offence in certain circumstances where an appeal against conviction is successful following a guilty plea. For this to apply, the facts presented to the originating court must have been able to prove the alternative charge. In practice this means that the Court of Appeal would not have to order a new trial, and doing this would greatly streamline court processes and reduce delays. Once again, the objective of this amendment is to improve efficiency and in doing so continue ongoing work to build, as I said at the outset, a fair and modern court system.

The provisions of this bill may appear largely to be technical or even administrative, but I think it is important to reflect on why these changes are so critical. In short, it is well summarised in the old adage that justice delayed is justice denied. In 2007 an Australian Institute of Criminology report on criminal trial delays in Australia listed four unintended consequences of court delays. They are as follows: unnecessary hardship for victims and their families; undermining public confidence in the system's ability to deliver justice in a timely fashion; sending the wrong message to offenders; and undermining the morale of criminal justice practitioners.

I would agree with all of these, but I think when we talk about efficiency we are also touching on another issue of critical importance for our legal system, and that is the issue of accessibility. We know that delays and convoluted court processes usually mean greater costs for clients and we — all of us in this place and in positions of power and responsibility — need to ensure that we are not pricing people out of justice. It is a broader issue than what is covered in this legislation, but the amendments before us in this legislation highlight that no measure is too small if it has in mind this very worthy objective: goals of fairness and ultimately accessibility for all to our justice system.

This is an issue I cared deeply about when I studied law. It is an issue that I had cared deeply about when I briefly practised as a lawyer, although not in criminal law, and now in this role it remains an issue that I firmly believe needs to stay on the agenda, an issue that we need to keep an eye on and review regularly and ensure that we are keeping abreast of and that we are contributing to in the best possible way. After all, we cannot call ourselves a fair society if justice is only available to those who can pay for it — that is, to those who can afford it.

I commend the Attorney-General for the work that he and those around him have done in introducing this bill, and I commend the bill to the house.

Mr WATT (Burwood) — I rise to speak on the Crimes Legislation Further Amendment Bill 2016, and in doing so I follow on from the contributions of the member for Hawthorn and the member for Box Hill in a similar vein — that is, to say that we do not oppose the bill but nonetheless we find it somewhat quizzical that the government can find the time to introduce these changes to legislation but cannot find the time to do other things like deal with the no body, no parole legislation. Quite frankly they did not have to do anything there. All they had to do was allow the debate to happen because the work done on that particular bill was already done by the opposition. So the government did not actually need to do any work. It just needed to let us get on with it and let us get things done.

The bill before the house also does nothing to improve the bail laws. We all know that when this government came to power they weakened the bail laws, particularly around juvenile offenders. We know what the consequences of that have been. We know that a number of juvenile offenders are causing some issues around Victoria. We know that this has caused issues in our juvenile detention facilities, with people showing a lack of respect for the criminal justice system.

A police officer I was speaking to recently, in a very frank conversation, told me about his taking an offender to court and having a judge refusing to provide bail conditions because the offender was just going to breach the conditions anyway and he would just be back for breaching bail conditions. I found that quite interesting because, yes, the offender may breach the bail conditions, but surely there should be some consequences for that. It was clear to me from the conversation that the judge in that particular case made it very clear that there are no consequences for breaching bail for a juvenile anyway, so why would he bother putting bail conditions on them?

Some of these bail conditions in and of themselves would not necessarily have been a crime but they may have assisted the officers in being able to curtail future crime. That is the point, and that is why when we were in government we introduced changes to the bail laws that would mean that if you breached bail you broke the law. It was somewhat disconcerting and disappointing as a member of this chamber to see the Labor government introduce changes which weakened those provisions.

We have seen the result: rising crime. We have seen the carjackings, we have seen the home invasions, we have seen the drive-by shootings. Many people look at the Burwood electorate and think that somehow it is in a little bubble and that residents are protected because they live in suburbs like Camberwell, Surrey Hills, Ashburton, Glen Iris, Burwood, Ashwood, Chadstone, parts of Canterbury and Box Hill South.

People look at some of these suburbs and think, 'Well, there's no crime happening there. No need to worry'. It is somewhat disconcerting for me as the member for Burwood to put out a petition talking about crime and the reduction in police numbers, and calling on the government to increase police numbers in line with population, and when I receive the petition back there are already over 2100 signatures on it. The vast majority of those are local, because it is locals who are returning these petitions. It is also disconcerting when people return a petition to me and tell me, either via a letter or in person, that 'We have a serious problem with crime'.

Only a couple of months ago there was a shooting only about four or five streets away from my office. A person who is well known to the police shot somebody in the street. That brings fear to a nice, generally quiet street where families live. I have good friends who live in that street, and they are very concerned about their children being able to go out and play on the front lawn because the guy up the road is busy shooting people

due to some interaction he has had with a person who has come in from a different suburb. That is very, very concerning. It is also very, very concerning when somebody who is only two streets away from my office in a southern direction comes to my office and says, 'In July this year we had a drive-by shooting'.

We have got an issue. In July this year six bullets were fired towards a house. I am told that they were just warning shots, because within the next week or week and a half there were another five shots fired into the door of the house and into a tree — if you are driving past, not every shot goes in the exact direction you want it to go. Why would you want to shoot a bullet into a tree? That is really disconcerting as well because when these drive-by shootings occur it is not only the people inside the house, and in particular the person inside the house who is very well known to police, who are in danger. Those people are not necessarily innocent bystanders, but kids may be riding their skateboards or bikes down the street and a stray bullet might miss the tree, miss the house and hit a kid. That did not happen in this incident, but these are the possibilities. For all intents and purposes, the elderly couple next door could have been out doing their gardening. If a stray bullet can hit a tree, then a stray bullet can go over the fence into the house of the elderly couple next door. This is very concerning for the residents of the Burwood electorate.

When somebody contacted my office about a carjacking in a street in my electorate, but a bit further away than the other two incidents I was talking about, it was disconcerting when they talked about the carjacking. But it was even more disconcerting when the resident told me about the experience of one of their neighbours. An elderly lady had a conversation with some of her neighbours. She had had a home invasion. People had come into her house. They were young offenders. This lady did not want to report it to the police because she did not want to trouble the police with a home invasion. It was only because a number of the neighbours in the street got together and said to her, 'This is a serious crime and you're not alone, and you do need to report this to the police' that she did so.

It is all well and good for these people to contact their local member of Parliament to report these crimes. There are two police stations in the Burwood electorate, and there are other police stations that are relatively close to the Burwood electorate or that cover parts of the Burwood electorate. If people want to report a crime, they need to contact the police and, in particular, to go to the local police station.

I have talked about this previously. I had an incident on 23 July when I was riding my bike with my kids and somebody tried to run me off the road. I was a little bit nonchalant, I suppose. I thought that it may have been an accident and that they may not have been trying to run me off the road. But when they came back for me, I knew it was serious and not an accident. I rode my bike to the local police station, and it was closed. There was a sign on the door at Ashburton police station that told me to go to Mount Waverley police station. I went home. Burwood police station is the closest police station to my house. I went there, and it was closed. In January this year there was a sign at Burwood police station telling me to go to Ashburton police station. But on this day in July, I did what I was told after I collected my car and went to Mount Waverley police station. Strangely enough, it was closed.

There are serious crimes happening on our streets. People should not have to contact their local member of Parliament to report crimes. There should be a police station open so they can report it there.

Mr PEARSON (Essendon) — I am delighted to make a contribution in relation to the Crimes Legislation Further Amendment Bill 2016. The bill is fairly tight and it is fairly technical in nature, but what the bill points to is the importance of having continual and constant improvement. As legislators we must always try to do better, and we must always try to reflect the times in which we live. We also need the ability to try and think about how we can use technology more effectively to enable more efficient delivery of services and how we can be more efficient and effective in the way in which we govern the state.

It is interesting in part, because in preparing for the debate I was thinking about — it is a bit of an aside — the development of the Prius by Toyota. It was a thought bubble that Toyota had probably 20 years ago. They said, 'Look, we've got some capacity. Grab a team, go offline and develop an electric car, because you never know what's around the corner'. As a consequence of that the Prius was developed and has been quite successful.

It is important that we work tirelessly to think about the way in which public service is delivered in this state. Where we can be more efficient or effective, it is important that we look at doing so. I know those opposite had some criticisms about the time it has taken to bring legislation like this before the house. But sometimes you can have a rush of blood to the head. You can race ahead and decide, 'Right. We're going to have a go at this. We're going to move on and do it quickly'. However, there is always an inherent risk that

you have not weighed up all the arguments. In our haste to bring a bill before this place we say, ‘Yes, we have introduced legislation’, but we sometimes, I think, run the risk that we might not get it quite right. We might not necessarily be able to weigh up all the arguments. Therefore sometimes it does not hurt to sleep on it. Sometimes it does not hurt to spend a bit of time just thinking, ‘Is this the right thing to do? Are there any unintended consequences?’ I often think a government can seek to legislate and think about taking a particular course of action and then, months down the track, have to introduce amendments to address an unintended consequence. So it is about trying to make sure that we have the ability to reflect and respond.

Having said that, I am firmly in favour of the notion of constantly working with and constantly tinkering with legislation and legislative instruments to try and get them right, because the alternative is that you do not. The alternative is that you do not respond, and you just sit here and let time pass you by and do not do particularly much, just let the world go by. I am pretty sure it was Arthur Rylah, former Chief Secretary, who oversaw a great body of work in 1958 when a whole raft of acts were rewritten and introduced at that time because clearly not enough modernisation had occurred previously.

A bill like this is important because it is trying to reflect the times in which we live. It is about trying to ensure that we keep up to the mark, that we reflect community sentiment and that we trial it. Where there is a need or requirement to tighten up a piece of legislation down the track, those amendments are made, as is fair and appropriate. The bill talks about the notion of ‘hot tubbing’ — that is, allowing concurrent or consecutive expert witness evidence to be heard with the consent of the prosecution and the defence. I think this is important because I was thinking about this from the point of view of the way in which the brain functions and operates. Many of us have people in our lives who, when a person says to them the answer is A and then someone else comes along and says the answer is B, tend to reflect the view of the last person who spoke to them.

An interesting article by Fiona MacDonald in *ScienceAlert* of November 2014 headed ‘This is how many tasks your brain is processing right now’ refers to a neuroscientist, Harris Georgiou, from the National Kapodistrian University of Athens in Greece who looked at trying to count the number of central processing unit cores that are present in the human brain, and found that humans are only processing around 50 tasks at once, even when they are performing complex activities. What the neuroscientist found is that

the average brain has 100 billion neurons and about 10 000 connections, but if you look at it, the amount of energy actually produced by the human brain is about 20 watts, which is remarkably low. Given the level of output of a brain, it is actually a remarkably low level of energy that is required. This was written up in *MIT Technology Review*.

The article in *ScienceAlert* reads:

Georgiou asked people to perform two tasks while sitting in a functional magnetic resonance imaging (fMRI) machine and monitored how their brains reacted.

fMRI machines measure the activity of the brain by monitoring changes in the levels of oxygen in the blood passing through the brain ...

So clearly when your brain is working harder on complex problems, you are using more oxygen. The article continues:

The machine then breaks down the brain into three-dimensional pixels known as voxels, each about 5 cubic millimetres in size.

In the first task people had to watch a screen showing either a red or green box on the left or right side, and had to hold up a particular finger in response to what they saw.

In a second, easier task the subjects were shown a series of images that fell into categories such as faces, houses, chairs, etc. They then had to spot when the same object appears twice.

The results showed that there were a maximum of around 50 independent processes at work in human brains performing complex visuo-motor tasks, such as the first one. In the second task, the brain was using fewer processes.

The article goes on to state that *MIT Technology Review* indicates that:

... parallelism in the brain does not occur on the level of individual neurons but on a much higher structural and functional level, and that there are about 50 of these.

From that point of view, if you look at the way in which the human brain functions, we can only perform a finite number of tasks. If you think about it from that point of view I would imagine that the average juror has not probably sat on too many trials in the past, and I would imagine the average juror would not have been exposed to too many expert witnesses in relation to a particular issue. It would be reasonable to assume that the average person would be required to use an enormous amount of intellectual capacity to come up to speed to try and understand and interpret what the expert witness is advising them. That would take time.

Mr McGuire interjected.

Mr PEARSON — We only have so much RAM indeed, the member for Broadmeadows. The bill is important because if you think about the way in which the brain operates and works, it will enable the brain to be able to interpret data simultaneously in a way that is broadly consistent, which then allows a person to make certain reasoned judgements and assumptions. I think that leads to a better rational outcome that is arrived at by the individuals concerned, as opposed to exposing them to an expert witness through a defined period of time on a particular subject matter and then changing tack completely maybe hours, days or potentially weeks, later and exposing them to an alternative view from another expert witness.

It is much more efficient to have a person try to stress-test their thinking concurrently, try to analyse this material at the same time, try to interrogate the data more effectively. I think that will lead to a better outcome. I think you are going to lower the level of confusion that might otherwise be the case. Clause 13 of the bill also refers to the fact that we are now looking at the communicative model of consent. Consent must be present before engaging in sexual contact, and that is consistent with section 42 of the Crimes Act 1958 — more of Sir Arthur Rylah's work. I think that reflects common practice and that is entirely appropriate.

The bill is important. It is about trying to ensure the statute books operate as efficiently and effectively as they possibly can to reflect the times we live in. It is much better to be looking towards this constant state of improvement than having a moribund approach to the way in which the statute books operate in this state. I commend the bill to the house.

Mr T. BULL (Gippsland East) — It is a pleasure to rise to make a contribution to the Crimes Legislation Further Amendment Bill 2016. As we have heard from previous speakers, this bill improves the hearing of expert evidence in criminal trials, simplifies attempted provisions where a recent belief in consent is an element of a sexual offence and ensures that relevant jury directions apply in all sexual offence cases. When we talk about legislation that is related to crime generally, it is important to have a look at the current situation that we have here in Victoria.

While this legislation deals with crime once it is in the courts and judicial system, we also need to look at what is happening in the field. Unfortunately in this state we have seen massive increases in crime over the past two years in a whole range of areas. In my local government area of East Gippsland shire, crime has risen by almost 10 per cent since the election of this government in late 2014. A little bit further down the road my electorate

takes in parts of the Wellington shire around the Maffra, Heyfield, Newry and Stratford areas. It has had an 18.33 per cent increase in crime, which I think in anybody's language would be described as absolutely massive. The increase that we are seeing in a lot of these rural and regional areas is part of a much larger trend statewide. In 72 of Victoria's 79 local government areas we have seen an increase in crime since December 2014.

Talking about East Gippsland — my own electorate — it is an area where the population is growing fairly much in line with the state average. We saw in the recent redistribution of electoral boundaries that mine was one of the few electorates that had no boundary changes, because our population is growing in line with the state average. The proposition I would like to put to government is one that I raised in my members statement earlier today. Police data shows that there has been a reduction in police in rural and regional Victoria of 81 full-time equivalent positions from November 2014 to June 2016. We are one of the country areas where the population is growing but we are not seeing the police numbers increase in line with population growth. This in turn therefore has an impact on crime.

The other element is about giving more support to police in dealing with crime when there is an influx of residents into a particular area. You have probably heard me mention in this house once or twice before some of the issues that involve coastal communities like Lakes Entrance and Mallacoota, where they have massive population explosions in the holiday times, and it is a real challenge for police to keep up with the demands that an increased population brings to a certain area. In the case of a community like Lakes Entrance, you cannot expect their regular roster of 17 police, which normally deals with a population of around 6500, to be able to deal with a population over the January period of 60 000, because with that increased population we have an increase in crime. Unfortunately the increase in crime encompasses some of those crimes that are involved with and that relate to this legislation. Similarly in Mallacoota, which has a much smaller police roster, its population grows from 1000 to well over 5000. They simply need more help and more support.

One of the issues that brought this scenario back to earth for me was noting that whilst the legislation in this bill generally relates to relatively serious crimes, the importance of having police on the ground to deal with them was highlighted to me through what was a relatively minor crime. We had a situation over the first weekend in January this year when a gentleman had lost his wallet. He called in to the local police station

twice in the morning and twice in the afternoon simply to either report it stolen for insurance purposes or to pick it up in the event it had been handed in. But on each of the four times he called in to the police station on a Saturday in peak holiday time it was not open. It is not a great reflection when there is, with the local population and the tourist influx, 60 000 to 65 000 people living in that town and the station is not open.

Having made those points, I will now make a few points specifically in relation to the bill. In clause 3 the change to the Criminal Procedure Act 2009 involves the giving of concurrent or consecutive evidence by expert witnesses in criminal proceedings as is done in civil proceedings. I will make a few more comments on that later. Clause 6 gives the County and Supreme courts the authority to hear a charge for a related summary offence when a charge for an indictable offence has been discontinued.

Clause 13 establishes a simplified fault element in sexual offence cases involving a reasonable belief in consent, requiring the prosecution to prove that at the time of the attempted sexual act the accused did not reasonably believe the alleged victim would consent to the sexual act in question. Despite the good intent of clause 13 there remains a query about how this will indeed work in practice or on the ground. The explanatory memorandum that comes with the bill states that it will not be a defence to a charge of attempting to commit a relevant sexual offence for a defendant to argue that he or she honestly believed the victim would change their mind by the time of the act the defendant attempted to commit. It is an area that reads well on paper, and I guess one of the ongoing challenges that government has is to formulate legislation that will be effective on the ground. We certainly hope that this will serve the purpose that it is intended for, but it is an area of some conjecture.

The changes in clause 3 provide clear power for the courts to hear expert witness evidence concurrently or consecutively. I think this has a range of benefits. This will be a great advantage when the expert witness evidence may be conflicting. We have had cases before the courts where conflicting evidence given by expert witnesses occurs not only many hours but many days or many weeks apart. It does provide a huge challenge for jurors, particularly jurors who have not had any previous training or experience in the area of undertaking that task, to be able to weigh up that conflicting evidence. So it will assist jurors to be better placed to make determinations on the evidence that is provided if they can hear it either consecutively or concurrently. In doing this, those who are giving expert

advice will be provided a chance of a form of peer review and a form of cross-examination. For those who are in the decision-making process, the jurors, it will provide for improved decisions because they will be right across the debate in relation to conflicting matters and they will have a better comprehension of matters of importance in respect of functioning within the court system. As has been stated by our previous speakers, we are not opposing this bill. I hope that it passes and has the effect on the ground of the intention that has been outlined in the second-reading speech by the Attorney-General.

Mr McGUIRE (Broadmeadows) — The Andrews government is supporting juries through the Crimes Legislation Further Amendment Bill 2016 by providing clearer information and a better process when juries are examining expert evidence in criminal trials. This is particularly important because of the duelling role of experts in trials and the complications that this can present for juries. In part of my former career as a journalist, I have witnessed how this can be tactically used and end up making the pursuit of justice even more difficult.

The new law will allow courts to hear evidence from prosecution and defence expert witnesses together or consecutively, giving juries the chance to evaluate all the relevant evidence at the same time. That is the critical change. Currently the defence can call witnesses only after the prosecution has closed its case, resulting in evidence from expert witnesses being heard at different times, sometimes days or weeks apart. Referring to what the member for Essendon said in his contribution, to put this bluntly, people have only so much RAM to work through the nuance and the detail to establish the facts and then give a considered verdict according to the factual evidence and not the conflicting opinions of experts.

The way that evidence has been given in the past has made it difficult for juries to assess and compare differing expert opinions and identify issues or subtle differences. Quite often in trials, particularly criminal trials, it is all about the nuance and the emphasis that is placed on particular forensic evidence. This is a commonsense way of allowing jurors to actually weigh up and measure the value of expert opinions, one against the other, by having evidence given consecutively.

The law has been drafted following extensive consultation with the Supreme, County and Magistrates courts, the forensic evidence working group, Victoria Legal Aid, the Criminal Bar Association, the Office of Public Prosecutions and Victoria Police. I commend the

Attorney-General on the thoroughness of that process and on being able to bring this legislation to the Parliament to help the jury system work in a better manner.

The bill is aimed at making our criminal justice system fairer and more efficient, modernising how the facts before the court are weighed and measured and how opinions are separated out, and at helping juries come to a conclusion on where the balance lies in expert opinion. The aim of the bill is to improve the procedure for hearing expert witnesses in criminal trials, to increase the efficiency of the court system, to clarify provisions relating to the offence of attempt where reasonable belief of consent is an element of a sexual offence, and to ensure relevant jury directions apply in all sexual offence cases. These are the other provisions of this bill.

In order to ensure fairness for both parties, the prosecution and the accused must consent before the proposed procedure may be used as this involves a variation to the traditional order and procedure for hearing evidence in a criminal trial, where the defence calls evidence after the close of the prosecution case. Concurrent or consecutive evidence is intended to provide for a more structured and rigorous discussion between experts in the same field, which will enhance jury understanding and evaluation of the key issues in the expert evidence. That is the explanation from the Attorney-General, and that basically sums up the most critical part of this legislation.

In this debate, opposition members have gone to issues around crime in general. I would like to just make a point that I think goes to one of the key propositions that we as a community have to weigh up. We must not be just responding to continual incidents of crime but looking at what are the systemic features behind those incidents. We must be not just treating symptoms but actually going to causes. I say this as the member for Broadmeadows because the community that I represent is struggling under increasing complexity, combined with a population boom.

Postcodes of disadvantage are bearing a greater burden, Jesuit Social Services declared in their 2015 report *Dropping off the Edge*, noting that a quarter of prisoners come from just 2 per cent of the state's postcodes. This is the critical observation and point: one-quarter of prisoners come from just 2 per cent of the state's postcodes. So we know where they are, and we know that we need to have a whole-of-government, coordinated response to address this issue. The Victorian Ombudsman, Deborah Glass, has restated the

well-evidenced link between disadvantage and offending.

This goes to the next part — that is, what are the reasons behind the crimes, not just the symptoms? Broadmeadows has evolved into a United Nations in one neighbourhood, with families from more than 160 different nationalities. We have to just make sure that we do not end up with enclaves of disadvantage. This is a critical proposition, given that we are going through deindustrialisation. I want to make sure that we understand this contextually. During the convergence of two coalition governments, state and federal, the unemployment rate in Broadmeadows rose to be equal to that in Greece. Youth unemployment was more than 40 per cent.

Mr D. O'Brien interjected.

Mr McGuire — The number of disconnected 16 to 24-year-olds — —

Mr D. O'Brien interjected.

Mr McGuire — The employment department of the federal government could not tell me. I take up the interjections. This goes to a proposition of managed decline. On the managed decline, let us compare and contrast what has actually happened. Here is what the reality was: there was nearly \$1 billion from the automotive transformation scheme that was denied to the supply chain companies in Melbourne's north because the then minister for industry, Mr Macfarlane, said it was needed for higher priorities. What was a higher priority than jobs and growth? The federal coalition named it priority 1 for this year's federal election. What did they do? They invested \$50 billion into building submarines in South Australia to make up for the demise of its automotive industry. What was that about? That was about marginal seats. That was the issue.

Mr Southwick — On a point of order, Acting Speaker, as much as I find the contribution from the member entertaining, can I ask you to bring him back to the actual bill? It is a crimes legislation amendment bill and not about the economy and jobs.

The ACTING SPEAKER (Ms Thomson) — Order! I have to say that the debate on this bill today has been an incredibly wideranging one that has travelled far and wide. The member for Broadmeadows can continue.

Mr McGuire — The inconvenient truth for the opposition members to actually address is that they are in the party that does not care about these communities.

That is the point, and this is what underlies the causes of crime. We all know this, so do not come in and preach on this sort of issue.

The ACTING SPEAKER (Ms Thomson) — Order! Through the Chair.

Mr McGUIRE — These are the issues, so through the Chair, I am saying to the member for Caulfield that he should not come in with this argument if he does not know the reality on the ground and what has happened and the causes.

Yes, we need to look at and address issues as they arise, but we also need to address the underlying causes, which should be part of this debate. I look forward to the response that will hopefully be coming on how we address these issues and how we actually move the so-called postcodes of disadvantage to again be the postcodes of hope. I commend the bill to the house.

Mr D. O'BRIEN (Gippsland South) — I, too, am pleased to rise to speak on the Crimes Legislation Further Amendment Bill 2016. As to the point of order a moment ago from the member for Caulfield, we do love the member for Broadmeadows and his commentary. There is barely a bill that goes past when he does not talk about how the coalition federally or at the state level has caused the unemployment rate in Broadmeadows when in fact Labor has been in government for 13 of the last 17 years here in Victoria and was in government for six years between 2007 and 2013 federally. Apparently the unemployment rate has just gone up in Broadmeadows because of the federal coalition government. I do find that a little bit amusing. We are all good at passing the blame but that one takes the cake, so credit to the member for Caulfield for raising it.

Back to the Crimes Legislation Further Amendment Bill 2016. Other speakers have spoken on this and my contribution will necessarily be brief because we are close to the adjournment, but there are no particularly controversial elements to this legislation. The main provisions are all relatively common sense — that is, they improve the procedure for hearing expert evidence in criminal trials so that they can be heard consecutively by expert witnesses as is done in civil proceedings. It gives the Supreme and County courts the authority to hear a charge for related summary offences where an indictable offence has been discontinued, and that gives a practical implication for the courts where we do not have to go back to a Magistrates Court in the case where indictable offences relating to the same person or the same crime have been discontinued.

The only aspect I raise a question about is with respect to clause 13, which establishes a simplified fault element in sexual offence cases, which involves a reasonable belief in consent. That one did pique my attention. It requires the prosecution to prove that at the time of the intended sexual act the accused reasonably believed that the alleged victim would consent to the sexual act in question. So it is, in simple terms, getting to the question of when 'no' is no and when that can be used in a court of law. The opposition has received through the bill briefing assurances that there is no issue in that, and I think the explanatory memorandum provides that there will be no defence to a charge of attempting to commit a relevant sexual offence for a defendant to argue that he or she did honestly believe the victim would change his or her mind by the time of the act the defendant attempted to commit. We will take that assurance on board and hope that that is the case.

I just want to talk very briefly about crime. We know that we had a 13 per cent increase in the crime rate in the past year, and we know that we have got a significant problem. I want to mention a lady by the name of Jane from Korumburra in my contribution. Jane came to me last week, very upset about crime. She had been at Southern Cross station earlier this year and was attacked by three youths who tried to steal her handbag. She fought them off but got a bloodied nose in the process and is concerned about what happened to them because she was not allowed to know what happened to the juveniles involved. She asked me to join with the coalition and move a motion of no confidence in the Premier because of the spiralling crime rate that we are seeing, particularly in relation to youths. I place on record Jane's concerns because it is a small example of the, in particular, youth crime that is affecting the state at the moment. We have seen it through the Apex gang and various others, but this is a very pertinent example. Jane is 68, and she is still pretty good but she does walk with a cane. She was outraged at the promises from the Premier that he would fix this issue but not actually seeing any change in the policies.

I will keep going until my time runs out, but this bill I believe should pass, and we do need the government to work harder on crime issues.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house now adjourns.

Box Hill transport interchange

Mr CLARK (Box Hill) — (12 022) I raise with the Minister for Public Transport the government's failure to act on problems with the Box Hill transport interchange, and I ask the government to take action both to fix the immediate problems and to address the longer term needs for the interchange. The escalator to reach the bus terminus at the interchange has now been broken and inoperative for more than a week. With the escalator broken, people are being forced to try to cram into a small lift intended mainly for disability access, a lift that itself seems to be breaking down under intensive use. It is just not good enough that the main way for thousands of commuters to reach their bus has been broken and out of operation for days on end, with commuters left in the dark about exactly what the problem is or how long the escalator will remain inoperative.

Commuters are also increasingly frustrated that the government has given up on trying to enforce commuter-only parking restrictions in the centre's car park, allowing parking spaces designated as being for commuters only to be occupied by tradies at local building sites and by others, in open defiance of the parking restriction signs. This means that commuters are having to arrive earlier and earlier just to get a car parking space or else are finding the all-day car parking area full and having to leave and try to park their cars somewhere else. Regrettably, when the minister came to office, she scrapped the work and consultations started under the previous government and then delayed for almost a year before setting up a ministerial advisory group on the interchange, despite it being an election promise. I am told this group has now reported to the government, but there is no word about what the group has recommended or what action the government plans to take.

A crucial opportunity to upgrade the Box Hill transport interchange is through a negotiated agreement with the owners of the Box Hill Central shopping centre, at which the interchange is located. This offers the potential for a jointly funded upgrade of both the interchange and the shopping centre that can provide win-win outcomes for the travelling public and for the shopping centre owners and shoppers. However, that is a window of opportunity that can easily be lost by inaction or delay on the government's part. The government has been happy to push more and more high-rise, high-density development out into suburbs like Box Hill through its CBD height limits and its moves to reverse the coalition government's protection for our residential streets, but it has shown no interest in providing Box Hill with the transport or other

infrastructure improvements needed to cope with growing numbers of residents.

Indeed the government scrapped the east-west link, at a cost of \$1.2 billion not to build the road — a road that is vital for growing numbers of eastern suburbs residents. It is not only transport needs that are being neglected in the government's push for more population into Box Hill and surrounds; it is also facilities such as schools and kindergartens, where the government seems to neither know nor care about the needs of Melbourne's east. So I reiterate my request for the minister to take action to get these immediate problems fixed but also to get on with addressing the longer term needs for the Box Hill transport interchange.

Carrum electorate schools

Ms KILKENNY (Carrum) — (12 023) My adjournment matter is for the Minister for Education. Minister, can you please advise what actions you are taking to ensure your federal government counterpart will meet his obligations under the Gonski national funding agreement? Parents and teachers in my electorate of Carrum are very concerned that the Turnbull federal government has turned its back on education and has not committed to funding the last two important years of the Gonski needs-based funding agreement. The Gonski funding model is committed to addressing student disadvantage and ensuring that funding is directed to the areas that need it most. The evidence is clear; needs-based funding is getting results, but the federal Liberal government needs to honour its obligation and fund its share. I know many parents, teachers, educators and students in Carrum will very much welcome the minister's response.

Water policy

Mr CRISP (Mildura) — (12 024) The matter I raise is for the Minister for Water. The action I seek is the opening of interstate water transfers. In Victoria, zone 7, there is demand from private diverters for 440 gegalitres of water for high-value horticulture crops. The private diverters own approximately 200 gegalitres; therefore there is a deficiency, and the growers are dependent on the trade and carryover of water.

Based on sound advice, last autumn growers purchased carryover water to secure their needs for the 2016–17 season. The Hume Dam is full, and the carryover has spilt. Currently 276 gegalitres of carryover is coming down the Murray River in a flood. Management and access of that carryover has been the subject of a

previous adjournment matter. Without carryover, with a difference of 240 gegalitres in supply and demand and with trade restricted to within zone 7 and South Australia for immediate use, many growers' water accounts are now negative. South Australian water is scarce and expensive, as the charges on trading are about twice the other sources.

Interstate trade has been stopped because when the Hume is full the states' use of intervalley accounts is frozen. However, Dartmouth Dam is currently at about 76 per cent full. The share of the water in Dartmouth in Victoria is 1600 gegalitres, and in New South Wales it is 1150 gegalitres. There is room in Dartmouth to account for interstate trade allocation and trades. It makes logical sense to water users that as the Murray is flowing at 130 gegalitres per day there can be no trade with New South Wales, and the crops are being stressed by the lack of water availability when the State Emergency Service is issuing daily flood warnings, temporary levies are being constructed and assets are being sandbagged. The question growers are asking is, 'Why are we having to sacrifice crops while the river is in flood? What is Victoria doing?'. The 200 gegalitres of water that growers own is being used very quickly, and with hot weather setting in it will deplete very, very soon. It was 40 degrees in Mildura yesterday.

The action to free up the interstate trade could be fixed with a stroke of the minister's pen and a talk to the Murray-Darling Basin Authority. The state of the Dartmouth accounts could fix this problem immediately allowing growers to get on with growing their crops, crops that benefit not only my electorate but also the state of Victoria and beyond. The minister needs to fix the interstate transfer problem and fix it quickly before crops fail.

Hyatt Place Melbourne

Mr PEARSON (Essendon) — (12 025) I direct my adjournment matter to the Minister for Industry and Employment, and the action I seek is that the minister accompany me to meet with Norman Khan, the manager of the Hyatt Place hotel, which is due to open early next year at Essendon Fields. This hotel will employ about 200 people. I have great hopes and expectations that many of our local residents will be able to work at this great hotel, including many of those from my local public housing estates.

Boronia West Primary School

Ms VICTORIA (Bayswater) — (12 026) Today I rise to ask the Minister for Education to take immediate action on the abhorrent and unsafe conditions at

Boronia West Primary School, which have just been brought to my attention. Minister, this beautiful little school, if you are not familiar with it, is nestled near the foothills of the Dandenongs. Whilst the school may only be small, it has an amazing community, with fantastic staff and a thriving student base. In addition the school serves as a community hub, with many external organisations using the facilities on a weekly basis.

However, last week I was alerted to what can only be described as the appalling state of this proud school. The school is literally falling down around the staff and students. Despite their best attempts to deal with the situation, they currently have a massive white ant infestation that is severely impacting both the teacher and learning spaces. In addition the school has large areas containing asbestos, which has resulted in certain spaces not being able to be used. Their prep classroom is so badly infested with white ants that large strips of the flooring are being eaten away. In some areas there is nothing under the carpet; the floorboards are gone. Teachers have had to strategically place furniture in the learning space to make it safe for themselves and the children. Almost daily the staff are finding large amounts of dead termites on the floor that need to be cleaned up. In addition two doors to the classroom cannot be used because of the significant damage to them.

The school office has also previously been infested and treated; however, the photos I am supplying to you, which are being sent to your office right now, demonstrate the level of damage left behind. Despite the school budget allowing some funds to treat the problem, the cost to rebuild will be extensive. In addition, the risk to staff and students in the damaged areas is of extremely high concern. How this school is supposed to thrive in these conditions and be a part of the education state is beyond comprehension.

Minister, I request that this school receive a full upgrade, which it rightfully deserves, and for immediate action to be taken to treat the white ant problems and asbestos removal. A patch-up job will not be satisfactory. These first steps must be taken before the commencement of the 2017 school year. I believe that the condition of the buildings is severely impacting the school's opportunity to build their enrolment numbers. They are rebuilding their community by getting the important things right — social, emotional and educational needs are foremost — and they need the correct spaces to support this. Minister, this school's community deserves much better.

Flintoff–Grimshaw streets, Greensborough

Mr BROOKS (Bundoora) — (12 027) The member for Bayswater will get a much better response from a Labor education minister than she ever would from a Liberal education minister.

I wish to raise a matter for the Minister for Roads and Road Safety, and the specific action that I seek is for him to provide a time line for the installation of traffic signals and a pedestrian crossing at the intersection of Flintoff Street and Grimshaw Street, Greensborough. The previous Liberal-Nationals government ignored calls for this busy intersection to have a pedestrian crossing installed, so it was great to have the Minister for Roads and Road Safety come out to Greensborough on 28 October to announce \$500 000 towards this vital project. Banyule City Council is chipping in \$400 000, which means that this project will become a reality, improving safety for local residents and those visiting the health and recreation precinct. The local community is eagerly awaiting this project, and I therefore ask for a time line for the implementation of these traffic signals.

Mount Martha north beach

Mr MORRIS (Mornington) — (12 028) I raise a matter for the Minister for Energy, Environment and Climate Change. The purpose of raising the issue is to request that the minister take action to ensure that Mount Martha north beach is returned to a safe, stable and usable condition for the coming summer season. There is a long history of issues with sand retention at this beach. It goes back to 2004, and perhaps even earlier. For many decades prior to that the beach was a naturally wide sandy beach and very popular with holiday-makers. Unfortunately for a decade or more there have been issues.

The sand movement is generally seasonal. It moves towards the southern end of the beach and even beyond Balcombe Creek to Mount Martha south beach during the winter, and during the summer months with the shift to prevailing southerly winds the sand moves back up the beach. But in 2010 the then Department of Sustainability and Environment transported some 12 000 cubic metres of sand from Mount Martha south to Mount Martha north and also installed at that time a low rock revetment behind the bathing boxes. A two-year study of sand movement followed that work, and the study determined that a large portion of the sand that was placed as part of the 2010 relocation had again moved southwards.

The minister will be aware from correspondence that has been directed to her from the Mount Martha North Beach Group, which enclosed photos of the beach

taken on 30 October, that the beach is in a parlous state. Indeed a further photo, taken on 6 November, which was also sent, shows effectively no sand at all in the vicinity of the main beach area.

Following the renourishment a number of options were considered for the beach, including the construction of a groyne, which was hoped would resolve the issues. The department, however, advised me that it believed that sand would provide an increased buffer against erosion from storm events, assist in reducing the amount of cliff erosion and, perhaps self-evidently, improve the public beach amenity and access during high tide. The plan for resolving the issue was to undertake frequent renourishment of the beach. The department also noted at the time that as the Mount Martha north beach is a very dynamic coastal system renourishment would need to be carried out every three years or so, and it certainly is a dynamic coastal system.

As the last renourishment occurred in 2010, that action is now well overdue and the beach is effectively unusable. We do need urgent action from the minister to ensure that the beach is safe and usable for the coming summer season, and I seek her assistance in resolving this difficult problem in a timely fashion.

Whittlesea intersection

Ms GREEN (Yan Yean) — (12 029) I raise a matter for the attention of the Minister for Roads and Road Safety, and the action I seek is in relation to an intersection in Whittlesea that has been the subject of a community campaign for some time. The intersection of Wallan Road, Plenty Road, Macmeikan Street and Laurel Street is directly in front of Whittlesea Primary School, and up to 60 buses a day that service Whittlesea Secondary College use this intersection. There is a pedestrian crossing with signals located just south of the intersection. I believe there was yet another accident there this morning, and I want to echo the concerns of Krissy Richmond, a mother at Whittlesea Primary School who set up the Facebook page ‘Whittlesea cry — fix up our intersection’. Krissy is an award-winning amateur photographer and she has a great eye for most things in life but particularly for a problem that needs fixing.

I want to thank John Merritt, the CEO of VicRoads, who took the time to come and look at all the road safety issues and road pressures in my electorate of Yan Yean, which I do not think many senior bureaucrats would have done over the years, and he did note this intersection. So I am hoping that will mean that the minister can work with the CEO of VicRoads to respond to the needs of the Whittlesea community and fix this much-troubled intersection.

Blairgowrie speed limits

Mr DIXON (Nepean) — (12 030) I wish to raise a matter for the Minister for Roads and Road Safety. It is in regard to providing uniform speed limits on the two major roads through Blairgowrie, Point Nepean Road and Melbourne Road. The action I seek is for the minister to urgently address this issue, preferably before the busy summer season. Community 3942, a community organisation representing Blairgowrie, have worked very hard for the past 10 years on a number of safety-related issues. This issue is their latest campaign, and I fully support it.

Point Nepean Road in Blairgowrie has a 70-kilometre-an-hour speed limit, whereas the two towns on either side have 60-kilometre-an-hour limits. On Melbourne Road the speed limit for Blairgowrie is 80 kilometres an hour, whereas for the towns on either side it is 70. What we are seeking is a uniform speed limit of 60 kilometres an hour right along that section of the Point Nepean Road and a uniform 70-kilometre-an-hour speed limit on Melbourne Road.

VicRoads has already given in-principle agreement to the reduction of the speed limit in both of those areas and to imposing a uniform speed limit on both of those roads. A submission made by the Mornington Peninsula Shire Council in September last year advocated for that change, and Victoria Police have also said they would support that limit on Melbourne Road. As I said, the Mornington Peninsula shire supports the reduction as do all the community groups that represent the area, including the ratepayers association.

Melbourne Road, with its high speed limit, is also the only major road in the area that does not have a footpath, so it has the highest speed limit and is more dangerous for the many pedestrians there, especially over summer. That is a recipe for disaster for families and pedestrians. Melbourne Road has also been recognised as a dangerous road and has received probably three or four rounds of blackspot road funding to fix some of its issues. It turns out that the Blairgowrie section, where the speed reduction is required, has the roughest road surface in the worst condition and also has no bike lane either. It is an area that requires a real fix.

The vegetation grows quite close to the road, so the sightlines for pedestrians and motorists are certainly reduced as well. Add to that the high speed limit and it is really a recipe for disaster. There have been numerous accidents; in fact there was one there last Saturday week. To add to the safety issues on that road, there is only one pedestrian refuge along the whole

section of the road. So it is very important that with the busy season coming up, when the population triples on the Mornington Peninsula — —

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

Clarkefield railway station

Ms THOMAS (Macedon) — (12 031) The matter I wish to raise is for the attention of the Minister for Public Transport, and the action I seek is that the minister join me at her earliest convenience on a visit to Clarkefield railway station in my electorate. I would like to show the minister the current state of the station entrance, the car park and general amenity at the station and for her to consider what may be done to improve the travel experience for my constituents, particularly those from Lancefield, Romsey and other surrounding communities.

Responses

Ms NEVILLE (Minister for Police) — I thank the member for Mildura for his question. I think there are two different issues that he has raised in his question: one relates to carryover rules and one is in relation to interstate trading. I know that he has had an opportunity to speak to some of the experts that I have in the department, but I am happy to get a much more detailed briefing, firstly, on carryover. Carryover was something reviewed by the previous government, and no changes were made. There are reasons that we have a rule around carryover when we spill — that is, to make sure that we do not impact on other entitlement holders, because if you carry over all of that in that situation, you will impact on other entitlement holders.

In relation to interstate trade, as the member has alluded to, this is very much tied up with the Murray-Darling Basin rules. It is certainly not a matter of a flick of a pen. There are substantial rules in place, and he may have even heard today that we have got some big issues in relation to the Murray-Darling Basin plan. However, in relation to those interstate rules, I will certainly also organise for someone to take the member through what some of those restrictions are and why they would be difficult to change.

On the other matters, a range of members have raised a number of matters for various ministers, and I will refer those matters on.

The DEPUTY SPEAKER — Order! The house is now adjourned.

House adjourned 7.20 p.m.

