

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Tuesday, 20 June 2017

(Extract from book 8)

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By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(from 10 November 2016)

Premier	The Hon. D. M. Andrews, MP
Deputy Premier, Minister for Education and Minister for Emergency Services	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
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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
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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 Training and Skills, and Minister for Corrections	The Hon. G. A. Tierney, MLC
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. C. W. BROOKS (from 7 March 2017)

The Hon. TELMO LANGUILLER (to 25 February 2017)

Deputy Speaker

Ms J. MAREE EDWARDS (from 7 March 2017)

Mr D. A. NARDELLA (to 27 February 2017)

Acting Speakers

Ms Blandthorn, Mr Carbines, Ms Couzens, Mr Dimopoulos, Ms Graley,
Ms Kilkenny, Ms Knight, Mr McGuire, Mr Pearson, Ms Spence, Ms Thomson and Ms Ward.

Leader of the Parliamentary Labor Party and Premier

The Hon. D. M. ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

The Hon. J. A. MERLINO

Leader of the Parliamentary Liberal Party and Leader of the Opposition

The Hon. M. J. GUY

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

The Hon. D. J. HODGETT

Leader of The Nationals

The Hon. P. L. WALSH

Deputy Leader of The Nationals

Ms S. RYAN

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

MEMBERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	McLeish, Ms Lucinda Gaye	Eildon	LP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Merlino, Mr James Anthony	Monbulk	ALP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	Morris, Mr David Charles	Mornington	LP
Asher, Ms Louise	Brighton	LP	Mulder, Mr Terence Wynn ²	Polwarth	LP
Battin, Mr Bradley William	Gembrook	LP	Naphthine, Dr Denis Vincent ³	South-West Coast	LP
Blackwood, Mr Gary John	Narracan	LP	Nardella, Mr Donato Antonio ⁴	Melton	Ind
Blandthorn, Ms Elizabeth Anne	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Britnell, Ms Roma ¹	South-West Coast	LP	Noonan, Mr Wade Matthew	Williamstown	ALP
Brooks, Mr Colin William	Bundoora	ALP	Northe, Mr Russell John	Morwell	Nats
Bull, Mr Joshua Michael	Sunbury	ALP	O'Brien, Mr Daniel David ⁵	Gippsland South	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
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Clark, Mr Robert William	Box Hill	LP	Pearson, Mr Daniel James	Essendon	ALP
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Crisp, Mr Peter Laurence	Mildura	Nats	Pesutto, Mr John	Hawthorn	LP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Richardson, Mr Timothy Noel	Mordialloc	ALP
Dimopoulos, Mr Stephen	Oakleigh	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Dixon, Mr Martin Francis	Nepean	LP	Riordan, Mr Richard ⁶	Polwarth	LP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Ryall, Ms Deanne Sharon	Ringwood	LP
Edbrooke, Mr Paul Andrew	Frankston	ALP	Ryan, Mr Peter Julian ⁷	Gippsland South	Nats
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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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Graley, Ms Judith Ann	Narre Warren South	ALP	Southwick, Mr David James	Caulfield	LP
Green, Ms Danielle Louise	Yan Yean	ALP	Spence, Ms Rosalind Louise	Yuroke	ALP
Guy, Mr Matthew Jason	Bulleen	LP	Staikos, Mr Nicholas	Bentleigh	ALP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Staley, Ms Louise Eileen	Ripon	LP
Hennessy, Ms Jill	Altona	ALP	Suleyman, Ms Natalie	St Albans	ALP
Hibbins, Mr Samuel Peter	Prahran	Greens	Thomas, Ms Mary-Anne	Macedon	ALP
Hodgett, Mr David John	Croydon	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Howard, Mr Geoffrey Kemp	Buninyong	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
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Katos, Mr Andrew	South Barwon	LP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kealy, Ms Emma Jayne	Lowan	Nats	Walsh, Mr Peter Lindsay	Murray Plains	Nats
Kilkenny, Ms Sonya	Carrum	ALP	Ward, Ms Vicki	Eltham	ALP
Knight, Ms Sharon Patricia	Wendouree	ALP	Watt, Mr Graham Travis	Burwood	LP
Languiller, Mr Telmo Ramon	Tarneit	ALP	Wells, Mr Kimberley Arthur	Rowville	LP
Lim, Mr Muy Hong	Clarinda	ALP	Williams, Ms Gabrielle	Dandenong	ALP
McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Wynne, Mr Richard William	Richmond	ALP
McGuire, Mr Frank	Broadmeadows	ALP			

¹ Elected 31 October 2015

² Resigned 3 September 2015

³ Resigned 3 September 2015

⁴ ALP until 7 March 2017

⁵ Elected 14 March 2015

⁶ Elected 31 October 2015

⁷ 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 Carroll, Mr Clark, Ms Edwards, Mr Hibbins, Mr Hodgett, Ms Kairouz, Ms Ryan and Ms Sheed.

Legislative Assembly select committees

Penalty Rates and Fair Pay Select Committee — Ms Blandthorn, Mr J. Bull, Mr Clark, Mr Hibbins, Ms Ryall, Ms Suleyman and Ms Williams.

Joint committees

Accountability and Oversight Committee — (*Assembly*): Mr Angus, Mr Gidley, Mr Staikos and Ms Thomson. (*Council*): Mr O’Sullivan, 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, Ms Garrett 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*): Mr J. Bull, Ms Halfpenny, Mr Richardson and Mr Riordan. (*Council*): Mr O’Sullivan, Mr Ramsay and Mr Young.

Family and Community Development Committee — (*Assembly*): Ms Britnell, Ms Couzens, Mr Edbrooke, Ms Edwards 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 Pearson, Mr T. Smith, Ms Staley and Ms Ward. (*Council*): Ms Patten, Ms Pennicuik and Ms Shing.

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

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Tuesday, 20 June 2017

The SPEAKER (Hon. Colin Brooks) took the chair at 12.03 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 elders from other communities who may be here today.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Country Fire Authority legislation

Mr GUY (Leader of the Opposition) — My question is to the Premier. New piers, new hospitals, a disability package, new roads — the list is long. Premier, was it on your or the Deputy Premier's authority that your colleagues and your staff have been offering inducements to upper house MPs in order to get your Country Fire Authority bill passed?

Honourable members interjecting.

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question. If ever you needed evidence that the Leader of the Opposition will say anything, we just got it then. Your question is nonsense, absolute nonsense, and I reject it in the strongest and clearest possible terms. You are wrong — as is so often the case.

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Hawthorn not to shout across the chamber.

Supplementary question

Mr GUY (Leader of the Opposition) — Premier, is it not a fact that trying to bribe MPs' vote for government legislation constitutes misconduct in public office and is an offence referable to the Independent Broad-based Anti-corruption Commission?

Honourable members interjecting.

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

Mr ANDREWS (Premier) — Well, having ruled — having made a comment very clearly that the Leader of the Opposition is full of nonsense when it comes to

these matters, I think that answers the question. And I will tell you what — —

Mr Guy interjected.

Mr ANDREWS — And we will not be taking probity lectures from you. We will not be taking probity lectures from you, Mr Ventnor!

Mr Guy — On a point of order, Speaker, I asked the Premier for clarity on a simple question about whether or not it is a fact that trying to bribe another member of Parliament for their vote for government legislation constitutes misconduct in public office and is referable to the Independent Broad-based Anti-corruption Commission — yes or no.

The SPEAKER — Order! There is no point of order. The Premier was answering the question.

Mr ANDREWS — I have indicated that the notion that anybody has behaved in that way is complete nonsense — that is, on this side of the house. Whether we can be so confident of those opposite is the question. Let me make it plain for the Leader of the Opposition: we are not taking lectures on probity from you and your white shoe brigade. Have you got your white shoes on now? Land deals — —

Honourable members interjecting.

The SPEAKER — Order! The Premier will resume his seat. Before hearing the point of order from the Deputy Leader of the Opposition, I warn the member for Ripon and the member for Essendon to cease shouting across the chamber.

Mr Hodgett — On a point of order, Speaker, question time is not an opportunity for the Premier to debate the question and to attack the Leader of the Opposition. He was asked a very simple question about corruption, and I ask you to bring him back to answering the question.

The SPEAKER — Order! There is no point of order. The Premier was answering the question.

Mr ANDREWS — I have rejected the question and everything contained in it in the strongest possible terms.

Mr R. Smith interjected.

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

Ministers statements: government achievements

Mr ANDREWS (Premier) — I am very pleased to rise to update the house on the program of reform that the government is delivering right across regional and rural Victoria for businesses, for first home buyers and for communities right across the regional parts of our state. We are committed to supporting jobs and businesses, and indeed supporting families, first home buyers, to get into the market in a home of their own. That is why of course we are abolishing stamp duty for first home buyers for properties valued at under \$600 000, with a concession for properties valued up to \$750 000.

The average saving is around \$8000 for first home buyers. It gives them more money to put towards the purchase of their home no matter where they live, but this is of particular benefit to regional and rural communities given that we are also doubling the first home owner's grant for regional Victorians to \$20 000. These measures will help tens of thousands of Victorians into their first home, and it makes you wonder why anyone would vote against such measures. But sadly the opposition of some knows no limits, because they seem to be also opposed to a payroll tax reduction of 25 per cent —

Mr Clark — On a point of order, Speaker, sessional orders require that a ministers statement be to advise the house on matters relating to the minister's portfolio, not to debate issues. The Premier is now moving to debate issues and to canvass matters that are currently under consideration before the other house. I ask you to bring him back to complying with sessional orders.

Ms Allan — On the point of order, Speaker, the sessional order that member was referring to does not preclude the Premier from canvassing matters that are a subject of a bill before the upper house. There is no point of order. That standing order does not apply in this instance, and the Premier should be able to continue providing his statement to the house.

The SPEAKER — Order! There is no point of order. I do remind all ministers to remain within the bounds of making ministers statements.

Mr ANDREWS — Thank you very much, Speaker. The 25 per cent reduction for regional businesses will mean the payroll tax rate decreases not just to the lowest tax rate it has ever been in regional Victoria but the lowest tax rate in regional Australia. That is great for jobs, for investment, for confidence and for regional communities, including of course those operating

businesses that are payroll tax eligible. There are 4000 businesses that will receive direct support because of that policy. There are some who would vote against better support for first home buyers and better support for regional businesses and regional jobs, and those who are opposed to those measures stand condemned for it.

Mr M. O'Brien interjected.

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

Country Fire Authority legislation

Mr GUY (Leader of the Opposition) — My question is to the Minister for Emergency Services. Former Supreme Court judge and counsel assisting the Black Saturday royal commissioner, Jack Rush, QC, has labelled your bill to break up the Country Fire Authority (CFA) as 'entirely unsatisfactory', has said it 'will weaken the CFA' and that it 'is based on political and ideological outcome'. In fact, as he puts it simply, the bill is just 'crap'. With Mr Rush also saying that your bill severely threatens the ability of the CFA to mobilise tens of thousands of volunteers, Minister, can you name a single recommendation, report or finding that backs your model of breaking up the CFA?

Ms Ward interjected.

The SPEAKER — Order! The member for Eltham!

Mr MERLINO (Minister for Emergency Services) — I thank the Leader of the Opposition for his question and note he will not let his lying shadow minister ask a question, will not mention Black Saturday.

Honourable members interjecting.

The SPEAKER — Order! I remind the minister that the use of the word 'lie' is unparliamentary.

Mr MERLINO — The Leader of the Opposition referred to Jack Rush. As we all know, Jack Rush was the counsel assisting the royal commission. I would remind the Leader of the Opposition and all members here that Mr Rush as counsel assisting made submissions at the royal commission acknowledging that change was needed in both the organisational structure of the fire service and a boundary mechanism.

Honourable members interjecting.

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

Mr MERLINO — In his submission on organisational structure, Jack Rush as counsel assisting said:

Counsel assisting propose the creation of a new Victorian fire services board.

He went on to say:

There is a real need to implement a system now which will be capable of coping with Victoria's changing urban profile and predicted growth in its major regional centres.

Those were the comments of counsel assisting the royal commission. He goes on to say that the board:

... ought also have the power to determine boundary adjustments ...

And:

... counsel assisting do submit that significant changes need to be made to both the governance structure which sits above the fire services, and to the command and control model for bushfires.

The royal commission itself said, and I quote:

The metropolitan fire district is not reflective of metropolitan Melbourne.

The commission was also:

... satisfied that there should be a better process for determining changes to the metropolitan fire district boundary.

So we have got the bushfires royal commission, which talked about the need for structural change, governance change and the ability to change boundaries.

Mr T. Smith interjected.

The SPEAKER — Order! The member for Kew!

Mr MERLINO — Yelling from those opposite will not help keep Victorian communities safe. Implementing recommendation 63 of the bushfires royal commission, which is what we are doing with our fire reforms, will do exactly that.

Honourable members interjecting.

The SPEAKER — Order! The member for Kew and the member for Ripon have already been warned. I ask them to cease shouting across the chamber.

Supplementary question

Mr GUY (Leader of the Opposition) — Last week, Deputy Premier, you told CFA district 13 volunteers:

There's no change for volunteer brigades, for the 1200 volunteer brigades across Victoria. Operationally, no change ...

Steve Warrington told the same crowd of volunteers:

For volunteers in our integrated stations, it will be absolutely different. Let's not sugar-coat that ...

Minister, is that not yet another case of you being caught out lying to your own volunteers simply to try to sell your political and ideological attack on the CFA?

The SPEAKER — Order! I reminded the Leader of the Opposition about the use of that word as well.

Mr MERLINO (Minister for Emergency Services) — I thank the Leader of the Opposition for his supplementary question. If those opposite bothered to sit down with the chief officer of the CFA and the emergency management commissioner, Craig Lapsley, they would absolutely point out — as they are doing at each and every forum across the state — that for our 100 per cent volunteer brigades nothing changes operationally for them, except for the additional support of \$100 million and greater independence. Of course for our 35 integrated brigades, those stations will now be part of a Fire Rescue Victoria district. So that will change, but they will continue to protect the same communities that they protect today.

Ms Staley interjected.

The SPEAKER — Order! The member for Ripon will cease shouting across the chamber.

Ministers statements: regional Victoria

Mr PALLAS (Treasurer) — I rise to update the house about the actions of the government to promote and support regional Victoria as a place to live and of course to conduct business. As part of the 2017–18 budget we announced a 25 per cent cut to the payroll tax rates for regional businesses and a doubling of the regional first home owners grant. These initiatives are so popular it seems that the opposition want to include them in their own election platform, which produces the ugly spectacle of those opposite simultaneously talking up regional tax cuts for businesses and home buyers and then voting against them in Parliament. These are initiatives that will come into effect from 1 July.

Mr M. O'Brien — On a point of order, Speaker, the Treasurer is not keen to talk about his 11 new taxes or broken promises, and this is not the place to be debating tax bills.

The SPEAKER — Order! I uphold the point of order. I ask the Treasurer to come back to making a ministers statement.

Mr PALLAS — For every \$1 those opposite cut from business, we have cut \$2. We did it in two years; it took you four years. That is how hopeless and useless you were.

These are initiatives that will come into effect from 1 July. They will deliver to regional businesses the lowest payroll tax rate in the nation, by a country mile. In contrast, of course, what we saw from those opposite when they had the opportunity with the regional first home buyer bonus is that they cut it.

Mr Clark — On a point of order, Speaker, the Treasurer is again disregarding your ruling and debating the issue. I ask you to bring him back to making a ministers statement.

Ms Allan — On the point of order, Speaker, I would suggest that the point of order should be ruled out of order. It is entirely appropriate for the Treasurer, in talking about this critical government initiative to support regional communities, to talk about threats and risks to that initiative. That is entirely within his portfolio responsibilities and he should be allowed to continue with his statement.

The SPEAKER — Order! I rule against the point of order. The Treasurer did stray early in his statement, but he came back to making a ministers statement.

Mr PALLAS — It is the Andrews government that is making it easier for Victorians to get a job, and it is the Andrews government that is making it easier for Victorians to buy a home, easier to get work and of course easier to get a great education in regional Victoria. The last original idea those opposite had for regional Victoria was from the member for Murray Plains, who decided to have a great big cat hunt in Gippsland. Or was it the search for Perrier in the Office of Living Better than Victorians? These are Labor policies; they come from a Labor government.

Country Fire Authority legislation

Mr GUY (Leader of the Opposition) — My question is to the Minister for Emergency Services. Minister, on whose authority have you been offering policy and project funding inducements or, as you have termed them, ‘horse trading’ to upper house MPs in order to pass your flawed Country Fire Authority (CFA) bill?

Honourable members interjecting.

The SPEAKER — Order! Government members will come to order. The member for Macedon is warned.

Mr MERLINO (Minister for Emergency Services) — I thank the Leader of the Opposition for his question. My engagement with the crossbench on the fire services reform has been on the merits of this reform. Whether it is presumptive rights legislation, which those opposite denied, whether it is structural reform, whether it is implementing recommendations — —

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBERS

Members for Kew and Ripon

The SPEAKER — Order! The member for Kew and the member for Ripon will leave the chamber for the period of 1 hour.

Honourable members for Kew and Ripon withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Country Fire Authority legislation

Questions and statements resumed.

Mr MERLINO (Minister for Emergency Services) — Whether it is presumptive rights legislation, whether it is implementing recommendations of the bushfires royal commission, whether it is the additional support of \$100 million to our Country Fire Authority, whether it is increasing diversity in the ranks of our fire services — —

Honourable members interjecting.

Mr Guy — On a point of order, Speaker, on relevance. I asked the Deputy Premier, the minister, a very straightforward question about on whose authority he has been acting when offering policy and project funding inducements to MPs. He is yet to answer that question.

Ms Allan — On the point of order, Speaker, I would suggest again that the point of order be ruled out of order. The opening statement from the Minister for Emergency Services in answering the question was that he rejected the allegation put forward, the unfounded

allegation in the question. He indicated clearly to the house that the basis on which he was negotiating with upper house MPs on this important bill was on the merits of the bill. I appreciate that those opposite have not stopped shouting long enough to listen to the answer, but if they had, they perhaps would know that the Deputy Premier has answered the question already.

The SPEAKER — Order! I do not uphold the point of order, but I ask the minister to stay relevant to the question.

Mr MERLINO — Absolutely. The question was about my engagement with the crossbench. The engagement with the crossbench has been on the merits of these reforms. We have had eight reviews into our fire services over the last decade. They all point to the need to modernise our fire services. The systems and the structures that our volunteer firefighters and career firefighters work under is based on a 1950s model. That has been my engagement with members of Parliament. We have had the support of the Legislative Assembly — —

Honourable members interjecting.

Ms Ward interjected.

The SPEAKER — Order! The member for Eltham!

Mr MERLINO — It is now for debate in the upper house, and we should work constructively with all members of the upper house as we seek to implement these much-needed reforms to keep our communities safe.

Supplementary question

Mr GUY (Leader of the Opposition) — Will the Deputy Premier table or make publicly available every piece of correspondence he has written and signed to all upper house MPs offering those MPs any policy or project funding inducements in order to pass this bill?

Honourable members interjecting.

The SPEAKER — Order! The Minister for Tourism and Major Events is warned. I again ask the member for Essendon and the member for Eltham to cease shouting across the chamber.

Mr MERLINO (Minister for Emergency Services) — I reject the question. There is no such documentation. I think we should leave this to a quote from the Heyfield CFA captain, Phil Graham, who said after the Leader of the Opposition filmed a visit to the station:

We shouldn't be used as camera time, we shouldn't be used as a political football; we should be left to run our brigades, protect our communities and basically be left in peace to do our work — —

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

Mr Guy — On a point of order, Speaker, I have asked a very straightforward supplementary, and that is whether the Deputy Premier will table or make publicly available his correspondence to upper house members of Parliament in order to pass the CFA bill. The Deputy Premier has not answered whether he will make that correspondence public.

Ms Allan — On the point of order, Speaker, the Deputy Premier immediately answered the untrue allegation in the question and was providing additional information to the house. It is not an opportunity for the Leader of the Opposition to repeat his question, and the Deputy Premier should be allowed to finish providing his answer.

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

Mr MERLINO — We will continue to work with volunteer and career firefighters and we will continue to work and engage with the crossbench in the upper house as we seek to implement these fire reforms which will make our community safer. Those opposite are not interested in making our community safer. All they want to do is slur the courage and the contribution of our firefighters.

Mr Clark — On a point of order, Speaker, the Deputy Premier is debating the issue. If he has not concluded his answer, I ask you to instruct him to comply with standing orders.

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

Ministers statements: regional Victoria

Ms ALLAN (Minister for Public Transport) — I am very pleased today to rise to update the house on this government's strong commitment and, most importantly, strong track record in delivering for regional Victoria. As we have heard from the Treasurer and the Premier, since coming to government we have created more than 50 000 new jobs in regional Victoria. That is nearly 10 times the number that those opposite created in four long years in government.

But we are not resting on our laurels. Building on that record investment we saw for regional Victoria in the

budget — whether it is in schools, whether it is in hospitals, whether it is in roads or public transport — this budget includes more than \$47 million to establish a new government services hub in Ballarat. That is 1000 jobs to Ballarat, including 600 new jobs. We are also establishing a similar hub in the Latrobe Valley — a base for up to 300 staff, of which 150 are new jobs to the region.

Why are we doing this and why do we know it works? Why does this approach of taking jobs from the city into the regions work? Because Labor governments have done it before. It was a Labor government that delivered the Transport Accident Commission to Geelong, it was a Labor government that delivered — —

Honourable members interjecting.

Ms ALLAN — They love to screech a bit over there, but they hate delivering for the regions. Only Labor delivers for the regions.

We delivered the State Revenue Office to Ballarat, the Rural Finance Corporation to Bendigo and State Trustees' jobs to Bendigo as well. We understand the power of providing jobs and economic activity to regional Victoria. We have done it before and we are doing it again. We are investing in the things that matter to regional communities, and that is why doubling the first home owners grant to regional Victoria is going to be a great win for home owners and a great win for builders. It is astonishing that those opposite continue to oppose it.

Fire services

Ms RYAN (Euroa) — My question is to the Premier. The United Firefighters Union (UFU) and the Victorian Equal Opportunity and Human Rights Commission are now in negotiations over the UFU's attempts to block the release of the commission's report into bullying and sexism in the Metropolitan Fire Brigade. Premier, you like to say that equality is not negotiable, so will you finally stand up to Peter Marshall and the UFU and tell them to get out of the way of this report being released in full?

Mr ANDREWS (Premier) — I thank the member for Euroa for her question. The government was pleased to refer albeit worrying matters to the human rights and equal opportunity commission in the reference that is the subject of the question. What is more, I have been clear on many, many occasions that it would be my expectation, and I think the expectation of all fair-minded Victorians, that anybody who can cooperate with that

process ought to do just that. That is my position. It has always been my position. The facts are very clear: this government referred the matter — not the previous government, this government — and we await that final report and we will respond accordingly with further investments and further reform.

I would draw the questioner to the fact that in the fire services statement we are, as part of a set of measures opposed by those opposite, committed to go from 100 female officers to 400 in our career service and a massive increase in female leadership at the brigade level, I think from about 265 to 909 — targets that will be met, can I say, despite the opposition, the cutbacks and the indolence of those opposite.

Mr Walsh — On a point of order, Speaker, on the issue of relevance, I would ask you to bring the Premier back to actually answering the question — —

Ms Ward interjected.

The SPEAKER — Order! The member for Eltham has been warned.

Mr Walsh — Bring the Premier back to actually answering the question that was asked, and that is making sure that that report is released and insisting that the UFU does that and gets out of the way.

The SPEAKER — Order! The Premier has been responsive to the question. I ask the Premier to continue his answer.

Mr ANDREWS — I do not know that anybody could be more supportive of the release of a report than by commissioning the report. The Leader of the National Party, who did nothing except cut the budget of the Country Fire Authority (CFA), gets up and raises a point of order like that. We commissioned the report, we support the work that is being done, and we will respond in due course not just with words but with leadership and extra funding to drive the cultural change that we know to be critically important, one example of which is to go from 100 to 400 female career firefighters and to go from 265 to 909 female brigade leaders in the CFA. It sure beats cutting \$66 million from the fire service. It sure beats doing nothing in four wasted years. We commissioned the report — you will not get bigger supporters of the process than the people who started it.

Supplementary question

Ms RYAN (Euroa) — Premier, you will not condemn Peter Marshall for trying to cover up bullying and harassment. You are giving this man everything he

wants when it comes to smashing up the Country Fire Authority. You did not even condemn him for threatening to put an axe through the head of a female minister. Premier, when are you going to stand up to this man, to this bullying, to these standover tactics and say that enough is enough, and that you will not be politically blackmailed by him anymore?

Mr ANDREWS (Premier) — What a thoroughly ridiculous question from the shadow minister, the member for Euroa. We have just explained to the member for Euroa and everyone in the house today that there is no greater supporter of this work than the government that commissioned it.

Honourable members interjecting.

The SPEAKER — Order! The member for Warrandyte!

Mr ANDREWS — Unhappy with the fact that it would seem she asked a ridiculous question and was given a very straightforward answer, we now get a speech from the member for Euroa — a speech full of the sort of political bile and game-playing that she and all those opposite are well known for.

They are never happier than when they are cutting the CFA budget, except maybe when they are using the CFA as a political football — or as a fundraiser. I would say to the member for Euroa: keep asking questions and keep giving me an opportunity to explain that you are opposed to everything you say you stand for.

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

Mr R. Smith — On a point of order, Speaker, the Premier quoted figures from a document in his answer to the substantive question. I ask that that document be tabled.

The SPEAKER — Order! There is no provision for documents to be tabled in relation to that matter.

Mr Andrews interjected.

The SPEAKER — Order! He was referring to notes.

Ministers statements: regional tourism

Mr EREN (Minister for Tourism and Major Events) — I am delighted to inform the house of the Andrews Labor government's work in growing regional Victoria's economy. Many regions, as you know, Speaker, rely very much on the valuable dollars provided by the visitor economy in the communities

that depend very much on them. I am pleased to say that our strategy is working. I know the opposition does not care about regional Victoria, but we on this side of the house certainly do.

When you look at the numbers of employment opportunities, back in 2013–14 196 000 jobs were created by this very important sector. It has now grown to 210 000 jobs relating to the visitor economy, and 114 000 of those jobs are directly from regional areas. To put it another way, the visitor economy accounts for nearly 13.5 per cent of total employment — —

Mr Watt — On a point of order, Speaker, the minister is very clearly reading from a document. I can see him holding the document up and reading from the document. I ask for you to get him to table the document and sit down.

The SPEAKER — Order! The minister was citing some figures. I ask the minister: was he reading from a document or referring to notes?

Mr EREN — Another ridiculous point of order from the member for Burwood. Of course I am referring to my notes, Speaker.

The SPEAKER — Order! The minister was referring to notes. The minister, to continue.

Mr EREN — Can I just say that the strategy that we have on this side of the house is to grow this very important sector to 320 000 jobs by 2025, and we are absolutely on track. This lot here, when they were in government, did nothing for this very important sector. We want to encourage, we want to make sure that our strategies work towards the 320 000 jobs that will come out of this sector. How do you do that? By investing within it.

The \$103 million invested into the Regional Tourism Infrastructure Fund saw crucial upgrades to one of the jewels in our crown: the penguin parade. We are delighted to see that the penguin parade is certainly attracting the visitations. There is our proposal to reduce payroll tax by 25 per cent to ensure that those businesses involved within the sector can grow also. That sort of encouragement will make sure that the regions grow in terms of future employment opportunities, and I ask this lazy opposition to support those cuts.

Parole conditions

Mr GUY (Leader of the Opposition) — My question is to the Premier. On 1 April 2015 the then Minister for Corrections, Wade Noonan, told

Victorians the government was implementing recommendation 13 of the Callinan review on and from that day. Under this recommendation no violent offender who has not behaved satisfactorily for the second half of their prison term is eligible to be granted parole. Premier, Yacqub Khayre did not satisfy this test. Why was he out on our streets?

Mr ANDREWS (Premier) — I will be very careful with the answer I provide, unlike some federal ministers who are in the Supreme Court at the moment. The reason for the caution in my answer is that I think the coronial process should be able to run its course, and that will involve looking at the circumstances that led up to the events of that night, the tragedy. No-one ought to be playing political games with this.

It is my intention, whether or not it satisfies the views and aspirations of the Leader of the Opposition, not to cut across that process or any other reviews or any other active police investigations, particularly in relation to weapons that are, as I am advised, very much current and contemporary. That may not satisfy the Leader of the Opposition. If he would like a briefing that can be provided in a confidential manner so as not to cut across any of that work, I am more than happy to facilitate that.

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Eltham

The SPEAKER — Order! Members will come to order. The member for Eltham will leave the chamber for the period of 1 hour.

Honourable member for Eltham withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Questions and statements resumed.

Parole conditions

Supplementary question

Mr GUY (Leader of the Opposition) — Speaker, I note the Premier's answer, although I do note that he did say the day after this incident that this man had fully satisfied his parole. So the Premier had previously commented on this very issue. However, I then ask by

supplementary: Premier, can you tell Victorians how many other parolees are currently on the streets who, like Yacqub Khayre, did not satisfy recommendation 13 of the Callinan review and should still be behind bars?

Mr ANDREWS (Premier) — I have two points in response to the Leader of the Opposition. I do not have those sort of details to hand. I am happy to — —

Mr R. Smith interjected.

Mr ANDREWS — Well, the member for Warrandyte is lecturing me on what we know and do not know. Are you serious? Have you worked out the youth unemployment rate? Honestly, of all the people to tell you you do not know something. The member for Warrandyte is about to set a record: he is going to finish a question time in the chamber.

Mr Guy — On a point of order, Speaker, it is now halfway through the supplementary question's response time, and I did ask a straightforward question about whether the Premier could inform the house about how many other parolees currently on the streets cannot satisfy recommendation 13 of Callinan. I ask you to simply bring him back to answering that question.

The SPEAKER — Order! I ask the Premier to come back to answering that question and not to take up interjections.

Mr ANDREWS — As I was saying, I do not have that material to hand. I am happy to take that on notice, and if I can add to my answer I would be more than happy to do so. In terms of these matters, I think we all probably share a keen understanding that these are tragic incidents. They are the subject of important investigations, and rather than interjecting and highlighting our ignorance, we ought to let them run their course. That is my intention, and that is the policy and practice of my government. That will not be changing despite the comments of those opposite.

Mr Clark — On a point of order, Speaker, I appreciate the fact that the Premier has undertaken to take on notice this question. Could I ask that you confirm that fact by instructing under sessional order 9 he does provide a written answer? I appreciate his offer, and I think it would be appropriate that it be confirmed that he will do so.

Mr Andrews — On the point of order, Speaker, I have given to the house through you an undertaking that if I can add to the answer I will do so. It would then be a matter of assessing after that process has run its

course whether any answer I provided was adequate, not in advance of it. I have — —

Mr Morris interjected.

Mr Andrews — We thank the member for Mornington for his guidance, but as I said, we have given a commitment and I will be more than happy to provide, if I have any, relevant information to the house.

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

Honourable members interjecting.

The SPEAKER — Order! The member for Hawthorn, without assistance from government members. The member for Mordialloc!

Mr Pesutto — On the point of order, Speaker, the Premier in his answer, and the record can stand on its own, said that he would make inquiries. The Premier is now trying to wiggle out of his commitment and say ‘if he has information’. He gave an undertaking to this house that he would make inquiries. He can go back to the department and get all the information that this house requires, and he should not wiggle out of the commitment he gave.

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

Ministers statements: water policy

Ms NEVILLE (Minister for Water) — I thought it was an important time to update the house on how we are tracking in relation to the major investments in and implementation of water infrastructure and services across our state to both respond to population growth and particularly support regional economies. I thought it was really important because recently we released a major water plan.

Yesterday I had the chance to look at another plan that talked about water which went to one page — one page! Apparently that is all we need to do in relation to water in our regional communities and in our metropolitan communities. It was of interest to me when I read that in fact this particular report refers to the importance of regional water, but only does so in two particular areas. It does not acknowledge the fact that water infrastructure and water security are absolutely critical for our regional economies to grow. That is why we are putting money into Wedderburn, into the Grampians area, into Gippsland, into Yanakie and into Mitiamo to grow the water infrastructure.

But apparently the only things that this document refers to are two projects that in fact the previous government basically messed up on, one being the connections project, which was left to flounder under the previous government. We have had to pull it back on track. I have recently announced \$100 million to do that. Additional works are going on in the Shepparton and Goulburn-Murray region. Similarly with the Murray Darling basin plan, apparently there are people concerned about it. Well, those people were similarly concerned back when the former water minister signed the Murray Darling basin plan.

It is this government that understands the importance of water infrastructure in our regional economies. One page in a document underestimates the importance of water security. We are getting on with fixing the mess left by those opposite.

CONSTITUENCY QUESTIONS

Ms McLeish — On a point of order, Speaker, again I need to rise to bring to your attention that the Minister for Roads and Road Safety has failed to answer my constituency question 12 553 of 9 May. It is now 12 days overdue, and this is a continuing pattern.

The SPEAKER — Order! We will follow that matter up and advise accordingly.

Mornington electorate

Mr MORRIS (Mornington) — (12 816) My question is for the Minister for Education, and it relates to Osborne Primary School. Prior to the last election the then education minister, the member for Nepean, committed some \$960 000 in funding for maintenance works, which unfortunately this government has refused to deliver on. I have followed this up on a number of occasions with the minister, most recently in an adjournment matter in February of this year. The minister responded that the government is aware that Osborne Primary School may have additional capital and maintenance needs and that he appreciates the challenges but unfortunately there would not be any money, so I ask: will the minister advise the house exactly how many schools of the 1500 he referred to in his adjournment response are considered by this government to have a poorer condition and a greater need for funding than Osborne Primary School?

Ivanhoe electorate

Mr CARBINES (Ivanhoe) — (12 817) My question is to the Minister for Housing, Disability and Ageing. What are the benefits for my community of the redevelopment of the Bell/Bardia and Tarakan public

housing estates in Heidelberg West? The Labor government has begun public consultations and allocated funding, some \$185 million, for a range of public housing redevelopment projects. These estates were constructed back during the Melbourne Olympic Games in the 1950s and are well due for redevelopment. It is welcomed by my community, and I look forward to hearing from the minister in relation to the benefits and improvements to my community as we continue to roll out public housing renewal in the Ivanhoe electorate.

Murray Plains electorate

Mr WALSH (Murray Plains) — (12 818) My constituency question is to the Minister for Police, and it is on behalf of Glenda Nichol and the Rochester Business Network. The Rochester Business Network organised a petition calling for increased police resources for Rochester, which had over 900 signatures. The Rochester jewellery store has recently been robbed for the third time and is considering leaving town. Rochester's community is saying enough is enough. Minister, when are you going to provide the extra police resources that the Rochester community so desperately needs?

Geelong electorate

Ms COUZENS (Geelong) — (12 819) My constituency question is to the Minister for Sport. I ask the minister to consider the proposals that have been put forward by local Geelong sporting clubs, such as the women's soccer sport facility strategy, by the St Joseph's Football and Netball Club and Geelong touch football, and to consider them in the context of lifting sport participation and health outcomes for our community.

Sporting clubs in regions such as Geelong play a significant role in our community, more so now than ever. Clubs such as St Joseph's have demonstrated a strong commitment to encouraging and facilitating female participation in sport. This proposal will provide extremely important and valuable infrastructure to underpin and build on the hard work that has been done to date — that is, to provide richer and long-lasting participation well into the future. The previous Liberal government paid little attention to regional areas such as Geelong. I am proud that the Andrews Labor government has a key focus on increased sport and recreation participation for all Victorians.

Ferntree Gully electorate

Mr WAKELING (Ferntree Gully) — (12 820) My question is for the Minister for Roads and Road Safety,

and it is: when will 40-kilometre-per-hour flashing speed signs be installed on Dorset Road near the Eastern Ranges School in Ferntree Gully? This is an issue that has been raised with me constantly by constituents in my community. I wrote to the minister on this issue back on 27 November 2015, and I have also had to raise this in the house both in January 2016 as well as in August 2016. This is an issue that is of significant concern to my community, so on behalf of residents I ask the question of the minister: when will the 40-kilometre-per-hour flashing speed signs be installed on Dorset Road near the Eastern Ranges School?

Sunbury electorate

Mr J. BULL (Sunbury) — (12 821) My question is to the Minister for Planning. When can residents in my electorate expect feedback from the wideranging community consultation that was conducted by the Victorian Planning Authority in relation to the Jacksons Hill master plan? Members of this house will be well aware that last year the minister asked the Victorian Planning Authority to coordinate a whole-of-government approach to create a master plan for this very important site. This is a site of much history and great heritage, and it is very important to residents in my community. With more than 180 residents attending the community consultation and, I would say, hundreds more involved online, I ask the minister: when can residents expect to hear feedback on this very important process?

Burwood electorate

Mr WATT (Burwood) — (12 822) My question is to the Minister for Water. I have been contacted by a constituent with a water inquiry, and upon searching for the minister's email address I have been unable to find it. I do note that when contacting her office I have been told to send it to her parliamentary email address, lisa.neville@parliament.vic.gov.au. I note that some ministers have, as Minister for Police, minister.police@justice.vic.gov.au. In the previous government it would have been the minister's name — first name, second name — then @minstaff.vic.gov.au, but unfortunately the minister does not have a water portfolio email address that I can find. I am not interested in sending a ministerial inquiry to her parliamentary email address. I am interested in sending a ministerial inquiry to her ministerial email address. So the question is very clear: what is the minister's ministerial email address for her water portfolio? Minister, what is your water email address?

Pascoe Vale electorate

Ms BLANDTHORN (Pascoe Vale) — (12 823) My constituency question is for the Treasurer. The abolition of stamp duty for both new and existing properties under \$600 000 will provide considerable assistance for first home buyers in our local area. I understand that this policy will come into effect for contracts signed from 1 July. I ask the Treasurer: if a first home buyer purchases a property of \$399 000, \$499 000 or \$599 000, how much will they save as a result of the abolition of stamp duty for properties under \$600 000?

In addition, I understand that there will be a discounted rate on stamp duty for properties purchased between \$600 000 and \$700 000. I ask the Treasurer: how will that be calculated or applied?

Bass electorate

Mr PAYNTER (Bass) — (12 824) My question is for the Minister for Public Transport. The residents of Koo Wee Rup approached the local bus company Westernport Road Lines with a proposal to provide a bus service between Koo Wee Rup and the Fountain Gate shopping centre, importantly including the Casey Hospital medical precinct. Westernport Road Lines were very positive towards the approach and agreed to submit a proposal to the department of public transport for a non-subsidised service which the company would bear the cost of during an agreed trial period. The bus line did in fact submit a concept plan to the department of public transport, which was apparently keen to proceed. However, problems have arisen where other bus companies have lodged objections to the proposed service. Could the minister confirm that this is in fact the case? If so, what avenues are now available to have this decision reviewed and the much-needed service commenced?

Yan Yean electorate

Ms GREEN (Yan Yean) — (12 825) My question is to the Minister for Industry and Employment. The Mernda Rail Jobs Hub has now been in operation for a number of weeks, and I ask the minister to outline what the employment outcomes and results of the operation of this hub have been, including the number of attendees, the positions available and the employment connections made. The Mernda Rail Jobs Hub is an integral part of the Mernda rail project that connects people with employment. It will greatly assist in meeting the Andrews Labor government's target on major projects of 10 per cent of the labour hours being undertaken by apprentices and trainees. The Mernda rail extension is a transformational project in Melbourne's northern suburbs. It will reduce

congestion and improve transport links, and it is driving investment and jobs in Melbourne's growing north.

Mr Watt — I raise a point of order, Speaker, with regard to the question from the member for Geelong, who asked: I ask the minister to consider a request for support. She clearly asked for an action. Asking for the minister to consider a request is an action, and that is not within the standing orders. I ask you to rule her question out of order.

The SPEAKER — Order! I remind members of *Rulings from the Chair*, which is available to all members, on the format for constituency questions. I uphold the point of order. The member for Geelong's question was out of order. I remind members before asking constituency questions to take the advantage of looking at *Rulings from the Chair*.

Mr Watt — I rise to make a point of order, Speaker, with regard to the question from the member for Pascoe Vale. Having a look at *Rulings from the Chair*, page 150, under 'Type of information sought', I see it has 'Should not seek information readily available'. The question was asked about the amount of money a person could save under some changes in taxation. That would be very easily obtained by having a look at the website. I am sure that the information would be very easily obtained. That is on the first question she asked. I also ask you to rule her question out of order because she actually asked two unrelated but very specific questions. I ask you to rule her question out of order — one, because she is seeking information which is readily available, and two, because she actually asked two questions.

The SPEAKER — Order! I am not in a position to rule on that point of order at the moment, but I will take that on notice and report back to the house.

YARRA RIVER PROTECTION (WILIP-GIN BIRRARUNG MURRON) BILL 2017

Introduction and first reading

Mr WYNNE (Minister for Planning) — I move:

That I have leave to bring in a bill for an act to provide for the establishment of an overarching policy and planning framework for the Yarra River, to establish the Birrarung Council, to provide for the declaration of the Greater Yarra Urban Parklands, to amend various acts in relation to the management of the Yarra River and other Yarra River land and to make other consequential amendments and for other purposes.

Mr CLARK (Box Hill) — I ask if the minister could provide a further brief explanation of the bill in addition to the long title.

Mr WYNNE (Minister for Planning) — This was an election commitment by the government that we would put in place very significant controls and protections for the Yarra River, basically from its headwaters right down to the City of Melbourne, and in that context it will engage with all of the state instrumentalities but also all of the local governments in the area, with a clear and unambiguous role for the Wurundjeri people and the Wurundjeri Council to play an important guiding role in the future development of the river and indeed the ongoing protection of the river.

Motion agreed to.

Read first time.

**PLANNING AND BUILDING
LEGISLATION AMENDMENT (HOUSING
AFFORDABILITY AND OTHER MATTERS)
BILL 2017**

Introduction and first reading

Mr WYNNE (Minister for Planning) — I move:

That I have leave to bring in a bill for an act to amend the Planning and Environment Act 1987 to facilitate affordable housing supply and to modify the requirements for determining certain applications to amend wind farm planning permits, to make miscellaneous amendments to the Building Act 1993 and the Building Amendment (Enforcement and Other Measures) Act 2017 and for other purposes.

Mr CLARK (Box Hill) — Again I ask the minister to provide a brief explanation of the bill in addition to the long title.

Mr WYNNE (Minister for Planning) — The bill implements the commitments set out in the Victorian housing strategy *Homes for Victorians: Affordability, Access and Choice* to introduce into the planning system a framework for voluntary arrangements to facilitate the provision of affordable housing particularly through local government — often section 173 arrangements. The bill will also streamline the process of applications to amend wind farm permits, where the original permit was issued after being called in by the Minister for Planning. The bill, finally, will also make necessary legislative amendments to ensure that councils are not responsible for the administration and enforcement of indictable offences under the Building Act 1993. Indictable offences will instead be dealt with by the Victorian Building Authority.

Motion agreed to.

Read first time.

**HEALTH LEGISLATION AMENDMENT
(QUALITY AND SAFETY) BILL 2017**

Introduction and first reading

Ms HENNESSY (Minister for Health) — I move:

That I have leave to bring in a bill for an act to amend the Health Services Act 1988, the Ambulance Services Act 1986, the Mental Health Act 2014, the Public Health and Wellbeing Act 2008 and the Mental Health Amendment Act 2015 and for other purposes.

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

Ms HENNESSY (Minister for Health) — This bill essentially allows the delivery of the recommendations contained in Dr Stephen Duckett's report *Targeting Zero: Supporting the Victorian Hospital System to Eliminate Avoidable Harm and to Strengthen Quality of Care*.

Motion agreed to.

Read first time.

BUSINESS OF THE HOUSE

Notices of motion

The SPEAKER — Order! Notices of motion 5 to 8 will be removed from the notice paper unless members wishing their notices to remain advise the Clerk in writing before 2.00 p.m. today.

PETITIONS

Following petition presented to house:

Residential care facilities

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the option to allow young people to remain in out-of-home care until the age of 21.

The petitioners therefore request that the Legislative Assembly of Victoria allow young people to remain in state-funded out-of-home care until they reach a maximum of 21 years of age so they are not displaced upon reaching the age of 18. Some of these young people require guidance and assistance into young adulthood to give them every opportunity to succeed in life.

By Ms VICTORIA (Bayswater) (48 signatures).

Tabled.

Ordered that petition be considered next day on motion of Ms VICTORIA (Bayswater).

RULINGS BY THE CHAIR**Questions without notice**

The SPEAKER — Order! The member for Box Hill raised a point of order regarding the response provided by the Premier to the member's supplementary question on Thursday, 8 June 2017. After reviewing *Hansard* I believe that the answer was not responsive, and I have written to the Premier requesting that he provide a written response in accordance with sessional orders.

PENALTY RATES AND FAIR PAY SELECT COMMITTEE**Penalty rates and fair pay**

Ms WILLIAMS (Dandenong) presented interim report, together with appendices.

Tabled.

Ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE**Alert Digest No. 9**

Ms BLANDTHORN (Pascoe Vale) presented *Alert Digest No. 9 of 2017* on:

Bail Amendment (Stage One) Bill 2017

Children and Justice Legislation Amendment (Youth Justice Reform) Bill 2017

Environment Protection Bill 2017

Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017

Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017
Oaths and Affirmations Bill 2017

Parks and Crown Land Legislation Amendment Bill 2017

Racing Amendment (Modernisation) Bill 2017

Sentencing Amendment (Sentencing Standards) Bill 2017

State Taxation Acts Amendment Bill 2017

SR No. 133 — Australian Grands Prix (Formula One) Regulations 2016

together with appendices.

Tabled.

Ordered to be published.

ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE**Control of invasive animals on Crown land**

Mr J. BULL (Sunbury) presented report, together with appendices, summary booklet and transcripts of evidence.

Tabled.

Ordered that report, appendices and summary booklet be published.

DOCUMENTS

Tabled by Clerk:

Federation Training — Report 2015

Financial Management Act 1994 — Report from the Minister for Training and Skills that she had not received the Report 2016 of Federation Training, together with an explanation for the delay

Ombudsman — Report into allegations of a conflict of interest of an officer at the Metropolitan Fire and Emergency Services Board — Ordered to be published

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

Brimbank — C157

Maribymong — GC67

Melbourne — GC67

Port Phillip — GC67

Stonnington — GC67

Melton — C143

Road Management Act 2004 — Code of Practice for Operational Responsibility for Public Roads

Statutory Rules under the following Acts:

Crimes Act 1958 — SR 39

Judicial Commission of Victoria Act 2016 — SR 38

Road Safety Act 1986 — SRs 41, 42

Transport Accident Act 1986 — SR 40

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 37, 38, 39

Documents under s 16B in relation to the *Kardinia Park Stadium Act 2016* — Event management declaration for Kardinia Park events

Victorian Electoral Commission — 2016 Local Government Elections Report

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Amendment Notice (*Gazette S183, 5 June 2017*).

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

Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Act 2017 — Whole Act (other than Part 3) — 15 June 2017 (*Gazette S195, 14 June 2017*).

ROYAL ASSENT

Messages read advising royal assent to:

14 June

Family Violence Protection Amendment (Information Sharing) Bill 2017

20 June

City of Greater Geelong Amendment Bill 2017
Sex Offenders Registration Amendment (Miscellaneous) Bill 2017.

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Oaths and Affirmations Bill 2017
Parks and Crown Land Legislation Amendment Bill 2017.

PENALTY RATES AND FAIR PAY SELECT COMMITTEE

Reporting date

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

That the resolution of the house of 9 March 2017 be amended to extend the reporting date for the Penalty Rates and Fair Pay Select Committee's final report to no later than 30 June 2018.

Motion agreed to.

ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE

Reporting date

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

That the resolution of the house of 23 June 2016 be amended to extend the reporting date for the Economic, Education, Jobs and Skills Committee's inquiry into supporting the role of communities in the Victorian energy economy to no later than 31 October 2017.

Motion agreed to.

BUSINESS OF THE HOUSE

Program

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

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 5.00 p.m. on Thursday, 22 June 2017:

Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017

Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017

Land Legislation Amendment Bill 2017

WorkSafe Legislation Amendment Bill 2017.

In making a few short comments on the government business program before the house I would like to also draw the house's attention to the opportunity the government will take this week, when time permits, to continue with the take-note motion on the budget. Also the Liberal-National coalition opposition has sought for the WorkSafe Legislation Amendment Bill 2017 to be taken into consideration in detail, and the government is happy to provide time for that on Thursday afternoon. We have a few other things to do on Thursday afternoon. We might be a little bit caught up at the afternoon tea farewelling our Clerk of the Legislative Assembly in his last week, and further commentary I am sure will be made on that as the week progresses.

Also as the week progresses there will be further discussion between the government and other members of the house regarding the notice of motion that has just been given by the Minister for Planning regarding the Yarra River Protection (Wilip-gin Birrarung murrn) Bill 2017 to facilitate a ceremonial activity as part of the second-reading speech, ideally on Thursday morning. Also we will hopefully have all of the

business of the house wrapped up by Thursday, but I flag to the chamber that, pending movements in the Legislative Council, there may be a requirement to add a little bit of extra time to our day on Thursday to facilitate the passage of legislation that is needed to pass before the end of the financial year. On that cheery note I commend the motion to the house.

Mr CLARK (Box Hill) — As the Leader of the House indicates, the government does intend that this will be the final week of parliamentary sittings for some time. As is usual on these occasions there can be a degree of uncertainty and variability in what might be required, given matters that are currently before the other place, and that is of course in addition to other matters that the Leader of the House referred to. However, the actual business program that the government sets forth is one that should be able to be accommodated within the time that is available, as well as those additional matters that the Leader of the House has referred to, subject to unforeseen developments in relation to matters from the other place.

That leaves the government with no excuse whatsoever for not dealing with the matter that for a long time has been required to be dealt with by this house — namely, the very serious allegations of rorting and misconduct that have been levied against the members for Melton and Tarneit. The material that is on the public record in relation to their conduct points to a very strong case that needs to be answered, points very strongly to their having gravely abused their positions as former Speaker and former Deputy Speaker of this house. As I have said on numerous occasions over recent weeks, this is something that this house needs to deal with; it is not something that should be swept under the carpet. It is not a situation where the government can continue on as though nothing has happened or where there are other processes underway that should be awaited.

Mr Pearson interjected.

Mr CLARK — There is absolutely no justification for that, and the member for Essendon, who interjects, should well know that because he does pride himself on giving some attention to issues about the forms and practices of this house and its history and precedents. He will know, and I am sure many other honourable members on the other side of the house should know, that the Westminster tradition requires, and rightly, that we deal with these matters as a house.

The only occasion relevant to this issue when we would suspend doing so is if charges are laid before the courts, and we would do that in deference to those courts. Absent that, whether or not there is a police

investigation underway is a matter of criminal law for the police to deal with. The matter that this house needs to deal with is the abuse of its rules, the contempt for it that appears to have been displayed and the apparent dishonesty and misuse of taxpayer funds that seems to have occurred here. If we want to have any respect, any dignity and to be able to hold our heads up high — with other Westminster parliaments around the world, but even more importantly with the Victorian community — we should be dealing with this matter.

In what other form of human activity, in what other organisation — be it a non-government or for-profit organisation — would this sort of abuse be tolerated without action being taken? This house should be referring this issue to either the Privileges Committee or, even better, a special select committee to inquire fully into what has gone on and how those who were charged with upholding the standards of this house — the former Speaker and Deputy Speaker — could have engaged in what certainly seems to be on the available evidence very serious rorting indeed. So it is not something that the government should be using its numbers to just brush aside; it should be dealing with that matter.

The government should be referring the matter to a committee of this house to investigate and report to the house on. That is certainly what was done under the previous Parliament. It is certainly what those on the Labor side of politics called for under the previous Parliament. They should do what was done by the previous government and refer that matter to a committee of this house to be investigated and to be reported on and then for this house to take appropriate action to uphold its standards. Unless and until this government does that, this government business program should be opposed.

Mr CARBINES (Ivanhoe) — I am pleased to add my support to the government business program as outlined by the Leader of the House moments ago. In particular I know my constituents will be pleased to hear debate in relation to the Yarra River Protection (Wilip-gin Birrarung murrn) Bill 2017, a very important piece of legislation brought forward by the Minister for Planning. Certainly as I represent an electorate that is bounded by the Yarra, Darebin and Plenty rivers, this is a very significant bill for me, particularly in relation to the matters that the minister raised earlier in relation to the government business program and how this bill will be dealt with in the house this week.

It will provide an opportunity for traditional owners to take part, particularly on the floor of the chamber, and

bear witness to the bill being introduced into the house. I know that to have traditional owners here and for them to be engaged in that process is very significant. Speaker, it is a ceremonial but perhaps a cultural event that I think also speaks volumes about changes that this Parliament made under the leadership of your predecessor, in particular in relation to the welcome to country that is made in the chamber at the start of sitting weeks.

To make sure — as I think we have on other significant legislation that has been introduced into this Parliament by the Andrews government, in particular legislation and reports in relation to domestic violence and other matters — the engagement that we provide is also for people who are not members of this house, for them to make a contribution and to bear witness to legislation and the public policy changes that the government brings forward. I think this is commendable and something that we should continue to do on appropriate occasions.

As the Minister for Planning outlined, to provide that opportunity to traditional owners for whom the Yarra River is at the heart of their culture, and to make sure they are part of that in a very big way in the work that we are doing in public policy in relation to that bill, is critical. Not only that, but those associated protections relate in particular to a lot of the planning that we have seen. Not so much along the northern reaches in my electorate in Ivanhoe, but particularly as you head down towards the city. As anyone who is a member of the Yarra Riverkeeper Association, anyone who has had the opportunity to look at some of the quite atrocious developments can see, particularly on the eastern side of the Yarra, Yarra council have allowed some pretty clear abominations to be approved and developed. Some of the councils on the other side of the Yarra need to be held to account for the many developments that have been allowed to occur along the river's frontage, and we have seen a lack of capacity by authorities to manage their responsibilities to protect not only the Yarra River but also the interface between the river and the riverbank as a public space. Anyone who has had the opportunity with the Yarra Riverkeeper or others to travel down the Yarra River can see very clearly where we have had some dreadful outcomes. I look forward to discussion on that bill.

Many of the other items that have been outlined by the minister also reflect on the provision of consideration in detail of other bills this week, which of course is in keeping with the commitment that the government gave in relation to the last election, that opportunities for consideration in detail occur. We have seen that with the bill to ban cattle grazing in national parks that was considered in detail. There were bills in the last sitting

week that were considered in detail. And the WorkSafe Legislation Amendment Bill 2017 will be considered in detail, as requested by the opposition. That opportunity is likely to arise this sitting week. Of course WorkSafe is another very significant initiative, like WorkCover, by former Labor governments. I look forward to further conversation and debate on legislation in relation to those matters.

Just touching very briefly on comments from the manager of opposition business in relation to the precedents and conventions we saw — those of us who were here in the previous Parliament, past speakers in this place when bills were deadlocked and had the opportunity to cast a vote to ensure bills were passed as opposed to ensuring bills were voted down when they were deadlocked — these conventions seem to have been ignored at the whim of conservative parties who, as we saw in 1975, like to throw conventions and precedents out the door when it suits them on some occasions and stand for them when it does on others. I commend the program to the house.

Mr HIBBINS (Pahran) — I rise to speak on the government business program. No, I will not speak for 5 minutes on the government business program; I do not generally. I do not come here like perhaps like other members and think, 'Right, have I got 5 minutes on the government business program? This is the highlight of the week, to really spruik it, to really talk about the government business program'.

We will not be supporting the government business program in this instance. Not because of the bills that are on the government business program, but because of what is not on the government business program, and that is a reference from this Parliament for the member for Melton and the member for Tarneit to be referred off to the Privileges Committee. That is the appropriate course of action and that is the course of action that members of the public would expect. It is just extraordinary that we would now go at least another six weeks with the winter recess before this Parliament actually deals with these matters.

I thought it was extraordinary that we went to the break earlier in the year without dealing with these matters, and now even more so that we are going into the winter break without dealing with these matters. There is a cloud, there is a stench hanging over this Parliament due to the allegations around and the actions of the member for Melton and the member for Tarneit. That cloud needs to be cleared. These allegations need to be addressed; they need to be addressed by the Privileges Committee. I would urge the government to change its course of action, and refer those members to the

Privileges Committee and do what the public expect on this matter. We will not be supporting the government business program.

Mr PEARSON (Essendon) — I am delighted to support the Leader of the House's motion and truly, listening to the manager of opposition business's contribution, he finished more with a whimper than a bang. I think I could say this to the Clerk: the manager of opposition business is yearning to follow him into sunnier climes as the Clerk moves into retirement. I think it is very clear that the manager of opposition business does not have his back in it. He is already on vacation, is already up at the Gold Coast at the theme parks; he has checked out. He has absolutely checked out.

To the Clerk, Ray Purdey, I congratulate you on your service. I am sure the member for Box Hill may wish to join you if you are visiting any theme parks on the Gold Coast. Forty-eight years is a magnificent contribution. You have served this house with distinction over the past 18 years. It is not an easy role from what I have observed in the limited time I have been here, not helped by people like me, but I wish you all the very best for a very happy retirement. I look forward to attending your lunch tomorrow. On that very brief note, I commend the government's business program.

Mr KATOS (South Barwon) — I rise to make a contribution to the debate on the government business program. As the opposition has said, we will not be supporting the government business program today. It is a fairly light business program as well for bills: two justice bills — one about protective services officers, one about security — and the lands bill and also the WorkSafe bill.

But as the member for Box Hill and the member for Prahran said, it is what is not on the government business program that the non-government parties would like to have dealt with by this house, and that is the rotting of the members for Melton and Tarneit. A motion could be put immediately, and we could deal with it, but the government is not forthcoming in wanting to deal with the behaviour of the two MPs who were entrusted with upholding the rules of this place — the former Speaker and the former Deputy Speaker. They should be dealt with, but they are not being dealt with by this house. As the members for Box Hill and Prahran said, we will not support the government's business program in this circumstance. With those brief remarks, I will continue to voice my opposition to this week's business program.

House divided on motion:

Ayes, 45

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

Noes, 38

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

Motion agreed to.

MEMBERS STATEMENTS

Heyfield timber mill

Mr T. BULL (Gippsland East) — The announcement last week that the Heyfield timber mill will close earlier than expected is devastating news for employees and their families. Following the announcement by the Premier earlier this year that the government was prepared to buy the mill, I note the owner's comments that 'any suggestions that there has been any form of intense discussions or negotiations of any form with the government are simply wrong'. All that is needed to save these jobs is a simple change of

policy, and that policy ought to be changed now and those jobs preserved.

Greyhound racing code of practice

Mr T. BULL — The draft *Code of Practice for the Keeping of Racing Greyhounds* has rightfully caused much concern in the industry. There are three main areas of alarm: the criteria to meet in relation to facilities, which will cause excessive cost to the sector; the significant administration increases; and the changes many are describing as pedantic. Many have already said they will be forced from the industry, which generates over \$400 million in economic benefits and just on 3000 jobs.

The minister has said he supports the industry — well, you cannot say that and then put out a document like this, even in draft form, which will impact significantly on the sector and jeopardise its future. It is time some real consultation took place with the industry at the grassroots level and a sensible code of conduct is put in place that enforces strong animal welfare standards but allows this important industry to continue to grow.

Queen's Birthday honours

Mr T. BULL — I wish to congratulate three East Gippsland residents who were included in the Queen's Birthday honours. Cheryl Hersey of Bruthen and Lawrence Leeman of Paynesville both received the Order of Australia Medal, while Alan Cracknell was awarded the Australian Fire Service Medal.

Dennis O'Sullivan

Mr RICHARDSON (Mordialloc) — I pay tribute to the life of Dennis Victor O'Sullivan, who passed away on 6 June 2017. Last week many members of the local community came together with Dennis's wife, Patricia, and the entire O'Sullivan family at the St Patrick's parish church for a requiem mass to pay tribute to this wonderful community and family man. It was fitting to see so many people in attendance, from past and present members of Parliament, former mayors, councillors and community and business leaders to those who have been supported and mentored by or worked alongside Dennis over the decades.

His daughter Sharon gave a very moving eulogy detailing Dennis's excellence in mathematics when he was at school, his love and dedication for his family and community and the fact that he never missed a morning cuppa with his wife, Patricia. Sharon also spoke of Dennis's fierce commitment to social justice and fairness for all. This was underpinned by his life membership of

the Australian Labor Party. He dedicated decades of service to the party, undertaking countless campaigns and supporting very important causes to help deliver important change for people who need it most. Dennis worked at Mentone Girls Grammar School for more than 20 years and was absolutely instrumental in the establishment of Central Bayside Community Health Services, serving for many years on the board. If you wanted something done on the bayside, all you had to do was call Dennis O'Sullivan.

He was a father to Barry, Sharon and Shane; a grandfather of eight; a great-grandfather of nine; and a great-great-grandfather of one. I offer my condolences to Patricia and the O'Sullivan family. Dennis leaves a wonderful legacy that lives on through all of you. He brightened our community and changed it for the better. Vale, Dennis O'Sullivan.

Mornington Peninsula planning

Mr MORRIS (Mornington) — For most of the second half of the 20th century there was bipartisan support for sensible planning on the Mornington Peninsula. Successive generations recognised that growth was both welcome and inevitable but that if it was to occur, it had to be managed properly to ensure that the special character of the peninsula was retained for the benefit and pleasure of all Victorians. As Melbourne's population continues to grow, particularly to the south-east, so too does the need for access to all the pleasures that the peninsula provides.

Maintaining our green wedges and non-urban areas and the individual characters of our towns and villages is a crucial part of that equation, but unfortunately in recent years the bipartisan commitment to properly manage growth has been lost. First the Bracks government decided the peninsula was really nothing more than an extension of the metropolitan area and applied *Melbourne 2030* controls to local development. The council and the community fought those changes and were largely successful in rejecting the bulk of the measures imposed. In 2013 the *Mornington Peninsula Localised Planning Statement* was inserted into the planning scheme as state policy, recognising that the peninsula should be planned as an area of special character and importance with a role clearly distinct from but complementary to metropolitan Melbourne and designated areas.

Unfortunately the current Minister for Planning, while not removing the statement from the planning scheme, has sought to diminish its role and effectiveness through the introduction of the new general residential zone. This zone will permit not only dramatically

increased density but also the construction of 11-metre-high dwellings without a permit. These changes are fundamental threats to the character, particularly the coastal character, of the Mornington Peninsula. If this new policy is not reversed, the low-key residential nature of our towns and villages will be devastated.

Joan Dudman and Masad Alfayadh

Ms SPENCE (Yuroke) — I rise to acknowledge two of the terrific women in the Yuroke electorate, who have each contributed greatly to our community. It is a testament to her character and contribution that a representative from each level of government was on hand to congratulate Joan Dudman for receiving her life membership of the Labor Party at an afternoon tea last Friday. With over 40 years of membership, Joan is a foundation member of the Craigieburn branch, and she recalls how many years ago she letterboxed the entire suburb on her own. That is why so many grateful members, including the federal member for McEwen, Rob Mitchell, and the mayor of Hume, Drew Jessop, turned out to thank her last Friday. I know Joan will continue to contribute to our movement over the coming years, and I take this opportunity to once again thank her.

I also wish to congratulate Masad Alfayadh, a winner of this year's Corporal Cameron Baird Memorial Awards. Masad was recognised for launching local charity Happy Brain Education, which runs classes providing tutoring, mentoring and support for students in Melbourne's outer north. Masad is studying medicine at Monash University and has an impressive record of volunteer work, from mental health retreats to health workshops for newly arrived refugees. I look forward to Masad joining me for the next Yuroke Youth Advisory Council meeting to talk about her remarkable contribution and experiences as a community leader.

Both of these women have contributed in their own way to make our community a better place. I thank them for all they have done, and I hope others look to them as role models for achieving their goals and being passionate about what they believe in.

Fire services

Mr WELLS (Rowville) — This statement condemns the Andrews government's astonishing plan to hand over fully volunteer Country Fire Authority (CFA) stations to the new Fire Rescue Victoria (FRV) service by giving a hand-picked panel the power to alter metropolitan fire service boundaries. The Minister for

Emergency Services advised me last Friday, 16 June, that the government is:

... restoring the CFA to a fully volunteer firefighter organisation ...

He also stated that in the event of a boundary change Fire Rescue Victoria staff would, and I quote:

... be brought in — to supplement the existing and continuing CFA volunteer service.

The minister cannot have it both ways. It is impossible for the CFA to be fully volunteer and also supplemented by the FRV at the same time. Labor are in fact scrapping the current integrated model and preparing for FRV control — not just supplements — over what were once fully volunteer CFA brigades. The great strength of the CFA is that volunteers are protecting their own local communities, yet once an area becomes FRV volunteers will be sidelined in their own stations. No matter how highly ranked, skilled or experienced volunteers are, they will answer to paid staff. When their equipment and assets, which are paid for by local fundraising, are seized by the government and passed over to FRV, will they continue to put their hands up to help, or will they take their considerable experience and training to organisations that appreciate their contribution?

Creating Opportunity: Postcodes of Hope

Mr McGUIRE (Broadmeadows) — The Council of Australian Governments ignores the place-based threat of terror in postcodes of disadvantage at our peril. The need is critical and urgent for a coordinated strategy between the three tiers of government, business and civil society to address such concerns where they are needed most. This is why I renew my call for the Australian government to be a partner in the *Creating Opportunity: Postcodes of Hope* strategy, which features a coordinated plan, including a city deal centred on the electorate of Broadmeadows, struggling under deindustrialisation in a time of terror.

Evidence is compelling that a coordinated strategy can no longer be ignored. The Andrews government recently established a suburban development portfolio and appointed me chair of a Broadmeadows revitalisation board to advise on opportunities. I renew my call for the Turnbull government to reinvest at least part of the unspent \$1.324 billion from the automotive transformation scheme in Melbourne's north, in a collaboration with the Victorian government and the private sector, as a catalyst for jobs and growth, and to be a partner in delivering the strategy *Creating Opportunity: Postcodes of Hope*. This provides the

blueprint for a city deal to leverage the Australian government's \$50 million Smart Cities and Suburbs program, supporting projects that apply innovation and smart technology solutions to urban problems.

I have just received a response from the Assistant Minister for Cities and Digital Transformation, Angus Taylor, who said:

I read *Creating Opportunity: Postcodes of Hope* with interest, and was impressed by the depth of thought it shows about the issues facing the Broadmeadows community. The fast-growing suburbs of our major cities are where many of the major challenges facing our cities are most keenly felt.

One Planet Facility Services

Ms RYALL (Ringwood) — It is great to see a local Ringwood business achieving great things. One Planet Facility Services in Ringwood are the winners of the 2017 Australian Achiever Award for Australia's cleaning and maintenance services and supplies category. I congratulate One Planet Facility Services on their dedication and commitment to achieving this award for outstanding service excellence.

Crown Coaches

Ms RYALL — Crown Coaches, a Nunawading bus and coach transport business, has celebrated its 50th anniversary. Crown Coaches has 250 employees and has been the winner of several Whitehorse business awards. The business focuses on ensuring it minimises its impact on the environment. This includes making sure that vehicles not only meet the current emission standards but do better, including tracking and routing to achieve the most effective transfer of their passengers. Congratulations!

Coolheads

Ms RYALL — Coolheads has achieved the goal of fundraising \$145 000 for two scalp-cooling machines at Maroondah Hospital. These machines reduce hair loss for women undergoing chemotherapy for breast cancer and provide dignity and choice about if and who they tell about their challenges. The funding also enables the staff to manage the machines as well as providing for further study into the machines' effectiveness. Women battling breast cancer will be able to access this equipment for free. Congratulations to the Eastern Health Foundation together with the East Ringwood and Heatherdale Bendigo community banks for their incredibly hard work and achievement. I am so proud of our community in achieving this goal.

Kambrya College

Ms GRALEY (Narre Warren South) — It is that time of year again, with Kambrya College hosting their 12th annual debutante ball. It is truly a wonderful evening that brings together students and their families. You can just see the pride and joy in the eyes of parents as their sons and daughters dress up, dance and jive with style and impress everyone in the room. The girls looked gorgeous and radiant, while the boys scrubbed up well too. They have so much to look forward to, whether it be travelling the world, discovering their dream job or simply finding happiness.

Congratulations to Elise Devonshire, Dana Baquero, Melissa Ramos Amaya, Maddison Taylor, Emma Tonkin, Maddison Botsman, Rita Tabbakh, Aneesha Clark, Jade Watson-Bignall, Isla Kennedy, Haylee Gemmell, Chloe Henry, Maddison Poulton, Toni Halstead, Trisha Tomayao, Tara Tsagaris, Jemma Smith, Alysha Williams, Chloe Beard, Kayla Ross and Hailey Cook; and to Jarryd Bushell, Cooper Fowkes, Liam McDonald, Deakin Roberts, Nathan Wright, Declinn Abraham, Jarvis Harp-Wilks, Cameron Marshall, Keenan Dureau, Kaydn Wylie, Thomas Hodge, Andrew Gebbie, Jarryd Schelling, Michael Meunier, Cody Cadogan, Jai Davis, Dylan Parks, Truiit Tekeu, Bailee Bunt, Jesse True and Nathan Karas.

Congratulations also to Claire Archer, Julianna Watt, Courtney Hook, Jaimee McTaggart, Lauren Callander, Sienna Williams, Lauren Tonkin, Chelsey Vernon, Kyra Casey, Christie Tyson, Leanne Sta Ana, Jess Nolan, Piper Featherstone, Amy McKinnon, Abbie Critchlow, Shaylyn Barrett, Alannah Arbon, Elise Hess, Priya Chand and Megan Gomez; and to Jackson Begley, Amir Khoshghalib Toosi, Ellen McNeil, Michael Pongrac, Zac Quaresima, Bradley Greene, Mark Whalebone, Coby Russell, Thomas Gittus, Jarryd Attard, Daniel Emerton, Bailey Rattle Orchard, Ezra Bond, Matthew Kent, Caleb Johnston, Hailey Agnew, Jordan Qumivutia, Benjamin Hermesdorf, Jackson Webb and James Coward-Marshall.

Well done and thank you to the parents and teachers who not only put on such a great night but also guide and support these young people on their journey to adulthood. It was fantastic to hear the students themselves say thank you to all those who have supported them thus far. Their mums got a big mention — as they should! I hope that each and every one of these outstanding young men and women can realise their dreams — —

The DEPUTY SPEAKER — Time!

Heart disease awareness

Mr D. O'BRIEN (Gippsland South) — It is great to be able to rise in this place today, full stop, and thank those in the house who have sent their best wishes after my recent heart attack. I do appreciate the support from all sides of the house. I would also like to thank the excellent staff at Casey Hospital, Monash Health and Jessie McPherson Private Hospital for their care of me, and the ambulance officers who transported me from Casey to Monash. We are blessed to have great health care in this country, and it is due to those dedicated staff that I am standing here today.

I am also here because I happened to remember that shoulder pain is a symptom of heart attack, and when I googled the other symptoms I realised that was what I was having. I encourage all members and all Victorians to familiarise themselves with the symptoms of a heart attack through the Heart Foundation website and, if they are in any doubt as to whether they might be having one, to call an ambulance.

Queen's Birthday honours

Mr D. O'BRIEN — A number of Gippsland South residents were recognised in the recent Queen's Birthday honours, and I pay tribute to their service.

Peter Jennings of Giffard West received a Medal of the Order of Australia for services to agriculture, rural financial counselling, education, local government and many others, including firefighting.

Neil and Isabel Trease of Mirboo North also received OAMs for their many years of service to the Mirboo North community, including ambulance, disability services, general community volunteer activities and the Friends of the Lyrebird Forest Walk, better known as the Wednesday Warriors. I have seen firsthand the work that the Treases do, and their OAMs are just reward for two lives of service.

Anglican Bishop of Gippsland Kay Goldsworthy was made an Officer of the Order of Australia for her trailblazing service to the church and community as the first woman consecrated as a bishop in the Anglican Church in Australia.

Port Albert's Warren Curry was a very deserving recipient of the Australian Fire Service Medal for his service to the Country Fire Authority for many decades in both Yarram and Port Albert.

Retirement of Clerk

Mr PERERA (Cranbourne) — I wish to take this opportunity to thank the Clerk, Ray Purdey, for his excellent services to this house and the members. I wish him all the very best in his retirement.

Paige Weidemann and Salvatore Leone

Mr PERERA — I have great pleasure in congratulating local students Paige Weidemann and Salvatore Leone. Both Paige and Salvatore have been honoured recently for their heroic and lifesaving actions in the face of an emergency at the 13th annual Junior Triple Zero Heroes awards.

Paige is 12 years old. She bravely helped her dad when he experienced chest pain. She remained calm under pressure. Salvatore is seven years old. He called 000 when his mum had an allergic reaction. Despite using her EpiPen she was unresponsive. He cared for his mum until help arrived. Paige and Salvatore are two of 51 Victorian students aged between five and 16 praised for keeping calm under pressure and calling Victoria's 000 service to seek assistance. Paige and Salvatore, who live in the electorate of Cranbourne, are true heroes; they kept calm under pressure and sought help when it was desperately needed.

Casey police numbers

Mr PERERA — From this month the Casey area will begin to see the first 31 frontline police on our streets. These are the first of the — —

The DEPUTY SPEAKER — Time!

Pill testing and reporting

Mr HIBBINS (Pahran) — I rise to oppose the government's recent announcement that they will allow police to stop and search people for no reason at music festivals. It announced it with a drop to the *Herald Sun*, which published an article headed 'Drug party blitz' that referred to a 'zero-tolerance crackdown', whilst at the same time ruling out a proven and effective method of reducing harm, which is a pill-testing and reporting regime in Victoria.

There has been an increase in the supply of synthetic drugs in our community — drugs that are made to mimic the effect of other recreational drugs but are made from more dangerous and cheaper substances. These circumstances led to the deaths and hospitalisations of a number of individuals earlier this year when they took what they thought was MDMA

but was the much more dangerous drug NBOMe. This occurred in Chapel Street in the Prahran electorate.

A pill-testing and reporting regime in Victoria will inform people of what is in their drugs before they take them. In countries where pill testing occurs, it has been shown that when people are informed of highly dangerous substances in their drugs they choose not to take them. This government's approach is to simply continue on with its failed law and order, just-say-no policies rather than treating this as a health issue. Its approach is designed for a *Herald Sun* headline and will result in riskier drug taking, such as people taking all their drugs at once, and it will put lives at risk.

Holmesglen TAFE student hub

Mr STAIKOS (Bentleigh) — Last week I joined the Minister for Training and Skills at Holmesglen TAFE, Moorabbin campus, to officially open the new student hub. There is no better example of a government delivering on its commitment than this. The hub was promised in 2014, funded in 2015, constructed in 2016 and opened in 2017. Holmesglen now has a modern centre for student support and information services, meeting and conference spaces for industry training collaboration and open-plan learning spaces with the latest technology.

St Peter's Primary School

Mr STAIKOS — It was great to be at the annual St Peter's Primary School trivia night on Saturday, hosted by the school's parents and friends association. This event is always a lot of fun. The dress code this year was something starting with 's' or 'p', so principal Michael Hanney went as a school principal and I went as a state politician. A highlight of the night was being the successful bidder on the Bentleigh edition of Monopoly. For those wondering, the most expensive street is Rose Street at 400 Monopoly dollars. I can also report that all four railway stations on the board are without level crossings, thanks to the Andrews Labor government.

Level crossing removal

Mr STAIKOS — Also on level crossings, this Sunday marks one year since the Andrews Labor government removed the boom gates at the Bentleigh, McKinnon and Ormond stations. This was part of Labor's 2014 election commitment to remove 50 of our most dangerous and congested level crossings. We have already removed 10, with a further 17 removals currently underway. This is a project that continues to deliver much-needed infrastructure and local jobs.

Nick Hao

Mr GIDLEY (Mount Waverley) — Today in Parliament I rise to express my deepest condolences to the family and loved ones of Mr Nick Hao. Mr Hao was an innocent victim of the Brighton terrorist attack which was carried out earlier this month. I understand Mr Hao was killed whilst simply going about his work duties. Whilst words will never be able to adequately express the grief and sadness that Mr Hao's family and loved ones are enduring as a result of this tragedy, it is appropriate that our deepest condolences are conveyed through the Parliament.

As I mentioned at Mr Hao's memorial service held in Mount Waverley, first and foremost I will continue to offer any support I can to Mr Hao's family and his loved ones. Additionally I will keep asking the stomach-wrenching questions: how could something like this have happened in our state? How could the perpetrator have been allowed to be roaming around on our streets, particularly given the surge in crime which is happening in our state? It is incumbent upon this Parliament to demand answers to these sorts of questions to reduce the risk of such a tragedy ever happening again.

London terrorist attack

Mr GIDLEY — I also rise to express my deepest sympathies and condolences to the victims of the London Bridge terrorist attack and their families and loved ones — a terrorist attack that killed two Australians. Whilst words simply cannot adequately express the grief and sadness that the victims' families and their loved ones are carrying as a result of this tragedy, it is appropriate and necessary that our deepest condolences are conveyed through the Parliament. This is particularly so given the shared values of Western liberal democracies that the people of Great Britain share with the state of Victoria and indeed Australia. Whilst terrorism may be undertaken to attack these shared values and principles of Western liberal democracies, it must never be allowed to succeed. Whatever vigilance, strength of purpose and endurance is necessary to protect and enhance our shared values, it must be found.

Glen Eira College

Mr DIMOPOULOS (Oakleigh) — I would like to congratulate the fantastic French language students at Glen Eira College who were awarded first place in the 'Dis-moi dix mots' competition run by the French ministry of education. I defer to the contribution of the member for Caulfield in this place on 10 May, which

named each of the students involved at Glen Eira College. I was delighted to join with the member in personally meeting the students recently. With 800 projects submitted from around the world, Glen Eira students won first prize. That is an amazing achievement, but not surprising given the quality of students at this wonderful school.

Parliamentary Friends of Greece

Mr DIMOPOULOS — I was proud to take part in the ceremony to plant an olive tree in the gardens surrounding Parliament House. This tree recognises the enduring friendship between the Australian and Hellenic people both during war and peacetime. I would like to make special mention of the Parliamentary Friends of Greece, the Battle of Crete and Greece Commemorative Council, in particular Tony Tsourdalakis and Larry Irwin, and the Lemnos Gallipoli Commemorative Committee, in particular Jim Claven and a former member of the other place, Lee Tarlamis. I would also like to thank Lieutenant General Konstantinos Floros, deputy chief of the Hellenic National Defence General Staff, the Consul General of Greece in Melbourne, Christina Simantiraki, and the many other dignitaries for assisting and taking part in the ceremony. May this olive tree be a lasting memorial to the peaceful and long-term friendship between Australia and Greece and their peoples.

Stawell Gift

Ms STALEY (Ripon) — Today I rise to talk about the great Stawell Gift. This iconic race started in 1878 with the men's gift, and the women's gift joined it in 1989. The last Liberal government gave a \$600 000 grant to sustain the gift. That grant has been continued to today. I note, though, that we have seen some changes in the way this government has supported the gift. In 2015 the Minister for Sport attended. In 2016 we had the Minister for Regional Development and the Attorney-General. This year we only had the member for Yan Yean. The member for Yan Yean turned up and announced that there would be a major power upgrade to Central Park, which is where the gift is held. This was announced also in a press release of 17 April. In relation to that grant, the idea was — and it says in this media release — that works would be done in that month, which was April. The gift committee has contacted me, and they have not received the money. Once again this government is all show and no delivery. It is about time, when government members come to Ripon continually and make these announcements, that they actually deliver what they promise.

Yarra Valley Hockey Club

Mr CARBINES (Ivanhoe) — It is a sporting life in the Ivanhoe electorate. I am pleased to congratulate the Yarra Valley Hockey Club on 40 years of service to the local community. I was at their event on the weekend with the federal member for Jagajaga, Jenny Macklin. I acknowledge the \$100 000 contribution from the state government as well as the club's fantastic \$100 000 contribution and an overall \$600 000 contribution from Banyule council to put in a new pitch. The event was emceed by Jon Faine, who of course is a member of the veterans team there. As a past player and member of the Yarra Valley Hockey Club, I was very pleased to catch up with old friends.

It is one of many projects that the Minister for Sport, the member for Lara, has supported in the Ivanhoe electorate. New women's change rooms at Ivanhoe Park — \$100 000 there — are being done now as well as at Heidelberg United Football Club, which also has a \$100 000 grant. We are about to open the new women's change rooms there. This is about ensuring that our female change-room facilities at our sporting clubs are topnotch to support the ongoing encouragement of women in sport in the Ivanhoe electorate.

Geoff Delaney Memorial Golf Day

Mr CARBINES — Congratulations also to RSL on Bell. We had a great Geoff Delaney Memorial Golf Day at Strathallan Golf Club on the weekend. It went very well, and I commend everyone who was involved in that event.

Government performance

Mr PAYNTER (Bass) — Like episodes of *Days of Our Lives*, missing a week in the chamber makes no difference when it comes to the wrecking ball being ridden by our Premier. The complete disregard and disrespect shown to our volunteers continues, and our Country Fire Authority volunteers are left with an uncertain future. The Minister for Emergency Services continues to mislead the public about the proposed changes, which are clearly designed to do one thing and one thing only: hand control of our fire services to Peter Marshall and the United Firefighters Union.

The Premier does not possess the courage or commitment to the Victorian public to act appropriately and deal with his rorting members from Tarneit and Melton. Whilst this issue remains unresolved, the Premier has no credibility and neither does his government. His actions on this matter, or rather his lack of action, speak louder than any words he has

muttered in this chamber and expose him as the hypocrite that we know he is.

Add to this the Minister for Police insisting that the crime rate in Victoria is heading in the right direction when crime in Cardinia has risen by 21.6 per cent since Daniel Andrews became Premier. This government cannot be trusted.

Lovitt Technologies Australia

Ms WARD (Eltham) — Last week I had the pleasure of again visiting Lovitt Technologies Australia, a fantastic local manufacturing business, to join them in their celebration of being named as one of only 27 worldwide companies to receive a Lockheed Martin 2016 top performing supplier award, out of a total supply chain of 1400 businesses. Lovitt is the only Australian company to receive the award.

Beginning as a small family business 63 years ago, this business has grown to become a world leader in the manufacture of components and assemblies for commercial, business and military aerospace platforms. Lovitt are a perfect example of successful manufacturing in this country. Their business continues to grow, as do their employee numbers and their investment in new technologies.

We hear nay-sayers tell us that manufacturing is dead in this country, that we cannot compete with the US or China. Lovitt export to both countries, and their exports continue to grow. I congratulate the Ramsay family — Mike, Marcus and Bruce — on receiving this important recognition, reflecting their incredible success. Lovitt's success shows the way forward for Australian manufacturing: high quality, high value and highly reliable.

Community and Volunteers of Eltham

Ms WARD — My Sunday lunch this week was lovely. Along with many other local residents, I went along to the annual fundraising lunch for an outstanding community group, Community and Volunteers of Eltham (CAVE). This is a wonderful community group in my electorate that supports students in the local government areas of Banyule and Nillumbik.

CAVE is a quiet achiever that gently and respectfully goes about its work helping as many children in need as it can. Each year it gives study scholarships to local students in need in memory of past president Judith Ireland as well as emergency toiletries to local children in need and computer packages to local low-income families. All money raised by CAVE goes directly to local children, and it is staffed entirely by volunteers.

The fundraising lunch is a local institution, and it was a pleasure to be at the home of Jan Aitken, enjoy Peter Talbot's delicious sausage rolls, buy his yummy berry jam and take jelly slices home to my girls. It was especially moving to hear the beautiful voice of Andeli from Eltham High School — —

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

South-West Coast electorate roads

Ms BRITNELL (South-West Coast) — The roadworks that this government have been dragged kicking and screaming to deliver in my electorate are being questioned by many constituents. They are concerned about the quality of the work. An example is on a particular section of the Henty Highway, which is in a terrible state. When the work began regular users were thrilled. That thrill lasted a few days until the repair job started to fail, so it was fixed up again and good for another couple of weeks before that failed again. Four times, this one section of road has been repaired. There are many examples like this, which are a disgraceful waste of money. How many other sections of road could have been repaired with the money that has been spent fixing sections of road over and over again?

We have been building roads in this country for hundreds of years. Many experienced constituents tell me that the material is not being used correctly and the technique is wrong. Have corners been cut? Are savings having to be made on materials or labour to stretch a shrinking budget further? The community expects these works to be done to a certain standard, and this government needs to ensure that the standards are met. Clearly the government is failing when repairs are repeatedly falling apart in a matter of weeks, much to the horror of my community.

Once again the government is spending money on roads and getting nothing to show for it, a bit like the east-west link. How can the people of South-West Coast feel assured the money they have long asked for to fix their roads is being used effectively when they see the same patches of road being fixed over and over again? Rather than pouring money into substandard repairs, this government needs to make real commitments to fund full rebuilds of these roads, not just reannounce packages in the budget so they can get another pat on the back and hoodwink people into thinking they are actually doing something to fix the perilous condition of our roads.

Ramadan

Ms HALFPENNY (Thomastown) — On 15 June I had much pleasure in attending the Premier's iftar dinner. I was accompanied by members of the Muslim community from the Thomastown electorate. I thank Dr Ayman Ibaida and his wife, Manal Assaf from the Palestinian Community Association of Victoria; Mr Jamal Al Saafin and his wife, Salawa, also from the Palestinian Community Association; Sheikh Wadoud Al Saad; Mr Muzi Eideh; and Mr Sucettin Unal and his daughter Rukiye for sharing this important occasion with me.

These people were invited because of the valuable contributions they make in the electorate of Thomastown and to our society generally, conducting language schools, providing much-needed recreational activities and support for new migrants, and volunteering in many, many other ways as well as through business. This is a great opportunity for locals to meet and discuss issues with the Premier, who is most grateful that they attended. I would also like to thank staff members Sarah Tawil and Abdullah Almanea for all their help and hard work in doing this.

Josie Minitti's Fun Group

Ms HALFPENNY — I would also like to congratulate Josie Minitti of Josie Minitti's Fun Group, who conducts an annual fundraising dinner for the Northern Hospital, contributing this time to the scalp cap that stops hair loss during chemotherapy. It was a great night with great energy, and a new era for the Northern Hospital with the Labor government's enormous contribution and commitment to build a new tower wing to the hospital, relieving some of the pressure on services there due to the rapidly growing population.

Retirement of Clerk

Mr J. BULL (Sunbury) — I want to take this opportunity as the caucus secretary on behalf of the government to thank and congratulate Ray Purdey on his outstanding contribution to the Parliament. His commitment, his passion and his dedication to democracy is something I am sure that we are all very thankful for as members of Parliament. Ray, we wish you all the very best in your future years.

JUSTICE LEGISLATION AMENDMENT (PROTECTIVE SERVICES OFFICERS AND OTHER MATTERS) BILL 2017

Second reading

Debate resumed from 25 May; motion of Ms NEVILLE (Minister for Police).

Mr CLARK (Box Hill) — The main purpose of this bill is to advance two initiatives commenced by the coalition side of politics, and to the extent to which the bill is doing that, the direction in which it is moving is very welcome indeed. It seeks to build on the work of the previous coalition government in deploying protective services officers (PSOs) at all metropolitan train stations and other major train stations across the state, and it implements an initiative that was called for some time ago by the coalition side of politics to ban the use of cash to pay for purchases of scrap metal in order to deter vehicle theft. There are also a number of other measures that are contained in this bill, including enabling specialist psychologists to conduct Victoria Police's psychological fitness for duty assessments, as opposed to medical practitioners only; expanding the police custody officers (PCOs) program by establishing a new PCO supervisor position; and making amendments to reflect the existing practice of youth justice offenders and those on remand — that is, juveniles who are on remand or under sentence — transitioning for short periods of time in police jails while en route to and from court hearings.

The deployment of protective services officers at all metropolitan railway stations and other major stations across Victoria has been a very successful initiative that was committed to and undertaken by the previous coalition government. It has provided the enormous benefit of assurance that when people travel on the public transport rail system after dark there will be PSOs at the designated stations when they arrive. For the metropolitan system it means that wherever you travel on that system, if you get off at a train station after dark, there will be PSOs there. That universality of coverage, that assurance that there will be PSOs at the station of arrival or the station that one goes to in order to catch a train, is a key element of the success of the system. It has indeed been successful and the statistics show the great benefit that PSOs have achieved in terms of ensuring the law is abided by at railway stations. A very substantial number of infringements of the law, threats to safety and threats to public order have been acted upon and dealt with by PSOs. When one takes the views of members of the travelling public, they are almost overwhelmingly in favour of and supportive of what PSOs have achieved. In many

instances they are people who would otherwise be the most vulnerable — new arrivals to our country, low-income workers travelling to and from work at night, pensioners and older people who have no choice but to travel on our public transport.

It is welcome that the now government has finally recognised the merits of what the previous coalition government introduced. We have gone from the attacks on PSOs as being labelled plastic police by the member for Monbulk, the now Deputy Premier, and it is now recognised that PSOs are providing a very valuable contribution indeed to safety around railway stations.

In other respects they are also a very valuable adjunct to and support for the work of our police force, because many other offenders can be picked up and can be dealt with by PSOs when they seek to transit through railway stations. Thus PSOs have made a valuable contribution to the safety of commuters and also in upholding the rule of law more generally.

Indeed the presence of PSOs has also extended the knowledge that uniformed and trained personnel are nearby to the general precincts around railway stations. PSOs already have authority to act in various adjoining places such as railway car parks. This bill now proposes to extend those powers more generally to a range of actions in the vicinity of railway stations and other designated places, so it is not only the travelling public but also those who might be in a shopping centre nearby who will feel reassured by the presence of PSOs.

Measures that build on that initiative, build on the greater realisation and actuality of safety in the vicinity of railway stations, are to be welcomed. There are a range of provisions in the bill that do that. Probably the principal of them is, as I touched on earlier, to make clear in respect of a range of powers that can be exercised by PSOs at railway stations and working on the railway system that they can exercise those powers in the vicinity of the railway station or other designated place.

Much of the material that has been issued by the government in relation to that, including the statement of compatibility and the second-reading speech, refers to that as facilitating the deployment of additional PSOs to form mobile patrols on public transport networks. The second-reading speech refers to mobile PSOs being announced in the government's community safety statement and to tackling:

... hotspots across the public transport network, based on Victoria Police's intelligence about the time, location and types of crime and antisocial behaviour occurring on public transport.

That, of course, is another initiative of the former coalition government. It was one that was committed to and was set out in a media release that was issued on 24 November 2014. The initiative was to establish a PSO strike force and to expand the PSO program, stating that a PSO strike force would be recruited and deployed to curb antisocial behaviour after special events across the rail network. It talked about the capacity that they would have to assist in various contexts. It is good to see that that initiative also has been taken up and built upon by what is in the bill before the Parliament and in other measures that the government is taking.

However, I flag that possibly some of the statements that have been made about how the bill operates do somewhat stretch the use of language. As I read the bill — and I stand to be corrected if government speakers can correct what I say on this — the railway premises at which PSOs can operate are already defined so as to include rolling stock and other vehicles and indeed a range of other railway-related land under a definition that is set out in the Rail Safety (Local Operations) Act 2006. On that reading, the power for PSOs to operate on a mobile basis would already seem to be covered. The main way in which the bill operates to reinforce that is by the extension that I have referred to, of giving PSOs the power to exercise various powers in the vicinity of a designated place and that may not be directly related to the establishment of mobile PSOs. Nonetheless, as I have indicated, the extension of those powers is welcome because it gives PSOs a greater capacity to protect the community.

The term 'in the vicinity' that is used throughout the bill is a fairly open-ended term; it is not subject to precise definition or designation of distance. I understand it is a term that is already used in various parts of relevant legislation, and the bill simply adopts that term and applies it in this context. Certainly let us hope it will work effectively and it will not give rise to disputes about exactly what is or is not in the vicinity of a designated place.

The bill also gives various additional police powers to transit PSOs, including apprehending a child under an emergency care warrant pursuant to the Children, Youth and Families Act 2005, arresting a person on breach or cancellation of parole under the Corrections Act 1986, requesting the name and address from suspected offenders or witnesses to an indictable offence under the Crimes Act 1958, conducting a warrant or searches for drugs of dependence under the Drugs, Poisons and Controlled Substances Act 1981, issuing an infringement notice for supplying liquor to a minor under the Liquor Control Reform Act 1998, and

randomly searching members of the public in a specified place as part of a planned or unplanned control of weapons operation under the Control of Weapons Act 1990. Those measures are also intended to give transit PSO's the powers they need to effectively protect the community.

The other key aspect of the bill that I referred to earlier is in relation to banning the use of cash to pay for scrap metal in order, primarily, to deter vehicle theft. Again, this is a matter on which the coalition side of politics has taken the initiative, and the government has had to belatedly come along behind what our side of politics called for some time ago — indeed around a year ago — calling for this initiative in order to address the very serious increase in car thefts that is occurring in Victoria. Indeed that increase is stark, and one only needs to look at the crime statistics that were released last week to see the very rapid escalation in theft of motor vehicles that has occurred over recent times. This, hopefully, will be one measure amongst many that can help stem that dramatic increase by undermining the ability of thieves to obtain value for the vehicle that they have stolen.

There are a range of detailed provisions that seek to give effect to that objective, and we do have some concerns about the way in which it is being done. Indeed concerns have also been raised by the Victorian Automotive Chamber of Commerce and by others as to whether there are ways in which the bill could be improved to achieve that objective, and I certainly hope that speakers on the government side of the house may address some of those concerns. I will mention just a few of them.

There is an issue as to exactly what constitutes scrap metal in this context, an issue as to whether or not a definition should be inserted to make clear exactly what ought to be covered. There are some issues about the way in which the prohibition on the use of cheques is specified, as to whether or not that definition should explicitly rule out the use of cheques that are payable to cash and whether a reference to a cheque which is not transferable exactly reflects what is intended, because while it is possible to restrict the ability to negotiate a cheque and it is possible to require a cheque to be cleared through a bank account, I am not sure whether as a matter of law it is possible to have a cheque that is entirely not transferable. It may be that that also is a point that government speakers can address.

I express appreciation to the officers of the department and representatives of the minister's office who provided a very comprehensive briefing to the opposition on the bill and also for some detailed

responses to concerns that we raised during the course of the briefing. I want to touch on some of the concerns that we raised and put on record the responses we received, because hopefully that will help the house and help the community to understand the concerns that we have raised and to assess whether or not those concerns have been adequately covered or whether amendments are needed to the bill.

We raised the issue of where the proposed new protective custody officer supervisors are to be stationed. We have been informed that they will be deployed to stations that have 12 or more PCOs based at them, which are at Ballarat, Bendigo, Broadmeadows, Dandenong, Geelong, Frankston, Heidelberg, Mildura, Mill Park, Moorabbin, Morwell, Ringwood, Shepparton, Sunshine and Wangaratta — a total of 15 stations.

We also sought to understand the circumstances in which police officers transport prisoners. We have been informed that PCOs will transport prisoners when they are available to do so on shift at one of the 22 stations that they are deployed to when an appropriate police vehicle is available and the person being transported is deemed to be of low risk. We understand there are chief commissioner's instructions that state that the officer in charge of a police jail must conduct a risk assessment prior to transportation to determine whether it is appropriate in the circumstances that a PCO transport the prisoner, and in other circumstances where it is not appropriate, a sworn officer will be responsible for the transportation.

We also raised a range of issues about the circumstances in which officers in charge and PCO supervisors will be able to conduct searches on detained persons and why there is an explicit exclusion of searches on charged persons. We understand that that is because it is thought appropriate to have additional protections afforded to persons who have not yet been charged and that the legislation requires that an officer authorising a search of a detained person who is not a charged person has to form a belief on reasonable grounds that the search or examination is necessary for various specified reasons.

In relation to the banning of cash for scrap, we sought some further explanation as to how the amendments in the bill will interact with what is proposed to be changed with the Second-Hand Dealers and Pawnbrokers (Exemption) Regulations 2008. We have been informed that the regulations currently list exempt goods, which are goods in which second-hand dealers can trade without having to comply with the act, as

including ferrous and non-ferrous scrap metal but excluding goods containing copper, silver and gold.

We have been informed that the government intends to amend the regulations to remove that exemption, and that will mean that all metals are covered by the Second-hand Dealers and Pawnbrokers Act 1989. We have also been informed that the exemption regulations will be amended to provide that a second-hand dealer who deals only in ferrous and non-ferrous metals, excluding copper, silver and gold, is exempt from the registration requirements in part 2 of the act but is otherwise subject to the act; in other words subject to all the record-keeping and enforcement requirements under the act.

We raised a concern as well about whether or not the prohibition on the trade in unidentified vehicles is going to extend to parts of vehicles. This is an issue which understandably can be difficult to deal with. I think there are still some questions outstanding as to whether the way the bill deals with this is satisfactory. It is proposed under clause 21 of the bill to insert a definition into the Second-Hand Dealers and Pawnbrokers Act 1989 of 'motor vehicle', and I quote:

motor vehicle means—

- (a) a motor vehicle within the meaning of the Road Safety Act 1986, whether or not in working condition or complete; or
- (b) the body, engine or chassis of a motor vehicle

The question then arises: what about parts of motor vehicles other than bodies, engines or chassis? What about transmissions or other carved-out pieces of motor vehicles? We have been informed that the intention is that the smaller parts of a motor vehicle such as transmission or bolts are not to be covered by the definition and therefore will not be covered by the prohibition on buying, disposing of or possessing unidentified motor vehicles. However, the ban on cash for scrap and the record-keeping requirements would apply in respect of those parts.

Granted, it is a difficult issue in terms of when parts of a motor vehicle cease to constitute a motor vehicle. Alternatively, should the legislation apply to parts of motor vehicles, and if so, what parts? It does seem to potentially leave open the loophole that if someone who has stolen a motor vehicle cuts it up into small enough parts, these various provisions of the legislation will not apply to it. Again, I would be interested in a response to this concern by government speakers on the bill.

We also raised an issue about whether or not the police will be able to, without a warrant, inspect the premises

of what might be described as a backyard operator — in other words, a person who might only be selling a couple of cars or a handful of cars. We were informed that clause 24 of the bill is capable of capturing backyard operators in those circumstances. However, the backyard premises must be storage or business premises in order to attract the power to enter without a warrant. Further, the backyard premises must be occupied by or under the control of a second-hand dealer, and the police officer must know or at least reasonably believe that the second-hand dealer is carrying on a business of dealing in scrap metal at the premises. We were further informed that carrying on a business could apply to just one car if it has been pulled apart and the parts are being sold.

We sought some further information about what Victoria Police can do under warrant and what they cannot do without a warrant, because the structure of the bill does provide for both. Indeed it builds on current provisions that provide for both. One of the questions that can be asked is: why are the provisions for warrants there if extended powers are being given to search without a warrant? We have been informed that at present without a warrant police can enter a second-hand dealer's business or storage premises when the premises are open, they can inspect the premises or goods, they can require the production of goods and records and they can serve a notice on a second-hand dealer reasonably believed to have stolen goods, prohibiting dealing in those goods for 21 days, with a penalty for non-compliance of 20 units.

It is proposed that the bill will give police an additional power without warrant to enter a second-hand dealer's business or storage premises when the police officer knows or reasonably believes that a business of dealing in scrap metal is being carried on on the premises. Unlike the existing power, this new power permits entry after hours, and again the police will be able to inspect the premises or goods, require the production of goods and records and serve a notice prohibiting dealings in suspected stolen goods.

However, we have been informed that the bill does not provide a power to police to seize in addition to the power of warrantless entry, so any authority to seize items upon a warrantless entry would not derive from the bill but may be derived from another source, depending on the circumstances. The bill is intended to give police the power to apply to a magistrate for a search warrant in relation to second-hand dealers. Under such a warrant, police would be able to make copies of things named or described in the warrant, seize items, secure items against interference and issue an embargo notice to prevent dealings in things that

cannot be readily seized or removed. On top of that, standard police search powers under warrants and the common law will continue to apply.

In particular, we have been informed that police will not be able to enter businesses or storage premises with the use of force without a warrant. The act does not currently contain any powers of forced entry without a warrant and the bill does not give police any such powers.

Again I express appreciation to the minister's office and to the department for clarifying these issues because I think there is a commitment across the chamber to try to implement this legislation in the best possible manner. It is important to examine these details because, as it is so often, it is in the details that issues can arise. It is important to do one's best to get the legislation right from the start.

I do hope that the government will consider the various concerns that I have raised during the course of the debate and the concerns that have been raised by the Victorian Automobile Chamber of Commerce and other stakeholders and that it will respond to those concerns. Certainly the opposition will be keen to hear those responses and will give further consideration to whether amendments should be moved in the other place.

To conclude, this bill seeks to build on initiatives that have proved very successful in Victoria, such as the PSOs, who were introduced by the previous coalition government, or in relation to scrap metal, legislation which has proved to be successful in New South Wales and gave rise to the coalition commitment to introduce similar legislation in Victoria. It is pleasing that those matters are in the bill, albeit perhaps somewhat belatedly.

We do need to get the detail right, but certainly the opposition does not oppose the bill. We strongly support the objectives of the bill, and we seek to secure any necessary amendments to ensure that this bill can work as well as possible.

Mr CARROLL (Niddrie) — It is my pleasure to rise on this very important legislation, the Justice Legislation Amendment (Protective Service Officers and Other Matters) Bill 2017. I just want to take up with the member for Box Hill that I do intend to answer some of the questions he has raised. He raised very broad-ranging questions in the area of the scrap metal provisions as well as the deployment of police custody offices.

The legislation complements and supports the community safety statement that was released by the Premier and the Minister for Police, in conjunction with the Chief Commissioner of Police. This legislation brings all of those features of the community safety

statement together. The legislation is important and very broad ranging. All Victorians deserve to feel safe, whether it is in their homes, their businesses or on the transport network. The legislation deals with protective services officers (PSOs), and the member for Box Hill is correct: it was an initiative of the former government that we have also picked up and invested in heavily.

We sometimes hear criticisms about the PSOs, whether it be from reading articles written by John Silvester in the *Age* newspaper or whether it be from talking to the Public Transport Users Association. I must say I think Ken Lay said it correctly when he described protective services officers. He has a daughter, and he said that when his daughter is going out it makes him feel a lot better knowing that when she gets off the train there will be a protective services officer there — a PSO. It is an important reform of the former government that the Andrews Labor government is also picking up.

This legislation also deals with the role of police custody officers (PCOs). That is really about making sure our police can do the job they are trained to do, which is to go out into the community, fight crime, keep our citizens safe — that is, make sure that every Victorian feels safe. Fittingly, the former minister for police and minister for corrections is at the table. He introduced that policy, but I think we need to go back further.

A lot of work has gone into the community safety statement. If we go back to 2015, a Police Association Victoria press release says:

State budget delivers on pre-election promises sought by the police association

...

Sen-Sgt Iddles says the police association is pleased that the government has seen fit to fix a number of problem areas which the association had previously identified.

We congratulate police minister Noonan for his leadership in listening to our concerns and acting on them at the earliest possible opportunity — the government's first budget.

For decades, we've been saying that police officers should be freed from 'babysitting' prisoners in police cells in order to do the police work their communities expect of them, like providing proactive street patrols. We're delighted that this 'chestnut' issue will soon be fixed.

We're also pleased that our country members will soon be using the same modern digital radio network used by their metropolitan colleagues. Thanks to one of today's budget measures, the outdated, unsafe and insecure analogue police radios will soon be a thing of the past.

That was what Senior Sergeant Ron Iddles had to say. I was at the press conference when the community safety statement was released, and after that press release he

said that the Andrews Labor government does not just talk the talk; it walks the walk. That is an essential quote that I think most members on the Labor side have got. We should make sure that every Victorian knows about it because this was a groundbreaking initiative. It is a massive investment. We are talking big, big, landmark reforms to make sure Victorian communities feel safe. The plan includes the recruitment of an additional 2729 police and 100 protective services officers, a dedicated 24-hour police assistance line, rolling out automatic number plate recognition, modernising and expanding the Victoria Police air wing, which is right near my electorate out at Essendon, and providing \$10 million worth of youth crime prevention grants.

The member for Box Hill made some very good points about scrap metal and also the rollout of police custody officers. When we are talking about how the reforms might affect small business, it is important to look at the Australian Taxation Office (ATO) and the GST legislation requirements. The ATO has developed a code of compliance for scrap metal dealers. Scrap metal dealers who follow the code record a range of details for each scrap metal transaction, including the details of sellers and purchasers. Existing record keeping requirements under the Second-Hand Dealers and Pawnbrokers Act 1989, which apply with respect to transactions conducted by second-hand dealers that do not involve scrap metal, are substantially similar to those under the code. When regulations are made later this year to bring scrap metal within the scope of the Second-Hand Dealers and Pawnbrokers Act, the record keeping requirements should not add any further significant burden on those businesses already compliant with the ATO code.

The member for Box Hill did raise the issue of smaller parts being used in scrap metal. I think he raised the issue of bolts and transmissions. I have had some quick discussions with the Department of Justice and Regulation. It does seem our legislation will very much mirror the New South Wales legislation, and we have not wanted to unduly influence the role of a legitimate business. But I do take the member's point that this does need monitoring, because there are some little gaps where scrap metal could be done en masse, whether it is bolts or a transmission, and we do not want those little gaps to be used against the spirit of the legislation and be used for crime. I thank the member for Box Hill for that important point. It is something the government should monitor and certainly keep on top of.

I was part of the parliamentary committee inquiry into the drug ice. As the Parliamentary Secretary for Justice I spend a lot of time out at the police academy, and see

the training of our police, the training of our police custody officers and the training of our protective services officers. I have been to many graduations. It will not surprise anyone that the academy is pretty much going 24/7 at the moment, but the training in Victoria to achieve the greatest police force in Australia is second to none. The police academy should be proud of that training. I have seen some of the modules which train police to deal with people who are affected by crystal methamphetamine and the drug ice, looking at the way drugs affect the brain and can cause violence.

Our PSOs are very much at the forefront of dealing with crime and antisocial behaviour at our train stations, so we are making sure through this legislation that they will receive the same training as police officers in respect of the functions they perform and will also be bound by the Victoria Police manual, which includes policies with regard to interactions with children and young people. New PSOs carry out their duties under intensive on-the-job supervision from police officers and experienced PSOs for three months immediately after graduating from training. Victoria Police has recently developed and implemented several new training programs relevant to the management of vulnerable people and children, including mandatory training in discretionary decision-making and professional and respectful behaviours. Victoria Police will introduce further face-to-face and online training packages for PSOs to retrain and reiterate best practice for dealing with children.

This bill is very wideranging. There are also amendments in relation to PSOs in terms of apprehending a child under an emergency care warrant under the Children, Youth and Families Act 2005; arresting a person where parole has been breached or cancelled under the Corrections Act 1986; and requesting names and addresses from suspected offenders and witnesses to indictable offenders under the Crimes Act 1958.

I have had the pleasure of visiting police custody officers all over the state, whether it be in Dandenong or in the regions, with the member for Yuroke and the member for Broadmeadows. We have seen police custody officers doing fantastic work out at Broadmeadows. They are also helping with the transportation of prisoners and taking fingerprints. They are making sure that our hardworking police are out on the beat doing the job that they were trained to do.

This legislation is very important. In some ways it is the backbone of our \$2 billion community safety statement. We need to make sure that our police have at their disposal all the powers they need to fight crime,

whether it be banning scrap metal, whether it be extending the powers of our protective services officers, whether it be the deployment of police custody officers.

In relation to the transportation of prisoners, PCOs transport prisoners when they are available on shift at one of 22 stations they are deployed to, when an appropriate vehicle is available and the person being transported is deemed to be of low risk. This is under the chief commissioner's instructions, and in all circumstances a sworn officer will be responsible for transporting the prisoner to the relevant destination.

In the time I have left I want to thank the member for Box Hill and the opposition for their support of this important legislation. It is really part of a suite of reforms ensuring that Victoria remains vigilant in terms of community safety, in terms of making sure that Victoria Police has every resource it needs. The Chief Commissioner of Police, working with the Premier and the Minister for Police, is making sure we leave no stone unturned in terms of keeping our community safe.

Mr KATOS (South Barwon) — I am pleased to rise this afternoon to make a contribution on the Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017. This bill has six objectives, and I will briefly go through them and then get a bit more into the subject matter of the bill.

The bill facilitates the employment of additional protective service officers (PSO) to form mobile patrols on our public transport network. It gives transit PSOs additional police powers to support their role. It bans the use of cash for scrap metal, and this ostensibly is to deter vehicle theft. It enables specialist psychologists to conduct psychological fitness duty assessments for Victoria Police. It establishes the police custody officer supervisors' roles, and it makes some minor and technical amendments to the practice of youth justice offenders.

With regard to PSOs, which is one of the main subject matters of this bill, this government has very much been led by the nose by the opposition. There have been numerous policies announced by the opposition that were effectively canned by the government and then adopted at a future point as government policy despite criticism.

The PSOs is the best example of this government, when in opposition, canning and saying not very nice things about the PSOs being deployed on railway stations. I will quote from a contribution on the Police Regulation Amendment (Protective Services Officers) Bill 2010 on 10 February 2010 in this house by the member for

Monbulk, who was lead speaker for the opposition. I quote from *Hansard*:

What the government is introducing is a second-tier police force that is less well trained and has fewer powers. In the United Kingdom in 2002 police community support officers were introduced.

Mr Pearson — On a point of order, Speaker, I have just been listening to the member for South Barwon's contribution. He quoted the date of February 2010. The member for Monbulk at that stage was the Minister for Sport, so I think the member might be out by a year.

The SPEAKER — Order! There is no point of order. Please continue, member for South Barwon.

Mr KATOS — For the benefit of the member for Essendon, the bill was introduced in December 2010; that was the name of the bill to which the member for Monbulk made his contribution on 10 February, if that assists the member for Essendon. As I was saying:

In the United Kingdom in 2002 police community support officers were introduced. There are now some 16 000 of them.

They are known as 'plastic police' because they do not have the training, they do not have the authority, they do not have the powers and they do not have the equipment.

After quoting some other negative quotes about PSOs from people in England, in the same contribution the member for Monbulk then goes on to say:

These comments go to the heart of the problem of a second-tier police force. It is the path we are on.

Very clearly the opposition's lead speaker at the time in 2011 said that they very much thought the PSOs were plastic police.

Now our government at the time really thought otherwise. We did not see them as plastic police, and PSOs have been very well accepted on our railway stations in metropolitan Melbourne. I know at Geelong station the PSOs do a terrific job there, and they are very welcomed by the community.

All of a sudden, success has many fathers and failure is orphaned. That is what we have here: you have a Labor Party at the time wanting to criticise PSOs for what they were doing. Now that they see it as successful, that people like it, that it is a popular program and that it makes people feel safe on railway stations and, lo and behold, they want to expand the program. Even the expansion of the PSOs onto the railway network was a commitment made by the coalition. The media release from then Premier Napthine said there would be:

... \$23 million over four years towards the new 50-strong PSO Strike Force ...

to be deployed across the rail network, particularly for example when there are events and to also prevent antisocial behaviour.

As I said, there have been a lot of law and order policies that the coalition came up with that the Labor Party at the time were very demeaning towards but are now embracing wholeheartedly.

Probably the other one that is interesting is the ban on paying cash for scrap metal. Now obviously we are in the midst of a crime epidemic in this state, particularly car theft. If I look at the amount of theft that is going on, not only in my electorate but around Geelong, it is quite astronomical. Again this is another policy that the Leader of the Opposition, the member for Bulleen, announced on Sunday, 10 April 2016. Again it is the government following the lead of the opposition on so many things in law and order.

Perhaps a member of the government could elucidate on this for me with scrap metal — obviously the whole car game. As the member for Box Hill rightly pointed out, it is not only car parts, but that you could also actually cut the car up. What is stopping someone from taking the bonnet of a car to sell, for example, or parts of a car, breaking the car down so it is very difficult to trace? What are the definitions there? If that could be explained, that would be good because we do not want a situation where vehicles are simply carved up and then taken in for scrap metal rather than the vehicle as a whole.

I think PSOs have been a very welcome addition to our public transport network. It was a great policy of the previous coalition government, which the then minister Peter Ryan was responsible for and introduced. They have been very welcomed in many communities across Melbourne. A lot of the feedback I have had, particularly from women, is that they feel a lot safer when they are getting off stations and having to walk back to their vehicles because the PSOs are always very forthcoming and very happy to assist. I can understand, on a dark, stormy night or when there is not much light, even as a man you might feel intimidated walking back to a car or feel unsafe. A lot of women have contacted me and said that the PSOs are very welcome, that they feel very safe and that the PSOs have helped immensely in that regard.

With that, as the member for Box Hill said, we will not be opposing this bill. I commend it to the house.

Ms GRALEY (Narre Warren South) — It is a pleasure to rise this afternoon to speak on this very

important bill, the Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017. As previous speakers have said, this bill supports the government's community safety statement of 2017, which was developed in partnership with Victoria Police, and as the member for Niddrie said so well, it leaves no stone unturned in the Andrews Labor government's commitment to making sure that everyone in the Victorian community feels safe.

I will just quickly outline what the bill does. It gives transit protective services officers (PSOs) the flexibility to respond to incidents both at and in the vicinity of a designated place such as a train station, it gives transit PSOs additional police powers to improve the safety of commuters and hold offenders to account for their actions, it bans the use of cash to pay for scrap metal to disrupt the trade in stolen cars in Victoria and it supports Victoria Police's implementation of the mental health review recommendation to allow specialist psychologists to conduct psychological fitness-for-duty assessments. They are all very important commitments. The bill also builds on our government's election commitment to recruit, train and deploy 400 police custody officers (PCOs), which was fast-tracked at the end of 2016. This bill shows that we are very much committed to giving Victoria Police the resources and powers they need to keep the community safe.

I will go back a little bit, because I was a member of the opposition when the idea of PSOs was first introduced in this house. I suppose politicians are not very good at doing mea culpas, but I did go back and look at my contribution at the time. I think I quoted John Silvester as saying the idea of deploying PSOs at railway stations was a bit nuts or a bit of a harebrained idea. I did go on to explain in my contribution that I was very concerned not so much with the idea of the PSOs, because I think that the people who were putting up their hands to take on these important duties deserved to be supported and commended, but with the training and powers that were going to be given to the PSOs at that time.

I am very glad to see that following the first debate in this house the government at that time and the minister did come back to the house to clarify and update the powers and also provide extra training. The people who are putting up their hands to take on the role of police officers, PSOs or the new police custody officers — the Victorian public — as well as the people undertaking the training deserve to know that they are well trained and well resourced, know what their powers are and have the skills to undertake arrests, talk to people and make sure everybody feels safe.

PSOs have been a very worthwhile contribution to maintaining community safety, especially around our train stations. Again I refer back to my contribution of a few years ago where I actually said I felt very safe on public transport — and I still do. There are a number of people who have said to me that they really like having the PSOs at train stations, and I would agree with the member across the chamber who mentioned that women particularly feel safe in the vicinity of a train station because there are people there in the PSO uniform with the powers that they have. That does give a great deal of comfort to a lot of people.

I recently had the opportunity to attend the Victoria Police Academy with the Minister for Police. It is a magnificent place, but what was really amazing on this occasion was seeing so many young men and women with a variety of backgrounds and experiences taking up the role of PSOs and police. One thing really stood out for me, and that was that there were a lot of young women taking on that role, which was really terrific to see. We have a much more diverse police force and much more diverse backgrounds among the PSOs. Often PSOs go on to become police. I actually think that for PSOs the quality of the training that is now being provided and the experiences they will get with the enhanced powers, especially around searching and taking weapons off people, will enable them to much more easily see themselves taking on future roles in the police force.

I would also like to commend the rollout of the police custody officers in this bill. One of the great things about that policy that we took to the election and have since rolled out is that the police who were obviously doing that role, as the minister has so eloquently said, are now back on the beat looking after our community, out there on the streets, out there in the patrol cars and out there tapping on the doors of people's houses to find out how they can support women who experience family violence.

I would like to put on the record that the incidence of family violence is still far too high, but I commend the government for taking a really strong position on this issue, providing resources so that police can go out and do those very difficult visits to homes and provide some protection for what is happening in that family home and also for having the resources in the community so that women can leave the home and the family can be well supported as they go through the transition from a violent home to a safer environment.

The police minister spoke about the hundreds of police officers that are going through the police academy and the creation of the new police custody officers, saying:

The creation of this new role will free up more police so they can do what they do best — fight crime and keep the community safe ...

The supervising role is a win-win — it provides a clear career path for PCOs —

and I think that is very important —

while giving police more opportunity to get out onto the front line.

With all the measures we have in this bill, it is about providing people who are thinking of entering this very important service in many different ways — whether as a PSO, a police officer or a police custody officer, they are all about making sure that our community is safe — with the resources and the training to do that role even more efficiently.

When I spoke on this bill in opposition I did note that this was not a cheap implementation. I know the previous government suffered a severe blowout when they first implemented this program, so this is a big commitment by the government to not only improve the training for these officers but also expand their numbers.

I would like to finish off by complimenting the government that I am a part of for funding some extra PSOs to be part of mobile units. This is another example of how, with these mobile units, PSOs and PCOs will free up police. We are not going to be cutting back the current fixed deployment of PSOs — I would like to put that on the record — but because PSOs can only work within a designated place, the 'designated place' definition will be extended to include 'in the vicinity of'. This will mean that PSOs will be able to roam a little bit further and provide that little bit of extra support and extra safety for people who are travelling. I know that in my own electorate train stations are often very close to bus stations, but you have to cross the road to get there. So having this broader definition will actually allow PSOs to pursue an offender who is fleeing or go to a crime that is taking place across the road from a train station.

Without further ado, I think this bill is a very worthy one. Yes, it builds on the work of a previous government, but we on this side of the house are getting on and doing it bigger and better. I commend the Minister for Police for bringing this bill to the house. It is all about our government's commitment to keeping the community safe.

Mr HIBBINS (Pahran) — I rise to speak on behalf of the Greens on the Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017. I want to start off by first of all agreeing with

something that the member for South Barwon said in his speech. Yes, there has been a range of justice legislation bills brought before this Parliament by this government. Many of those bills the Greens and I do not necessarily agree with, and while they have been government bills, they have been coalition policy, and it is pretty clear that the government in its approach to justice is now adopting many of the coalition's policies. It is not necessarily the approach that I would agree with, and certainly I would be urging the government to take a different approach. As someone sitting on the crossbench, it is as clear as day what is occurring with justice legislation in this state: they are government bills but it is coalition policy.

To the detail of this bill: it gives protective services officers (PSOs) certain police powers in designated areas, which the Greens have concerns about and do not support; it extends the police custody officer supervision powers; it provides for psychological fitness for duty assessments of police officers and PSOs; it establishes the role of police custody officer supervisors in police jails; it allows for children to be held in police cells to facilitate the transport of children in police custody to and from courts and youth justice facilities, which we do have some concerns with; and it regulates payment for scrap metal to undermine criminal organisations involved in this area, which we think is a good reform and is something that we support.

As I said, we do not support the expansion of PSO powers. There is no need to be doing this. The government have not provided any good evidence or good reason as to why this is actually necessary, and there have been some very serious concerns put to us by a range of groups about expanding these powers. Liberty Victoria, the Law Institute of Victoria, community legal centres, the Human Rights Law Centre and Youthlaw all oppose the increase in powers for PSOs, and the Greens share their concerns.

This bill effectively makes PSOs de facto police officers, which does not reflect the confined role they were originally given. The arbitrary weapons search powers are even acknowledged in the Minister for Police's own statement of compatibility as being incompatible with the rights to privacy and protection of the best interests of children — those are the minister's own words. Such powers should be used sparingly and judiciously, so they should be used only by Victoria Police. There is certainly very little justification in the minister's second-reading speech or statement of compatibility for this bill being compatible with the rights of the child.

In terms of training, which has been talked about by other members, the PSOs do not have the same level of training as police officers and they do not have the benefit of working closely with senior and more experienced members of Victoria Police. Despite the fact that PSOs are given these extra powers by this bill, the length of time that it takes to train a PSO remains unchanged at 12 weeks. Surely one would think that if you were going to give additional powers to PSOs, you would give them more training and that that training would take a longer time overall.

I would also point out that a recent IBAC report on transit protective services officers noted that there were a number of complaints made against PSOs. There were 233 overall. There were 182 allegations of assault or excessive use of force, 76 allegations of predatory behaviour and 18 allegations of unauthorised access to or disclosure of information. Obviously these sorts of incidents occur in all sorts of law enforcement and will give rise to a number of complaints, but they should give us pause to consider the risks involved in giving police powers to a workforce other than police officers. A number of organisations are concerned that these new powers will lead to an increase in the harassment of children and young people and the arbitrary targeting of vulnerable young people. Many agencies that work directly with young people are hearing too many stories of young people feeling targeted by PSOs and harassed for their personal details.

In terms of search powers, the police minister says that PSOs must conduct the least invasive search that is practical in the circumstances and that the search must be supervised by a police officer, which begs the question: if there is a police officer there, why not just have the police officer do the search? There is no actual reason for the PSO to be involved at all. Since the establishment of PSOs there has been an expansion of their powers, and there may very well be further expansion into more police powers, but at the same time as the government is increasing the powers of PSOs it is also increasing the number of Victorian police. If the issue is that there are not enough police officers to carry out their duties, warranting a need to expand the powers of PSOs, how is this not addressed by the increase in police officers? As I said, we have got some serious concerns about the increase in powers of PSOs, and we do not support that provision.

We also have some concerns about the provisions of the bill relating to children being held in police cells and children being transported to and from courts and youth justice centres due to court complexes not having enough cells. The bill states that a child must be kept

separate from adults who are detained in a police jail, but it says only that a child:

is entitled to be kept separately according to the child's sex ...

Given that a child can be held in a police jail for up to two days, it is absolutely essential that they are kept separate according to their sex. So rather than 'entitled to be kept separately', the bill should say 'must be kept separately', and where the bill says a child:

is entitled to be advised of the child's entitlements ...

when placed in a police holding cell, our feeling is that that should actually say 'must be advised' of their entitlements. Certainly we will reserve the right to move amendments in the other place on that matter.

The Office of Police Integrity report *Policing and Human Rights: Standards for Police Cells*, published in December 2008, states that as part of the standards:

Detainees are segregated on the basis of gender.

It also states:

Each detainee is provided with information, in a format he or she can understand, about the reason for his or her detention and the rights and responsibilities of detainees.

That would certainly back up our thoughts that that particular wording should be changed.

There is another change made by the bill with regard to providing psychological fitness for duty assessments for police officers and PSOs, and we certainly note the concerns raised by Police Association Victoria and individual police officers, as well as by lawyers and even psychologists, about the need for the government to enact legislation whereby post-traumatic stress disorder is recognised as an occupational illness so that officers suffering from post-traumatic stress disorder will get access to treatment early and will be greatly assisted in recovering sooner. We certainly urge the government to do this in the interests of the welfare of police officers who are on the front line dealing with traumatic incidents day in and day out to protect the public.

Just to conclude, this bill has a range of provisions, but it is the provision that expands PSO powers that the Greens oppose, and because of that the Greens will not be supporting this bill.

Ms KAIROUZ (Minister for Consumer Affairs, Gaming and Liquor Regulation) — It gives me great pleasure to rise to speak to this important bill, the Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017. From the outset I would like to thank the opposition for supporting this bill. I just

heard the Greens contribution. I did not hear the final words about whether they are going to support it.

Mr Hibbins interjected.

Ms KAIROUZ — No, they are not supporting it. I would like to begin by congratulating my colleague the Minister for Police for bringing this bill to the house. It is a bill which is part of the implementation of the *Community Safety Statement 2017*, which will reduce harm from crime and improve community safety. I also want to thank Victoria Police, who as partners in the development of the *Community Safety Statement 2017*, have been side by side with the government in its commitment to stay ahead of the criminal element which would do us harm and to keep our community safety.

There are six main purposes of the bill, which have been articulated by a number of speakers before me. I will base my contribution on part 3 of the bill, which deals with the Second-Hand Dealers and Pawnbrokers Act 1989. The amendments proposed in this part are aimed at preventing and disrupting criminal activities in the dealing of scrap metal.

Most second-hand dealers who deal in scrap metal do the right thing, but there is an element that will put profit above principle, and it is the latter element that we want to impact with this legislation. The financial and environmental benefits of metal recycling, including of motor vehicles and motor vehicle parts, has long been understood. In the USA, Henry Ford, somebody whose name is known to many of us, not only pioneered the mass production of motor cars but, during the 1920s, also pioneered their recycling.

Steel is the world's most recycled material and can be recycled again and again without reducing the quality of the end product. Making steel from recycled material uses only 25 per cent of the energy needed to make steel from raw materials. The scrap metal industry also has a long history in Australia. From 1915, BHP was the first company to recycle its industrial steel scrap, and other businesses soon followed. The Australian recycling sector continues to be an important aspect of Australia's economy and society. A strong and sustainable recycling sector is essential for Australia to utilise resources more efficiently and to maximise the full value of its materials.

Unfortunately, however, the scrap metal trade has been tainted with criminal activity from time to time. In the mid-to-late 2000s theft of copper wiring, often from railway tracks and electricity substations, led to a series of police investigations, which located more than \$1 million worth of stolen copper wiring destined for

the Asian black market. During 2008, for example, investigators found 4 tonnes of copper wiring at a second-hand dealer store in Boronia and another 4 tonnes of wiring in a shipping container. Aside from the costs to the taxpayer to replace the wiring, these thefts caused major disruptions to commuters as numerous train services were cancelled.

More recently newspaper headlines and TV news have reported on the practice of rebirthing motor vehicles, where stolen or written-off cars in Australia are being given new life by criminals falsifying documentation, changing vehicle identification numbers (VINs) and often exporting them to other countries for illegal sale. Rebirthing works in two ways. A car destined for rebirthing either starts out as a stolen vehicle or as an insurance write-off which would have headed for the wrecking yard. Write-offs usually get repaired using parts from stolen cars. They then get new VINs and are sold to unsuspecting buyers. Stolen vehicles are either chopped up for parts or exported for international sale.

In addition to the criminality of preparing written-off vehicles with stolen parts, a vehicle repaired in this way may be dangerous to the driver and other road users. Badly damaged cars, particularly if the structural integrity is compromised, can result in the area of repair being significantly weaker or stronger than originally intended by the manufacturer and potentially catastrophic results if the vehicle is involved in a car accident.

Thieves do not only steal unattended cars from car parks or off streets. Even more frightening to the victims and the community more broadly are carjackings — where thieves steal cars from drivers when stopped — and aggravated burglaries. The latter refers to the practice of thieves breaking into houses when the owners are at home and stealing the keys to luxury cars parked in driveways. Both of these crimes have the potential to cause lasting damage to victims, and they must be stopped. Being dragged out of a vehicle, often by an offender with a weapon, must be truly frightening. To have the sanctity of your home invaded is bad enough, but to have offenders enter while you are at home is simply too horrific to consider.

Together with the range of new laws that are being introduced by this government, including the 3135 new frontline police officers, the banning of cash for scrap metal will certainly help. Victoria Police and the Victorian Law Reform Commission have both identified the lawful scrap metal and vehicle recycling industries as being highly susceptible to infiltration by organised crime. Cash-based transactions for scrap metal can conceal unlawful dealings, encourage motor

vehicle theft and provide opportunities for organised crime to gain a hold in the industry.

New section 19A to be inserted into the Second-Hand Dealers and Pawnbrokers Act 1989 will make it an offence for a scrap metal dealer to buy or sell scrap metal with cash. This will reduce the market for thieves hoping to sell their stolen wares for a fast buck. Only the most stupid of crooks will steal cars to sell them and then be paid by electronic funds transfer or a non-negotiable cheque.

New section 19B will introduce a ban on second-hand dealers buying vehicles or vehicle parts where the vehicle identification numbers have been removed, obliterated, defaced or altered, and restrictions on selling or possessing vehicles or vehicle parts where the vehicle identification numbers have been removed, obliterated, defaced or altered, unless authorised to do so by Victoria Police. Those found guilty of buying such second-hand vehicles or possessing a stolen second-hand vehicle will face penalties of 200 penalty points or more than \$31 000 at today's rates. Accurate recordings of transactions will be a further requirement of this bill. A new subsection after section 20 of the principal act will ensure that second-hand dealers record every single transaction where they receive or dispose of scrap metal.

Ensuring police have the ability to do their job is also a feature of changes to the principal act, with increased inspection and search powers. Under these changes a police officer may, without warrant, enter business or storage premises occupied by or under the control of a second-hand dealer and inspect the premises or any goods at the premises when a business of dealing in scrap metal is being carried on at the premises or where the police officer reasonably believes that a business of dealing in scrap metal is being carried on at the premises.

Further changes detail the operation of searches and seizures under warrant, as well as requirements of second-hand dealers to assist police officers in relation to those search warrants. Each of these reforms will give police the tools they require to gather the evidence needed to prosecute those who continue to do the wrong thing. These no-cash-for-scrap changes to the operation of the scrap metal industry are important steps in cutting crime, particularly relating to vehicle theft.

As the minister noted in her second-reading speech, the government will continue to work with Victoria Police and industry stakeholders to examine and develop regulatory options to further enhance the measures in this bill, to prevent criminal activity in the scrap metal and vehicle recycling industries, to support legitimate

businesses and to protect consumers. It should be noted that the Victorian Automobile Chamber of Commerce has voiced support for these changes to the scrap metal industry. I commend the bill to the house, and I again thank the opposition for their support. I wish the bill a speedy passage.

Mr NORTHE (Morwell) — I am pleased to rise this afternoon to speak on the Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017. I wish to refer my comments to two aspects of the bill, including the banning of cash payments for scrap metal. As other members have noted, it is pleasing to see that the government is adopting coalition policy. This is a sensible provision. It is something that the coalition announced on 10 April 2016, and I know it enjoys wide support from a variety of sectors, stakeholders and industries, including the Victorian Automobile Chamber of Commerce.

Ms Thomas interjected.

Mr NORTHE — I can tell the member for Macedon that I know that because I was shadow minister for consumer affairs at the time. That is why I support such a very good policy. It does make sense, and when you have a look at the high number of incidents where cars are stolen in Victoria, it is really just a shame that car owners have to contend with that. I am sure I am not the only member of Parliament who has had their car nicked in previous years. It is a very unsavoury, awful feeling. It leaves a really empty pit in your stomach when you realise that somebody has stolen a vehicle of yours. I well remember as a young fellow saving quite a bit of money during an apprenticeship and purchasing a HX Holden Kingswood. It was a bright red station wagon. It was very visible.

An honourable member interjected.

Mr NORTHE — Not the Kingswood! Exactly right. I came out one morning and realised that it had been stolen from the front nature strip. It was a very unsavoury feeling. Unfortunately I am only one of many thousands of Victorians who have had that awful experience. Any measures we can put in place to deter the stealing of vehicles and the subsequent selling of them to scrap metal dealers make sense. I certainly advocate for that provision of the bill.

I want to refer to other elements of the bill which I think are very important, particularly for my local community. These are around the protective services officers (PSOs) and making sure that they have more flexibility and that there are more of them. In the

Gippsland region we have PSOs based at the Traralgon railway station. I was proud to be a part of a coalition government that initiated the rollout of protective services officers, despite some cynicism and criticism in certain quarters. I do not think anybody could deny what a great success they have been not only across the metropolitan area but also in some areas of regional Victoria as well.

Mr Watt interjected.

Mr NORTHE — I was just reminded that certainly on this side of the house we did not refer to them as plastic police. They play a very important role at our train stations. To provide the PSOs with greater flexibility is really important. Indeed today we have in the gallery the Latrobe City Youth Council. I know from speaking with the team earlier — they came down on the train today — that safety on our public transport system and at our train stations is absolutely critical. It gives reassurance to many of our passengers, commuters and those at railway stations that the PSOs are there. If you have a look at the number of infringement notices they have given out over the past period of time — they are only relatively new, having been rolled out in 2012 effectively — it is quite amazing. Imagine life without them now. It is pretty hard to fathom. I congratulate all the PSOs for the work they do in the community, and I certainly support the rollout of more in our community.

Members of the Latrobe City Youth Council are here today, and to Nathan, Dancey, Lucas, Sarah and Bellamy — and to Andrew and Abby, who are looking after them today — we say thank you, because it is important to hear feedback from our younger people. What they have told me today is that when coming down on the train they want to feel safe. Having PSOs not only at the stations but able to be on public transport more generally is critically important. Indeed we come to this place to advocate on behalf of our community. It is not just the youth councillors that are here today; I have received some correspondence in recent times. I am sure that Phillip will not mind me mentioning his name.

Mr Angus — It is too late!

Mr NORTHE — It is too late now, is it not? Phillip is a bus driver in the Latrobe Valley. He wrote to me recently about his concerns over what is happening on bus-related public transport in the Latrobe Valley at the moment. As a bus driver, unfortunately he observes fare evasion on a very substantial basis. He sees and witnesses antisocial behaviour on buses, and he believes it is a massive deterrent particularly for elderly people in our community to get from point A to point B simply

because they are too scared and do not want to put up with some of the rubbish that occurs on those networks.

I am sure we are not alone in our regional community. Phillip has written to the Minister for Police and the Minister for Public Transport requesting a meeting to discuss a proposal that he has. He firmly believes there is a win-win situation here. His proposal talks in part about the provision in the bill I am talking about today — that is, giving PSOs more flexibility and the ability to be on bus networks to not only patrol but keep people in check, making sure there is enforcement and making sure people are paying their fares as well.

If he can do that in our situation in the Latrobe Valley at the moment and potentially recruit local people to work as PSOs, there is a win-win here. I am in principle very supportive of Phillip's proposal — I think it is worth contemplation — but as I say, I am pleased to see that part of the bill deals with better flexibility for our protective services officers.

Just on Sunday I received an email from a concerned parent about his travels with his son and his son's friend on a V/Line service. It was pretty horrible reading the email. I will not mention this gentleman's name, but he talks about the aggressive and antisocial behaviour of a commuter on a V/Line service coming into Traralgon. He concedes his seven-year-old son had simply laughed rather loudly, but a fellow commuter then determined that it was okay to go and abuse and chastise and be aggressive with not only the seven-year-old and his friend, but everybody else who wanted to know.

The reason, rationale and excuse that was provided to this parent was simply not good enough. To say that nothing could be done to the aggressive person, the person who has undertaken this antisocial behaviour, is simply not good enough, and it is not an experience that anybody should endure.

I again make the point that if we can have the flexibility for PSOs to actually be on trains, with authorised officers if need be, and conductors, then I think it gives our commuters more confidence to use the system, unlike this particular parent, who has written to me and said he will never go on a train again with his family. That is simply not fair. Travelling on public transport should be a good experience and should be a positive experience, particularly for children. There are no excuses for having to put up with that type of behaviour.

If this bill helps give more flexibility to PSOs being on public transport, then that is a good thing, but we must make sure that the government rolls out similar initiatives like this in the future. One of the things the

coalition said when we were in government was that we wanted to make our public transport system safer. I believe we did that with the rollout of the PSOs, but if we can do even more with initiatives and legislation such as what we are discussing today, then I am sure that is a positive thing, particularly for the likes of Phillip, who has written to me, and the parent who wrote to me about his seven-year-old son's experience. Hopefully new initiatives can be adopted so that this type of behaviour can be eradicated.

Ms WILLIAMS (Dandenong) — It is my pleasure to rise in support of the Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017. As we have heard, this bill will support the implementation of the community safety statement by doing a number of things, including giving transit protective services officers the flexibility to respond to incidents both at and in the vicinity of a designated place such as a train station. As we have heard from other speakers, this will enhance the role that protective services officers (PSOs) can play in station precincts and other related areas.

It will also give transit PSOs additional police powers to improve the safety of commuters and hold offenders to account for their actions, and it will ban the use of cash for scrap metal to disrupt trade in stolen vehicles here in Victoria. It will also implement the government's election commitment to recruit, train and employ some 400 police custody officers, which was fast-tracked to the end of 2017. The bill also makes some other minor and technical amendments to the Children, Youth and Families Act 2005 to clarify current practice.

I will speak to only a couple of the measures outlined in the bill before us today. All in all, I think this is a very sensible bill. The first area of focus I will look at is the expanded powers for PSOs. As other speakers have touched on in various ways, every Victorian deserves the right to feel safe, and I think everybody in this place agrees with that statement. A community is very much one's home, and many of us in this place have reflected on the fact that no-one should ever feel unsafe in their home, whether that be their home in the literal sense or in the community in which they live. The expanded powers for PSOs will, we hope, enhance community safety and people's confidence.

The community safety statement highlights the need to expand PSOs' functions to optimise safety outcomes and return police to the front line, doing the work that they should be doing. To this end, the bill gives PSOs several additional police powers to enable them to play a more active role in community safety where they are stationed.

More specifically, the bill will expand the circumstances in which transit PSOs may request a person's name and address, issue an infringement notice, apprehend a person and search a person or thing. These powers are similar to the powers PSOs have in other contexts. To provide PSOs with these new powers, a number of acts will require amendment. I will not go into the list of amendments that will be required.

The bill will also give transit PSOs the ability to apprehend a child under an emergency care warrant, arrest a person where parole has been breached or cancelled, conduct warrantless searches for drugs of dependence, issue infringement notices for supplying liquor to a minor and randomly search members of the public in specified places as a part of a planned or unplanned control of weapons operation.

The *Community Safety Statement 2017* not only delivers to this state over 3100 police onto the streets over the next five years, but it also increases the powers of police and PSOs. We are setting the bar higher for community safety. This is an issue that the previous government ignored, despite their claims to the contrary. As we have heard, no frontline police officers were funded by the former government over their four years, which just reveals how disingenuous their claims are, and how they try to rest on a reputation of being somehow tough on crime when the facts just do not support that assertion in any way, shape or form.

I move on to comments around the scrap metal aspect of this bill, and particularly cash for scrap metal. This is an issue that has come before me a number of times as a local member, and I am very pleased to see it included in the bill here today. The banning of cash for scrap metal is enormously important. Many reputable scrap metal businesses and others in Victorian industry have been concerned that legislation passed in New South Wales, which mandates that payment for scrap metal be completed via electronic transfer or cheque, will see a growth in this illegal trade in Victoria — that is, see this illegal trade move to Victoria, which up until now has not had that legislation.

I have been previously approached by local Dandenong businesses about this issue and the need to clean up the scrap metal industry. I pledged to them last year that I would lobby for this change and add my voice to the wave of concern coming from the industry.

As we may have heard from other speakers, almost 24 000 vehicles have been stolen from last year to March this year, a significant motivator of that being the scrap metal market. I was very proud when we announced as a part of our community safety statement that we would be

banning cash for scrap metal. Our measures actually go further than those introduced in New South Wales, with more significant penalties attached to the new offence, but I will touch on that shortly.

Many may wonder how scrap metal payments are linked to criminal activity, and it may not seem immediately obvious. When it was first raised with me, I think it is fair to say it was not something at the forefront of my mind. But to provide a fairly simple response, the banning of cash payments for scrap metal will make our community safer by essentially removing the incentive for theft, particularly auto theft. We have an international example that demonstrates the success of similar measures. In 2012 the UK, for instance, banned the cash-for-scrap market, a move aimed at stopping in their jurisdiction the theft of metal from railways. The result was a 30 per cent drop in metal theft, which I think we would all agree is fairly substantial.

The proposal in the bill before us here today is that a fine of over \$30 000 be imposed for participating in the cash for scrap market, in contrast, as I alluded to before, to New South Wales, where the fine is only \$11 000. This sends a clear message to would-be thieves that crime will not pay, and in doing so acts as a key measure in preventing theft and the violence that can often occur in the process of theft. By banning cash for scrap we will end the lucrative cash for scrap trade, which is often carried out as part of organised criminal activity, and will effectively break the dangerous cycle of crime at its source, which I think is extremely important when we are looking to make meaningful change in our crime stats.

The decision to ban the cash for scrap trade has been made after close consultation with Victorian industry, whose members believe that if this legislation were enacted it could strengthen the industry as well as assist police in addressing property crime including, as I have said, theft of motor vehicles but also theft of things like copper and other metal at scrap metal yards.

The Andrews government has demonstrated a commitment to tackling crime. We know that this has to be done in many ways across many portfolios. This bill is a significant part of a much larger suite of initiatives introduced by this government. While those opposite believe that only policing counters crime, we on this side of the house know that these issues are more complex than that, and we are interested in a more holistic response. Chest beating alone just does not solve the issues. That is why we invest in education pathways and do not, in contrast to those opposite, gut our education system; and that is why we invest in health.

That is why we have worked hard to achieve record jobs growth in this state, something that our predecessors in the former government certainly did not manage to achieve, delivering to us the highest unemployment rate on mainland Australia. They cannot pretend that that does not have an impact on things like crime, because it absolutely does. We know that if people have a pathway, if they are employed and if they are healthy, they are far less likely to end up in the criminal justice system.

Much of what we are seeing in our community at the moment is the natural consequence of four years of neglect by those opposite, a neglect that was forced on our communities and which was just absolutely unacceptable. We see, as I said before, a lot of chest beating and crocodile tears in this place, particularly from those opposite when trying to draw attention to matters that they claim are wholly the fault of this government. I think that needs to be called out for what it is. We know that there is often a lag time between the consequences we see and bad policy decisions. Over the last roughly two and a half years we have been effective in communicating so many of the failures of the former government. Many of them went down to laziness. They were a failure to act or sometimes a proactive destruction of certain sectors or certain policy areas that we know are absolutely vital to the health of our communities.

We need to spend more time as a community reflecting on what happens on the ground when we take an axe to very important services and we start taking an axe to people's opportunities, because that has a very meaningful outcome for people on the ground. People I come across every day can tell a very human story as to what it means for them when pathways that were available to them are all of a sudden not available because, for example, the former government cut TAFE or because of any number of other examples I could raise.

This bill is a sensible bill. It is, as I have said, one of many things this government is doing to tackle crime, and I commend it to the house.

Ms RYALL (Ringwood) — I rise to speak to the Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017 and to say that the opposition does not oppose the bill. In terms of the purpose of this bill, it looks at a number of factors. It facilitates the deployment of additional protective services officers (PSOs) to form mobile patrols on the public transport network; it gives transit PSOs additional police powers to support their role in keeping people safe and tackling crime and antisocial behaviour

on the public transport network; it bans the use of cash to pay for scrap metal — another policy of the opposition; it enables specialist psychologists to conduct psychological assessments, rather than just medical practitioners; and it also expands the police custody officers (PCOs) program to create a new position of a PCO supervisor.

There is one thing I do agree with the member for Prahran on, for a change, as I generally say. That is that the member for Prahran said that everything that the government is adopting is from the law and order policies of the opposition. I absolutely have to agree when I look at this bill and see the scrap metal and other requirements in there and also the tactical response unit for PSOs, which was also another of our policies. So I do agree with the member for Prahran in relation to his statement about that.

I also appreciate the statement from the member for Narre Warren South —

An honourable member — Mount Martha.

Ms RYALL — Mount Martha, yes — her mea culpa. That mea culpa was in relation to her statements about our fantastic PSOs back in the last term of government. For those who were not in the house in the last term of government, much was said by the opposition at that time about our PSOs. What a fantastic policy it was, to bring our PSOs onto our stations.

Mr Morris interjected.

Ms RYALL — Yes, as opposed to the criticisms of them being plastic police by the Minister for Emergency Services, the member for Monbulk.

Just to recall a few of those things, the member for Keilor back in March 2011 said:

... what this bill proposes is kind of a half police officer and not a real police officer ...

Also, the member for Melton said:

The legislation changes the role of the PSOs from a property service role to a crime enforcement and crime prevention role. This is not the function of PSOs.

Mr Dimopoulos interjected.

Ms RYALL — It is interesting that a member who was not in the chamber in the last term of government seems to think he knows what actually went on.

The member for Ivanhoe said re PSOs:

They provide an important service in their protection of public officials and in their securing of places of public importance such as the Shrine of Remembrance, the courts and this very Parliament. Their work is valued and it is important —

at least he stated that, as opposed to what was said by the member for Monbulk and many others —

but to thrust PSOs into a position where they will need to provide protection to people in the community without adequate training is not acceptable.

He went on to compare PSO training with the training of sworn officers.

The member for Footscray said back then:

I question whether this should be the way that we present our stations —

it is good to have her in the chamber —

because there are less obvious ways we can make commuters feel secure as they travel to and from work or recreation or to visit family and friends. Does there need to be someone standing at a station with a gun ...

She referred to them as pulling out a gun as their first recourse. She asked whether there had been any consideration of that.

The member for Malvern said at that time:

What a slur on the PSOs; that's a disgrace!

I absolutely agree with him. Our PSOs do a fantastic job. We think of what they endured in the way of criticisms through that last term of government only to now be vindicated in the fabulous work that they do.

It is good to see the member for Broadmeadows in the chamber as well because of something he said:

The warning I am placing on the record today is that this legislation fails this critical test. It will place PSOs, who are highly regarded in the field of security, in the role of frontline policing in difficult and potentially violent situations at night. They will be required to confront people who are suffering mental illnesses, who are affected by drugs or alcohol or who are exhibiting loutish and aggressive behaviour. I want to make my position clear because I have had a close insight into the consequences of such confrontations in the past. This legislation fails to heed the lessons learned by Victoria Police, and it is a dangerous truth that those who forget the lessons of the past are doomed to repeat them.

He said that his concern was that the former government's neglect could prove fatal. He went on to say that the former government required:

... the new PSOs to deal with life-and-death scenarios with only 12 weeks training. This training ranges from firearms training to lessons in the use of capsicum spray, batons and

handcuffs and in the sophisticated communication skills required for confrontations with young people, large groups or the mentally ill.

Only an outfit, not a government, would consider 12 weeks training as adequate.

Can you believe that? He said:

Only those who had a scheme to whip up fear and anxiety to win an election campaign but no real plan or vision to govern the state would think this is good enough.

He said:

Only those who have forgotten Victoria's history with fatal shootings and rejected expert advice would believe such training was sufficient for public safety. The critical question is: when it comes to a split-second, life-and-death decision does anybody but the Baillieu-Ryan regime believe 12 weeks of training is adequate?

I hope and expect that the member for Broadmeadows will get to his feet shortly to give a mea culpa to say 'I was wrong' and to apologise to the Parliament. On people who should apologise to the Parliament, perhaps the member for Monbulk might like to come into this Parliament and issue an apology to our PSOs, who he called 'plastic police'. It is an absolute disgrace. We have not heard an apology to this point. We are all still waiting with bated breath for him to apologise.

This bill looks at expanding the opportunities and the powers for our PSOs. The expansion of PSOs onto our train stations was a fantastic policy of the former government. Our community absolutely loves them, and our police value them as well. My local police in Ringwood have talked about how important the PSOs are at stations in making sure that they are the important link for those who might frequent the station. They help to identify those who have committed a crime, those who are perhaps wanted for questioning and those who might be on a list of persons who are wanted. They do an enormous and integral job as part of crime detection and the crime prevention processes undertaken within this state.

It is important that we continue making sure that our PSOs are able to do the job they are trained to do. I just make the point to the member for Broadmeadows that our PSOs still have 12 weeks of training, so does he still stand by the comments he made? The debate raged back in 2011 in this house in relation to their roles — —

An honourable member interjected.

Ms RYALL — It raged. Listening to the member for Monbulk say that they were second-tier police who are not as well trained — have they not changed their

tune? Certainly they have in the scrap metal area as well. I see the member for Mordialloc, who is a continual interjector in this house and who was not in this house in the last term of government. I bet he will stand up today and say that he values the work that our PSOs do — —

Mr Richardson interjected.

Ms RYALL — You do not think so? I bet he will stand up and say that he values our PSOs not just here, not just at the Shrine of Remembrance and not just in the courts but on our stations and soon to be on the transit network. On that note, I look forward to hearing from the member for Mordialloc.

Mr McGUIRE (Broadmeadows) — The proposition is about knowing your history and knowing and understanding what happened in the period of fatal police shootings and what happened in this state and to actually try and reframe this in this way is totally irresponsible — —

Ms Ryall interjected.

Mr McGUIRE — No, you need to know what happened. We got to a position of fatal confrontation when there were shootings. There was a major inquiry that was done by the then coroner, Hal Hallenstein, there were arrests and there was a huge issue of concern about the use of deadly force. When this came in I was outlining how we had to make sure that this was known and understood and that this period was not replicated, so I am not going to be verbally over this. This is to get it straight.

Ms Ryall interjected.

Mr McGUIRE — You need to know and understand what happened, what occurred during this period. It was the time of the use of deadly force in Victoria that was of major concern to the public. From memory, there were 11 detectives charged with murder at the time. There were shootings, and I think the number in the end was about 30 people who were shot dead. This was a period that the member seems to have no knowledge of or understanding about. This was a time of extreme pressure within the community about what was going on, what was the use of deadly force and how was it that that was occurring.

That was the context in which I raised questions about how we actually address this in the public interest. That was the point I was making. I am not going to be verbally by the member for Ringwood, who is seemingly trying to rewrite that proposition. I am happy to present her with a copy of a *Four Corners* program if

she wants to have a look at it so she can really understand the context that I was talking about and its significance in the state of Victoria. Just so she understands: this was an unprecedented time, and this is exactly what happened.

Ms Ryall interjected.

Mr McGUIRE — I am giving you the background of the context of it directly — —

Ms Ryall interjected.

Mr McGUIRE — You should know. I am happy to give you the *Four Corners* program —

Ms Ryall interjected.

The ACTING SPEAKER (Ms Blandthorn) — Order! The member for Ringwood!

Mr McGUIRE — that won a Walkley award. You can have a look at that too. That is the point of it.

Let us get onto the debate that we are listening to now. The shadow Attorney-General asked about the provision that enables payment via cheque that is not transferable or payable to cash. This provision is based on an equivalent provision in commonwealth legislation, the commonwealth Anti-Money Laundering and Counter-Terrorism Financing Act 2006. Parliamentary counsel expressly considered whether the provision would give effect to the government's intention to ban cash for scrap and found that it would. I hope that addresses the contribution from the shadow Attorney-General.

Just to go to another point that was raised by the member for Prahran, he raised concerns regarding protective services officers (PSO) training, saying that they will get the same training as police with these powers yet their training time will not be extended. The government's response to that is that because these amendments expand existing PSO powers for which they are already trained it is not envisaged that the necessary training will take a significant amount of time. Additionally, the training for emergency care warrant powers is also not envisaged to take a significant amount of time. I hope that addresses some of the reasonable questions that have been raised in this debate, rather than trying to turn around and attempt to score cheap personal or political points — it is up to you, whichever way you want to do it.

I want the member for Ringwood to actually consider what was going on in Victoria at that time, its relevance right throughout the community and what the end

criminal justice response to that was. I do not take that lightly. I do not think she is very well informed about it or has the context or understanding of the facts, the time and the issues I was framing that in. I think that, rather than being gratuitous about it, she should do some research. I am happy to talk to her any time if she wants to have it explained to her. I will even give her a copy of a DVD and she can look at it over the weekend. How is that? Over the break she can have a look at it, no problem — ‘Deadly Force’. She can have a look at the *Four Corners* program, the *7.30 Report* programs and the other ones that were done for news. I won a Walkley award. I am glad she raised it — thank you very much, good on you, thanks for coming.

On other matters, this bill supports the government’s *Community Safety Statement 2017*, which was developed in partnership with Victoria Police. This is a critical proposition. By giving transit PSOs the flexibility to respond to incidents at and in the vicinity of designated places, such as at a train station, it gives transit PSOs additional powers to improve the safety of commuters and hold offenders to account for their actions. It is all about trying to provide a better service and better safety. The bill also bans the use of cash to pay for scrap metal to disrupt trade in stolen cars in Victoria. It supports Victoria Police’s implementation of the mental health review recommendation to allow specialist psychologists to conduct psychological fitness-for-duty assessments. The bill also makes some minor and technical amendments to the Children, Youth and Families Act 2005 to clarify current practice. It implements the government’s election commitment to recruit, train and employ 400 public custody officers, which was fast-tracked to the end of 2017. This bill shows that the government will always give Victoria Police the resources they need to keep the community safe, and that is a critical proposition.

Now, just on the PSO power issues that have been raised, transit PSOs play a critical role in helping people feel safe on our public transport system. They address crime, violence and antisocial behaviour, and they increase perceptions of safety on the rail network. They have issued more than 75 000 infringements since they were introduced in 2012. They are a visible presence at train stations and nearby areas, and they have a general responsibility to protect and help members of the public, particularly children and vulnerable people. They have powers specific to their role on the public transport system, such as certain powers of arrest and apprehension, and certain powers to require name and address. They have the power to issue infringement notices for minor offences, and powers relating to weapons, liquor, litter, drugs, road

safety and graffiti, including some search and seizure powers, and powers specific to public transport.

As part of their duties PSOs already have search powers that do not require a warrant. They can search someone, including a person under 18, if they reasonably believe they are carrying a weapon — that, for example, might be a knife or an imitation firearm — or a volatile substance, including paint thinners or plastic solvents. Search powers exist to stop people, especially children, from chroming. They can also search someone 14 years and older if they reasonably believe they are carrying a graffiti implement. The bill gives PSOs new powers to help them do their jobs keeping the community safe, and that was really the context that I spoke about in the previous times.

One of the key issues from the *Deadly Force* program — which ended up being a whole series of new stories for the Ten Network, then a half-hour special for the then *7.30 Report* and then an entire *Four Corners* program that won a Walkley Award in its day — was confrontation, how we actually address law and order and what was really going on behind the scenes. This became, as I said, a deep investigation into what was actually occurring. There was a series of fatal police shootings that seemed to have been ignored or forgotten. This was an important period for us to know and understand exactly what was going on between members of the then armed robbery squad and a group of notorious armed robbers in this state. To try and now juxtapose that proposition into an argument for this bill is a total non sequitur and totally inappropriate. I guess it was there to try to score a cheap political point, but it is totally irrelevant. This is about the Andrews government delivering on these reforms that will actually increase public safety, and on that basis I recommend the bill to the house.

Mr ANGUS (Forest Hill) — I am pleased to rise to make a contribution to the Justice Legislation Amendment (Protective Services Officers and Other matters) Bill 2017 this afternoon. At the outset I note, as other speakers on this side have said, that the opposition will not be opposing the bill. We can see that there are six main objectives within the purposes of the bill. They are to facilitate the deployment of additional protective services officers (PSOs) to form mobile patrols on the public transport network; to give transit PSOs additional police powers to support their role in keeping people safe and tackling crime and antisocial behaviour on the public transport network; ban the use of cash to pay for scrap metal to deter vehicle theft; enable specialist psychologists to conduct Victoria Police’s psychological fitness for duty assessments; expand the police custody officers (PCOs)

program by establishing a new PCO supervisor position; and make minor and technical amendments to reflect the longstanding practice of youth justice offenders and those on remand transitioning for short periods of time in police jails while en route to and from court hearings, and the bill goes into further information regarding that.

At the start of my contribution I think it is important to set the context of the environment within which we now find ourselves here in Victoria. That is basically that the society, the community, that we have got at the moment is suffering terribly from the effects of rampant crime at all levels, with crime in certain sectors basically completely out of control. We have a raft of offences that, in my lifetime, I cannot remember ever hearing about, certainly within Victoria, such as carjackings, aggravated home invasions and these sorts of crimes. When I was growing up many years ago you just would not hear about those sorts of crimes, whereas now they are just rampant on a daily basis. We have got things like aggravated robberies of jewellery shops, regular car rammings into buildings and the stealing of cigarettes, cash and other supplies from what we would term soft targets. We have got young people and other offenders out ramming police cars on a regular basis, and these combined really underline the lawless atmosphere that we are experiencing here in Victoria at the moment. There are a number of reasons for that, but certainly the leadership being shown by the government in many areas is enabling that sort of behaviour to go on. We could talk all day about other related matters, such as the youth justice system and the crisis that is operating within that, but let me just turn back to the main objectives of the bill; I just want to touch on a few of those.

We can see in the bill the further deployment of additional protective services officers. Can I say at the outset that I have not got any railway stations in my electorate, but I drop in from time to time to surrounding railway stations and talk to the PSOs on the stations there. I thank them and commend them for their tremendous work because they are doing a fantastic job. I have spoken to a number of them over the years since they were placed in those roles and have heard of the fine work they are doing, not only in catching crooks of all sorts and people on warrants and other outstanding matters, but also helping out and preventing tragic outcomes on a regular basis for those that might find themselves ill at ease or otherwise considering harming themselves, particularly at a railway station.

The work they are doing I think has just been fantastic. They have made so many arrests, and they have added

that whole overlay of safety to our railway stations. In many contexts throughout Victoria there are stations you could name that are just completely lawless, run by local gangs, and you would not dare get off the train there after dark because your own life would certainly be in peril. We have got PSOs now that can go out and take people back to their motor vehicles when they come in late at night on the train and provide fantastic customer service, for want of a better term.

We can see that within these objectives and within the overall bill a number of these so-called initiatives from the government are really catch-up actions relating to work already done and indeed announced by the previous government. In terms of the first point I made there, the PSO matter, we can see that back on 23 November 2014, leading into the 2014 state election, there was a press release from the coalition government at the time headed 'A 50-strong PSO strike force under a re-elected Napthine government'. It went on to talk about how the role of the PSOs would be expanded and noted that they would continue to be recruited and deployed to curb antisocial behaviour, particularly after special events. So this is not an original idea of the current government.

While we are looking at that, we must never forget the disgraceful comments that were made by the now Deputy Premier, the member for Monbulk, on 10 February 2011, when he said in his contribution, and I quote:

There are lessons to be learnt. This has happened elsewhere. What the government is introducing is a second-tier police force that is less well trained and has fewer powers.

He goes on:

They are known as 'plastic police' because they do not have the training, they do not have the authority, they do not have the powers and they do not have the equipment.

That was a dreadful slur at the time and remains so. There has never been an apology for that dreadful slur, and there jolly well should be one from the now Deputy Premier for that slanderous comment he made. Certainly all of the members of this side of the house are extremely grateful for the fine work that the PSOs do not only on the stations that I have already mentioned but certainly here in the chamber, around the Parliament precinct and in other places as well. We are very grateful for the work that they do to protect us and others as well.

We can then look and see the third item in the bill, which talks about banning the use of cash to pay for scrap metal. Again it is catch-up footy from the current government. If members turn their minds back, they

will remember a press release from the Leader of the Opposition on Sunday, 10 April 2016, headed 'Liberal-Nationals will put brakes on stolen car trade'. It begins:

A Liberal-Nationals government will clamp down on cash sales of stolen cars on the black market.

That was well over a year — 14 months — ago when that initiative was announced, and here we have the government finally, in June 2017, 14 months later, getting their act together and implementing a component within a bill that will deal with this issue. It is catch-up footy, as I said, in relation to many of these areas.

On that, if we look at the statistics for motor vehicle theft — or indeed if we look at any crime statistic in recent times — focusing on the increment between when the last government finished and now, with the new Andrews government, we can see that there is a crime tsunami throughout the state of Victoria in a whole range of areas. We have got overall crime levels up by well over 20 per cent, but let me look particularly at motor vehicle theft. We can see that since the Andrews government was elected motor vehicle theft has gone up 42 per cent. It went from 16 695 motor vehicle stolen as at December 2014 to 23 641 motor vehicles stolen as at March 2017. We can see that that equates to 65 cars a day, and what an incredible rate that is. As I said, that has gone up by 42 per cent, so that just shows you how unsafe things have become here in Victoria in just that one component.

We can look at a whole range of other indicators, whether that be burglary and break and enters up 17 per cent or robberies up a staggering 36 per cent. We have got attempted murder up 142 per cent and we have got resist or hindering an officer up 175 per cent — just dreadful increments in a whole range of crime statistics. As I said, that reflects the total lawless environment that we are currently experiencing here in Victoria as a result of the policies, as a result of the attitudes and as a result of the failures of the current government here in Victoria.

Certainly my constituents are saying to me that they do not feel safe. Many of them are sleeping with weapons within close proximity to their beds so that when what they see as the in some ways inevitable home invasion happens they will have half a chance of trying to defend their property and certainly their life and those of other people in their home. It is a dreadful situation. We are in a terrible mess here in terms of law and order in Victoria. The government is finally doing some things around policies that we announced three or four years ago. They are finally trying to catch up, but we hope it is not too little, too late.

Mr PEARSON (Essendon) — I am delighted to make a contribution in relation to the Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017. In preparing for this bill today I thought to myself: when were the first transit police established? Clearly it was after the invention of the steam engine. In actual fact it was on 30 June 1826 in the United Kingdom that we saw the world's very first transit police, and it was actually three years before the Metropolitan Police Act was passed by the House of Commons.

Clearly Victoria had not been settled by that point in time, but we saw the establishment of the first transit patrol in Victoria in 1878. What I found interesting in preparing for this debate is that throughout its various iterations — the Victorian transit patrol and I think it subsequently became the special inquiry branch — officers were actually employees of Victorian Railways. Their job, according to *Wikipedia*, was:

... to investigate crimes, missing luggage and freight, and accidents that took place on the railway system.

It was not until 1986 that the transit patrol took over the policing of trams and buses in addition to their railway duties, and it was not until 1987 that this august body was transferred to Victoria Police. So you had nearly 100 years where officers were employees of Victorian Railways and its various other iterations, which I did find interesting, I must confess.

The bill is an important piece of legislation because I think it leads to more efficient, more effective policing in Victoria. I am happy to say that initially when the then opposition, led by former member for Hawthorn Ted Baillieu, introduced the protective services officers (PSO) policy — or I think it might actually have been the former member for Gippsland South, Peter Ryan — I thought it was a crazy idea. I thought it was a misuse of public resources having two PSOs on every single station from dusk until final service. I felt that way partly because I was influenced by an article written by John Silvester. I felt partly that the idea that you would just have two standing officers at a station which might be inadequately serviced with bathroom facilities and where you might have very little crime in the surrounding area did not strike me as a good return on investment. I felt reluctance and hesitance at the time, but clearly the public liked it. The public thought it was a very good idea, but you need to make sure that legislation reflects the times we live in.

I do think it is important that we free up the PSOs to be able to travel across the network rather than having them be static because often you will have people who might be drug or alcohol affected. They might be

antisocial, and they might misbehave on the train itself. The reality is that when you alight from a train and you leave the precinct to get in your car or you walk home it is usually a short duration, whereas your engagement with somebody who might be antisocial or someone who might have mental health issues or drug and alcohol problems might be from the moment you board the train to the moment you reach your destination. It is often a far longer period, so having the PSOs active I think is important.

I remember speaking with Major Brendan Nottle from the Salvation Army, and one of his observations was that one of the reasons you have a high correlation of mental illness with homeless people is that they do not get enough sleep. Homeless people do not get enough sleep because they are awake at night, they are moving around and they are active because they are fearful, they are nervous and they are frightened for their safety.

As a consequence homeless people often get on trains from the first service in the morning and travel on the train during the day because it is a safe place. They can sleep and they will not be attacked or molested. I think all of us who have travelled on the train network can attest to the times we saw people during the day asleep on a train, and it is clear that they would appear to be the worse for wear. They might have a drug or alcohol problem, they might have a mental health issue and it looks like they are trying to stay on the train to sleep because it is safe. If you put PSOs in a situation where they need to be travelling on the metropolitan train system, then it is important that you make sure they are properly skilled and trained up to be able to deal with vulnerable people.

The bill also makes important changes in relation to vehicle recycling industries and stopping the use of cash-based dealings. I think this is a really important initiative. My mother grew up in a violent household, and she was a victim of family violence, as were my grandmother and her siblings. My uncle decided at a young age that it was not really for him — he had bold aspirations to go off and do other things with his life. I think he was attracted to the idea of fast cash or fast money. So, at the age of eighteen, or it might have even been seventeen, he found himself in a situation where he was part of a gang, stealing vehicles. And those vehicles were used for the scrap repair business. It was that classic case as to why we brought in Fagin's law: he was young, he was impressionable, he was trying to escape from a household experiencing family violence, he was poor and he wanted money. He ended up before the courts and being charged. He was initially found guilty of theft. He was sentenced to Pentridge, and my grandmother borrowed some money from a family

relation, a lot of money, and enlisted the services of Frank Galbally, QC, and Frank got him off on appeal.

My uncle then turned his life around. He got an apprenticeship at the local bus service line, became a mechanic and always stayed in the motor trade. He ended up being a very successful small businessman, and was very proud that he spent the rest of his working life voting for the Liberal Party. But he was a young man who was impressionable and could have led a life of crime. He could have been in and out of prison, he could have chosen a bad path. But he had the support and love of his mother, and she had the ability to access capital, which was not easy, and he managed to live a full life and a happy life. Sadly he is no longer with us. But I think stamping down on prohibiting cash payments is important.

In the brief time I have left I want to mention the fact that the bill also looks at implementing all the recommendations of the Victoria Police mental health review. There is no doubt that one of the reasons there is a higher than usual attrition rate amongst Victoria Police and why there is a higher rate of mental health issues in our sworn officers is because of the things that they see and the things that they have to do. I think that where we can find ways in which we can provide support for those officers to ensure that they go through life as gently as they can, despite the trauma they experience, is a very good thing.

I recently sat down with Pat McGorry, who is a former Australian of the Year. He was quite anxious and quite concerned about the way in which mental health services are provided in this state and around the country, and was trying to find ways in which we can do better. There is no doubt that our first responders are often the ones who bear the brunt of seeing and experiencing traumatic events. Finding a situation or ensuring that we have got appropriate responses in place to ensure that these officers are protected, that they are looked after, that they get the comfort and support that they need is really important. I do commend the Chief Commissioner of Police for embarking on these steps.

Briefly we are going to be looking at employing 400 police custody officers. I think this is an outstanding initiative. It is about freeing up resources to the front line, it is about making sure that we can be the safest state we can possibly be. With that brief contribution, I commend the bill to the house.

Mr THOMPSON (Sandringham) — I am pleased to make a brief contribution to the Justice Legislation Amendment (Protective Services Officers and Other

Matters) Bill 2017. There are seven general-purpose clauses but I would just like to focus my comments on clause 1, part (a), being the main purpose of this act:

to amend various acts in relation to powers of protective service officers on duty at designated places ...

I was pleased to be a member of the government that introduced the role of protective services officers to Victorian metropolitan stations from 6.00 p.m. until the last train. It was an evolving methodology to work out the level of training required and the placement of those officers on metropolitan stations. The Sandringham electorate is served immediately by four stations within the electorate, being Sandringham, Highett, Cheltenham and Mentone, and the Hampton railway station abuts the Sandringham electorate.

A number of years ago I was contacted by a lady who was then in her sixties. She said that she had made a citizens arrest; she had restrained a young fellow who had been graffitiing the railway carriage and took him to the station office. She was advised that they did not have any powers to detain the person, and that was a matter of making a call to the local police, which she was broadly obliged to make. She had no option but to let the young fellow move on into the day.

The rollout of protective services officers to local stations has built a higher sense of security for members of the community — parents with children in their teenage years who otherwise might not be able to go to the city and commute back in the knowledge that at the station there will be someone on hand to deal with any issues; and senior people who might have a concern about making their way from the station to the car park, but the local protective services officers are happy to take the commuters to their cars. Additionally stations are locations where some people, who have no other place to go to spend time — and you may see someone with a pram or a supermarket trolley — might make their way to find a safer place away from the inclement weather or some even spend their time travelling on the train, and the protective services officers make judicious inquiries. I am very pleased to support the role of protective services officers. The opposition does not oppose the bill.

Ms KEALY (Lowan) — It is my pleasure today to rise and make a contribution to debate on the Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017. As the name suggests, the majority of this bill refers to amendments in relation to protective services officers (PSOs) and, as has been mentioned by previous speakers, this is something that was brought in in legislation during the four years of the Liberal-National coalition government. It is

something that we are exceptionally proud of. I commend the Premier at the time, the former member for South-West Coast, Denis Napthine, who did a fantastic job in bringing in this change with the minister at the time, the member for Rowville. We looked at a way in which we could make communities safer, particularly focused around how we could improve safety on our public transport network.

I note that at the time the now Minister for Emergency Services condemned the idea of PSOs, calling them ‘plastic police’. If we look at the number of infringements issued, at the time of this release, which was back in 2014, more than 34 000 infringements were issued by PSOs since their coming into being in February 2012. That obviously takes an enormous amount of pressure off Victoria Police, and any improvement to the services around that will be supported on our side of the chamber.

I note that the amendments put forward in this legislation have been developed in conjunction with Victoria Police. Victoria Police do a fantastic job, and I think it is great that we are taking their recommendations on board to ensure we can improve the safety of our community.

The element of the bill that I would like to focus on is the banning of the use of cash to pay for scrap metal to deter vehicle theft. This is something that we announced would be policy should we be elected to government in November 2018 — that we would put the brakes on the stolen car trade. This exact policy has now been adopted by the Labor government. Unfortunately when it comes to law and order this government seems to be very sluggish and slow on its feet, with community members now terrified of home invasions and carjackings. Every single day we seem to see some sort of crime that is a threat to community safety in areas where we should feel safe and secure — in our own homes, driving along the streets or at our work or businesses. We are taking the lead on that to make sure we have a safe community again in Victoria.

I commend the Leader of the Opposition for putting forward this policy on 10 April 2016, and I also commend the former shadow Minister for Consumer Affairs, the member for Morwell, who did a lot of work to develop this policy in relation to clamping down on cash sales of stolen vehicles.

As has been noted by members on both sides of politics, vehicle theft is an issue at the moment, particularly the theft of vehicles used to launder money which has been received through the proceeds of crime or through supporting an unlawful industry. The

amendments put forward will make some changes to this system and hopefully will help to crack down on crime. However, a number of concerns have been raised, particularly from the key industry group, the Victorian Automobile Chamber of Commerce (VACC), which I will note in my contribution today. In particular I note that the VACC has concerns that the changes put forward are to the Second-Hand Dealers and Pawnbrokers Act 1989 as opposed to the Motor Car Traders Act 1986. This makes it somewhat confusing for motor traders. Obviously it would be of greater assistance if these amendments were put into the one piece of legislation, which could then be prosecuted and well advertised by both the VACC and the government. We need to ensure that we have strong legislation, but most importantly we need to ensure that it is policed. An element of this is managed by Victoria Police, but we also need to ensure that Consumer Affairs Victoria (CAV) appropriately enforce the legislation. That is a key concern of the VACC and their membership group.

I would like to thank the VACC for their significant lobbying efforts to provide feedback on this legislation. I know that they have provided this feedback to the government as well as to me, and we would like to make some amendments to the bill on reference to the VACC, which I know the government is aware of. I thank the VACC again for putting forward that information, but also for the good work they are doing in working with their membership, which includes car recycling groups and licensed motor car traders. They are very, very supportive of this type of change. They want to make sure that the legal market is supported, and they want to see the illegal market stamped out. They do not want another layer of red tape on a legitimate industry, which is fair and appropriate, but they do want to identify and deal appropriately with all illegal operators. As I said, ideally they would like to see these amendments in a different act — that is, the Motor Car Traders Act — rather than lumping it in the Second-Hand Dealers and Pawnbrokers Act.

The specific concern that the VACC have is in regard to new section 19A(2)(a), inserted by clause 22 into the Second-Hand Dealers and Pawnbrokers Act. The drafting is ambiguous and open to interpretation in that cheques made out to cash are acceptable. We want to make sure that ambiguity is clarified. There is also confusion about how the new legislation will interact with section 21(1) of the act with regard to the obligation to keep goods in the form in which they were received for a period of seven days. Obviously this is not practical in the current industry environment, particularly with many industry participants turning over stock in huge quantities very quickly. A motor vehicle which is going

to be traded for scrap metal is very different to a necklace which has been pawned for cash that has to be held over for a week. We need to treat motor vehicles differently. Obviously the scrap metal market is variable. You might purchase metal today to recycle based on the price you can get today, but in seven days time that can be a very, very different position.

I also note that the VACC is concerned that Consumer Affairs Victoria is the regulator responsible for compliance and enforcement of the various acts. However, CAV does not enjoy a favourable reputation with the industry and other law enforcement agencies as a result of a lack of resolve, capability and energy to address unlicensed operators. Therefore I call on the relevant minister to ensure that the CAV is adequately funded and resourced to ensure that all the amendments put forward in this legislation, should they be passed, are effectively monitored and that this does not become just a piece of legislation that collects dust on the shelf but is in force to ensure that we stamp out all illegal and unlawful metal recyclers who are using the scrap metal business in order to launder money or are looking to undertake other illegal and underhand activities.

In summary, we support all of the amendments in relation to PSOs. However, we urge the government to take into account information from the VACC before the legislation goes to the upper house.

Debate adjourned on motion of Ms HENNESSY (Minister for Health).

Debate adjourned until later this day.

PARLIAMENTARY BUDGET OFFICER BILL 2016

Council's amendments

Message from Council relating to following amendments considered:

1. Clause 2, line 14, before "This" insert "(1)".
2. Clause 2, line 14, omit "This" and insert "Subject to subsection (2), this".
3. Clause 2, line 14, omit "1 July 2016." and insert "a day or days to be proclaimed."
4. Clause 2, after line 14 insert—
 "() If a provision of this Act does not come into operation before 1 July 2017, it comes into operation on that day."
5. Clause 19, page 19, line 4, omit "This section does" and insert "Subsections (1) and (2) do".

6. Clause 19, page 19, after line 10 insert—
- “() In making a request to any person (other than the parliamentary leader concerned) for information for the purposes of preparing a costing, a PBO officer must, as far as practicable, not disclose any information that is not in the public domain regarding—
- (a) the policy that is the subject of the costing; or
- (b) the identity of the parliamentary leader who requested the costing.
- () In making a request to any person (other than the member of Parliament concerned) for information for the purposes of preparing analysis, advice or a briefing that is to be provided under section 47, a PBO officer must, as far as practicable, not disclose any information that is not in the public domain regarding—
- (a) the matter that is the subject of the analysis, advice or briefing; or
- (b) the identity of the member of Parliament who requested the analysis, advice or briefing.”
7. Clause 36, line 8, omit “Tuesday” and insert “Wednesday”.
8. Clause 37, page 37, line 26, omit “provision.” and insert “provision; and”.
9. Clause 37, page 37, after line 26 insert—
- “(h) must include the following information if the costing was prepared using financial information or economic or other assumptions contained in a financial report or budget update that has been prepared, but not yet released, under Part 5 of the **Financial Management Act 1994**—
- (i) a statement to that effect; and
- (ii) a statement identifying the nature of that information or assumption.”
10. Clause 39, page 42, line 9, omit “provision.” and insert “provision; and”.
11. Clause 39, page 42, after line 9 insert—
- “(h) must include the following information if the pre-election report was prepared using financial information or economic or other assumptions contained in a financial report or budget update that has been prepared, but not yet released, under Part 5 of the **Financial Management Act 1994**—
- (i) a statement to that effect; and
- (ii) a statement identifying the nature of that information or assumption.”
12. Clause 41, page 45, line 14, omit “provision.” and insert “provision; and”.

13. Clause 41, page 45, after line 14 insert—
- “(g) must include the following information if the post-election report was prepared using financial information or economic or other assumptions contained in a financial report or budget update that has been prepared, but not yet released, under Part 5 of the **Financial Management Act 1994**—
- (i) a statement to that effect; and
- (ii) a statement identifying the nature of that information or assumption.”
14. Clause 45, page 50, line 26, omit “provision.” and insert “provision; and”.
15. Clause 45, page 50, after line 26 insert—
- “(h) must include the following information if the costing was prepared using financial information or economic or other assumptions contained in a financial report or budget update that has been prepared, but not yet released, under Part 5 of the **Financial Management Act 1994**—
- (i) a statement to that effect; and
- (ii) a statement identifying the nature of that information or assumption.”
16. Clause 63, line 21, omit “2017.” and insert “2018.”.

Mr PALLAS (Treasurer) — I move:

That the amendments be agreed to.

In so doing I commend the bill and the amendments such as they are to the house and wish them a speedy passage. The bill’s passage was of course originally delayed because of difficulties associated with the Special Minister of State’s participation in the Legislative Council, unfortunately for a period of six months. The amendments to clauses 2 and 63 simply adjust the commencement date for this bill so that it comes into effect from 1 July this year, largely as a consequence of those unfortunate but inevitable delays that the passage of the bill encountered. The government supports both these clauses as amended by the Legislative Council.

As for opposition amendments, the amendment to clause 19 has no effect on the operation of the bill at all. The confidentiality requirements which were already included in clauses 19 and 20 prohibit a Parliamentary Budget Office (PBO) officer from disclosing what is described as ‘protected information’, which is defined by clause 3 of the bill:

... information acquired by reason of, or in the course of, the performance of duties or exercise of powers under this Act;

Such protected information would naturally include information relating to a policy costing request, including the nature of the policy being costed and the identity of the person requesting that costing, but if it makes the opposition feel more comfortable, then the government is happy to offer them our support in terms of these adjustments. After all, it is important that the Parliamentary Budget Office has the confidence of all those who are participating in the service that it provides to them. From the government's point of view, this is a piece of legislation for which integrity will be critical to its take-up and its utilisation by the parties, and consequently if those requirements as to confidentiality provide further clarity, certainty and satisfaction for the opposition, so that we have the opportunity to describe this as a bill that has unanimous support in this Parliament, I would very much support and appreciate that occurring.

With regard to clause 36, this deals with the effect of the amendment proposed by the opposition and agreed to by the Legislative Council to extend by 24 hours — from 5.00 p.m. on the Tuesday immediately before an election to 5.00 p.m. on the Wednesday — the deadline after which a parliamentary leader may not submit an election policy costing request. The effect of this extension is to give the Parliamentary Budget Office one day less immediately before an election to prepare a costing and for that costing to be finalised in time for it to be released before the election if the parliamentary leader requesting it so desires. Really it is just a trade-off: the later the deadline, the higher the chance that the PBO is unable to prepare the costing in time for the election. These are choices that you get to make, and I suppose this opens up a wider range of choices as to how far opposition parties in particular would want to have their costings costed, but the time lines associated with the Parliamentary Budget Office's capacity to effectively cost I think will be the salient consideration in terms of lodgement.

The previous government's bill in 2013 had a deadline of 5.00 p.m. on the Tuesday immediately before the election — the same time originally proposed in this bill — but apparently there has now been a change of heart. We are happy to accommodate that change of heart, but there is no real reason why one of these dates is preferred over the other; it is really just a choice. Once again, given that the Parliamentary Budget Office is a vehicle, an instrument, that opposition officers in particular will see great value in, we are more than happy to accommodate the concerns raised by the opposition and the upper house.

With regard to clauses 37, 39, 41 and 45, these amendments cover a situation that actually could not

happen. They appear to be based on a misapprehension about the circumstances under which the Parliamentary Budget Office would prepare a costing based on unpublished financial statements. The original bill provides that the Parliamentary Budget Office can prepare a costing based on unpublished financial statements if those statements will be published before the policy costing is released. Effectively all costings released by the Parliamentary Budget Office will be based on the most up-to-date financial information available at the time. It seems therefore that this is a superfluous and probably unnecessary change, but rather than wait for an alteration or a change of heart from the opposition, if it provides greater comfort, we are, as always, a flexible and accommodating government.

I actually believe that this is a great policy initiative from this government. It is one that I hope provides a greater level of certainty and provides the opportunity for opposition parties in particular to be able to put forward good, well-researched policy into the public domain and have the confidence about what the implications of that policy will be in the circumstance that they form government. I believe this is a great advance in terms of the way that our parliamentary democracy operates. I think it will provide an opportunity for all concerned to have some confidence and satisfaction in the way that policies are costed, and certainly from the government's point of view, we wish the bill a speedy passage.

Mr M. O'BRIEN (Malvern) — While the opposition does not oppose the amendments which are currently before the house, given that they were ours, I have to say that these amendments do not go nearly far enough. There were a number of other amendments that were moved by the opposition parties in the Legislative Council that, had they been accepted by the government, might have given this bill the sort of bipartisan support that the Treasurer says the government was seeking. It is a matter of great shame I think that the government saw fit to oppose the full suite of amendments that the opposition had put forward, which would have made this Parliamentary Budget Officer Bill 2016 something which all parties and indeed Independents could have had confidence in. As it is there is a want of confidence in the proposed Parliamentary Budget Office (PBO) structure from the opposition.

I will mention a few reasons why that is the case. The loose language that has been used in the drafting of this bill certainly makes it open to interpretation, and I would go so far as to say not just interpretation but also misinterpretation. For example, clause 41 of the bill, referring to post-election reports, says:

The Parliamentary Budget Officer must, in accordance with the PBO protocols, prepare a post-election report on the policies of each parliamentary leader that were publicly announced before the date of the general election, whether or not those policies were the subject of an election policy costing request.

Our concern is what does a 'publicly announced' policy actually refer to? Does this mean the answer of a parliamentary leader in response to a question on talkback radio in the middle of an election campaign? Is this something that is a publicly announced policy?

Yes, it could be, or maybe no, it is not; we do not know. Nobody knows. This is exactly the sort of problem with the drafting of this bill, which we brought forward in good faith and put to the government and to the crossbenches in the other place, and they declined to clarify it. They voted against the amendment.

So we still do not know, when the Premier or the opposition leader goes onto a Jon Faine or Neil Mitchell or an FM radio breakfast program and gets a question from Wayne from St Albans, 'What are you going to do about X, Y and Z?', whether any response given amounts to a publicly announced policy, which is going to be costed by the PBO. Quite probably the answer is yes.

We are also very concerned that clause 55 of this bill limits — and we would say unduly limits — the ability of a member of Parliament to publish correspondence with the PBO. This provision relates to confidentiality requirements for preliminary documents. There may be from time to time a genuine dispute or a genuine disagreement between the PBO and an MP who is obtaining costings, and in those circumstances an MP should not have to rely on the PBO agreeing to the release of correspondence in order to publicly defend his or her position. Our position was that this clause should have been amended to provide that an MP can release correspondence with the Parliamentary Budget Office if the MP had previously notified the PBO of an intention to do so. But at the moment we effectively have the PBO having a veto power on the ability of a member of Parliament to release correspondence between that MP and the PBO.

Now, you can imagine in the heat of an election campaign, where costings are under — appropriately — close scrutiny. If the Parliamentary Budget Office has one view or expresses a view, and the MP concerned disagrees with it, why should the MP not be able to release the documents and say, 'This is all the information I have provided to the Parliamentary Budget Office. Here is why we can't understand why the PBO has come out with a different outcome. We think the PBO has got it

wrong'? Under this law the MP is gagged. Members of Parliament are gagged from defending their own position, from making their own case in the court of public opinion because the Parliamentary Budget Office is given a veto power over the ability of MPs to communicate with the public. That is not something that any member of this place, whether in government or opposition today — and we all know those positions change — should be willing to do. No member of this Parliament should be willing to give up their right to communicate with the public to a public servant who is given a right of veto. That is the effect of clause 55 of this bill. We opposed it. We sought to amend it in the other place. The government voted it down.

This Treasurer might think he is being very clever by putting forward a bill with a lot of tricks and traps that he thinks will benefit the government of the day. But we actually take a longer term view: that this is not good for parliamentary democracy. The shame of it all is that there is bipartisan support for the idea of a properly functioning, independent Parliamentary Budget Office. In fact it was the member for Box Hill who as Minister for Finance introduced legislation to deliver just that in the last Parliament, and it was the Labor Party, supported by the rogue Independent member for Frankston, who voted it down. So we could have had a PBO before the last state election, except for the fact that the then member for Tarneit, now the Treasurer, together with his mate the member for Frankston, chose to vote that legislation down.

So we will not be hearing any cant coming from members opposite about: 'Why isn't the opposition supporting this Labor legislation lock, stock and barrel? Doesn't the opposition support a PBO?'. Of course we do. We not only supported one; we introduced legislation to establish one in the last Parliament. But because the Labor Party at the time realised its own numbers did not stack up, it conspired with the then member for Frankston to vote against it and to kill it off.

I suppose when you look at what the government has done with its budget costings from before the election until now, you understand why the Labor Party was very nervous about having a fully functioning independent parliamentary budget office before the last election. This is the now Treasurer who told us in opposition, 'Oh, Melbourne Metro will only cost \$9 billion'. Now we are up to \$11.1 billion and counting. We were told the level crossings were going to be \$5 billion to \$6 billion; now they are \$7 billion plus. We have seen cost blowouts time and time again. Of course most famously this is the Labor Party who said, 'The east-west link contract isn't worth the paper

it's written on. It won't cost a dollar to rip it up'. Well that is \$1.3 billion and counting.

We know exactly why the Labor Party did not support parliamentary budget officer legislation in the last Parliament. But that does not mean that we are bound to support legislation which is unclear and is going to promote misunderstanding. When you cannot even define what a publicly announced policy is, how on earth is this supposed to work? When members of Parliament are being gagged from putting their own arguments into the public domain and not being able to release correspondence with the PBO, how can we have confidence in this process?

From my point of view it is a matter of great shame that with this legislation, which could have — could have — delivered something which could have attracted bipartisan support and could have actually been a respected institution, accepted by all sides and for all time, the government has chosen instead to try to play political games and party tricks in order to deliver something that it perceives to be to its benefit in the short term but at the consequence of not attracting bipartisan support for this legislation.

There are a number of other amendments that we moved in the other place. Those are on the record. I do not think I need to go through them again this afternoon. But while the opposition will not be opposing the amendments that have been moved today by the Treasurer, this does not mean that this bill has bipartisan support. For the reasons I have outlined, it does not, and that is a matter of great shame not just for the government but I think for this Parliament.

Motion agreed to.

BUSINESS OF THE HOUSE

Orders of the day

Ms HENNESSY (Minister for Health) — I move:

That the consideration of government business, order of the day, no. 3, be postponed until later this day.

Mr CLARK (Box Hill) — I think the minister owes the house an explanation as to why the government is not prepared to proceed to this item. We were led to believe that the government was going down the card, as it were — although to be fair there were some subsequent issues raised about that. Be that as it may, I think the community is entitled to know where the government stands on this legislation and why it is not prepared to bring it on. It has now been on the notice paper for a considerable period of time.

There are amendments that have been made by the Legislative Council at the instigation of the coalition parties which have improved the legislation. I think this was a piece of legislation about which the government made a great deal of mileage and put a lot into the public arena in relation to how important it was and how it was going to bring about improvements, yet this has now been languishing on the notice paper for a considerable period of time.

We have come to the final week of the autumn sittings, and without any explanation the government is simply skipping over this item. I do not think it is good enough, and we think the government owes this house an explanation and owes the community an explanation. Surely the government has now had plenty of time to make up its mind where it stands on this legislation, one way or another. If it is not prepared to and does not want to debate the legislation this afternoon, then it needs to inform the house and the community of why that is the case.

Motion agreed to.

JUSTICE LEGISLATION AMENDMENT (COURT SECURITY, JURIES AND OTHER MATTERS) BILL 2017

Second reading

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

Mr PESUTTO (Hawthorn) — I am pleased to rise today to speak on the Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017. The coalition parties will not be opposing this bill. For the most part it makes changes which we do not cavil at and which build on the Victorian Law Reform Commission's work on jury empanelment issues, which was commissioned during the last government. Indeed a range of changes which this government has made in this term relating to juries reform did stem from a number of steps that the previous government took in relation to juries. In particular it asked the law reform commission to undertake quite an amount of work in relation to reforming the law around jury selection, information going to juries and the role of juries generally. They are the most important features of this bill, although there are a number of other changes which I will come to in the course of my remarks.

In terms of the main changes which relate to court security and juries, let me start by addressing the issue of court security. I have to say at the outset that it was a matter of some disappointment to us on this side of the

house that on coming to government in its first budget in 2015–16 Labor virtually halted all new spending in relation to court security. You may recall, Deputy Speaker, that the government's only commitment in relation to court security was, from memory, an \$81 000 commitment for a desktop audit of court security. No steps were taken in the 2015–16 budget to make any kind of financial commitments to deal with the urgent issue of court security and safety. We know that throughout Victoria there are many consumers of court services who attend court and face the daily prospect, even as we speak, of potential harm. We know that in the past there have been some very tragic circumstances in the vicinity of our courts, including the loss of life on some very tragic occasions. Court security is a very urgent matter, and it remains urgent today.

Although the government spent only \$81 000 in 2015–16, it made some commitments last year for this current financial year, which is about to end, totalling a \$58 million commitment over the next four years. However, it is important to recognise that a lot of that money has not yet flowed to make our courts safer and that the bulk of it is yet to come. It is a matter which is perhaps self-evident that the very bill that is before this house is evidence itself that the government has been slow to deal with court security, because we are only now seeing a bill which deals with the prospect of Court Services Victoria approving a number of authorised officers around the state and equipping them, as this bill purports to do, with relevant powers they can exercise. I will come to those in a moment.

Here we are in the middle of the third year of this government's term, and we are only now seeing a bill dealing with court security officers who will be deployed throughout Victoria at various court precincts. When we acknowledge that this issue is urgent and that in some cases it can be the difference between life and death, and certainly safety, for the government to have waited effectively two and a half years before bringing in this bill is quite extraordinary.

We know that a lot of that recurrent spending which was allocated in the current financial year does relate to officers, so it is interesting to see where that money has actually gone in the system, given that we are only now seeing a number of the officers that the government foreshadowed at the time the 2016–17 budget was handed down in May 2016. Certainly the bill coming before the house now points to a government that has been very slow off the mark.

We know this because I have travelled around regional Victoria. I have spent a lot of time visiting regional courts and talking with court users and court officials

about safety in and amongst our court precincts in particular. I have worked closely with the member for Ripon, visiting courts in and throughout Ripon. We know that many of those courts are beautiful old buildings, but in terms of safety they rate very poorly. Even to this day there are a number of courts in that electorate where there is no screening technology and where it is potentially unsafe for women and children in particular to attend court hearings in matters like family violence matters. As I understand it, in some cases there are no court officers, or they are certainly not there all the time, so in the electorate of Ripon that remains a pressing challenge.

I have visited courts in other electorates as well. I note that I have attended the local court in Colac, in the electorate of the member for Polwarth. It also requires upgrades to safety. In addition to the bill taking a while to make its way to this Parliament, it is clear from visiting courts around the state that much more still needs to be done.

The laws themselves are matters, as I said, that we are not going to object to. The bill will equip court security officers with greater powers to issue directions, such as a direction to a person in the vicinity of a court to stop engaging in particular conduct. It might be a direction which relates to certain behaviour. It might be a person who is purporting to record proceedings in some way in a manner which is unauthorised, and the court security officers will be given those powers. They will also be given powers to exercise and exert reasonable physical force in giving effect to those sorts of powers.

It is interesting to note in evaluating this bill and considering its contents that the government seems to have seen sense in the recruitment of court security officers and equipping them with powers to issue directions that people stop doing certain things in the vicinity of courts. It is very interesting to compare the government's approach in this bill with what the government did when it repealed our move-on laws, because the same issues can arise.

In response to our move-on laws, the government said, 'What about if people are exercising their democratic rights?'. We argued, and continue to maintain, that the powers the move-on laws conferred on Victoria Police were only exercisable in circumstances where it was, one, reasonable to do so, and two, where the persons who were the subject of the move-on directions were engaging in what I will call potentially threatening or physically harmful behaviour. It was never intended that those move-on laws would enable Victoria Police or anyone else to interfere with the lawful and legitimate exercise of one's democratic rights. It is just

interesting, because in this bill it is readily conceivable that somebody, either in a court or in the vicinity of the court, may purport to exercise the same democratic right. The government is quite comfortable — and we are comfortable — that a court security officer will, by virtue of the powers which this bill confers on them, be able to exercise directions and go beyond the powers that were conferred on them by the move-on laws introduced and enacted by the previous government.

Under the move-on laws police had more restrained powers to issue directions and to act on those directions than, it must be said, court security officers under this bill. Court security officers, who will be for the most part employees or officers of private organisations engaged by Court Services Victoria, will in respect of their tasks have more power than Victoria Police did. I say this because it illustrates the blatant hypocrisy of this government in seeing the sense, as we do, in conferring on court security officers these powers to issue directions and to enforce them, and to actually use physical force in a reasonable circumstance to fulfil the direction.

Under the move-one laws Victoria Police did not have the power to exercise reasonable force. They could arrest and they could charge, but those powers were more restrained. The government sees the sense in doing that in relation to court security officers, yet because it is beholden essentially to the union movement it took a different position, one it cannot reconcile in relation to move-on laws. It is something worth considering, because it is such a lament that the move-on laws were repealed. To this day we continue to see the message that the removal of those move-on laws sent and the consequences of that irresponsible decision to repeal those laws.

In relation to court security officers, we do think it is important they have the powers which this bill proposes. We know that women and children in particular, but all court users, need to be able to attend courthouses and engage in proceedings as parties or witnesses without unduly feeling threatened by the presence of another person or party who might pose a threat to that person or give them cause to be apprehensive about their own safety. We support these changes. We think they are wholly appropriate and, as I said, our biggest regret is that the government has taken so long and committed so little two and half years into its term.

In relation to juries reforms, these in particular stem from the Victorian Law Reform Commission's *Jury Empanelment* report, which was handed to the previous coalition government in September 2014, with the honourable member for Box Hill welcoming that report

at the time. The terms of reference of that report looked at a number of things, in particular whether the automatic use of names in jury selection could give rise to discriminatory outcomes and whether peremptory challenges and stand asides were an appropriate feature of a system that should be retained.

This bill, as we all know, is proposing that the system be changed so that we move increasingly to the selection of jury members by number only. That is consistent with provisions in other jurisdictions. We know there has been a problem. In criminal trials in particular we know that the representation of women is less than one would expect, given that they constitute 51 per cent of the population. According to the law reform commission, the rate of challenges to women at criminal trial empanelments at the time of its report in 2014 was double that of challenges to men. Clearly the fact that women are underrepresented in criminal trial juries and that the rate of objection is twice that for men says that something is wrong and should be addressed.

The proposal in this bill that the number of peremptory challenges in criminal trials be reduced from six to three and to two for each co-accused in a multi-accused trial is something we do not object to. We support the reduction in peremptory challenges in relation to civil trials as well. We know that stereotyping in jury selection does exist. The law reform commission's report did note that. In relation to the factors influencing the use of peremptory challenges in criminal trials, it referred to young women, counsellors, social workers and nurses being considered by many defence counsel in particular to be more sympathetic to victims in sexual offence cases; white-collar professionals being less sympathetic to accused persons in assault or affray cases than tradespeople; and professionals with relevant expertise tending to disregard expert evidence in certain cases. The commission cited the examples of an accountant in a complex fraud case or a doctor in a case where medical evidence is at issue. It made similar observations about civil trials as well.

It is interesting to note the commission's data, in relation to perceived biases for peremptory challenges, that over half relate to occupation and around 20 per cent relate to gender. So while gender is not the most significant factor, it still is very high and that does suggest that there should be some change to better effect a fairer representation on criminal juries.

Against this, it must be noted that there is a principle of impartiality which we cannot discount. In supporting this bill, we are not suggesting and do not wish to be seen to be accepting that impartiality is not an important factor. The accused, in our view — and, for that matter, the

prosecution — should have a means by which any objectively reasonable bias can be identified and, where possible, have those influences removed from that process of selection. It is just interesting to note that there are some existing safeguards in relation to that, a whole range of processes which allow for biases to be removed.

The commission did note this. Just running through them for the record: random selection of prospective jurors from the electoral roll and during the jury empanelment process; the excuse process, which allows prospective jurors who may not be impartial to apply to be excused from particular trials, with the example being cited of a prospective juror knowing one of the parties or having been involved in an incident similar to the one at trial; challenges for cause and challenges to the array; the common-law discretion of judges to exclude a prospective juror; Crown stand asides; the fact that a jury involves group decision-making, not individual decision-making; the fact that jurors swear an oath or make an affirmation that they will faithfully and impartially try the issues and give a true verdict according to the evidence; and the direction given by the judge to the jury that they must only take into account the evidence presented at trial and must disregard any preconceptions they may have. So the jury charge is obviously an important part of that process.

In these changes being made we are confident there are existing safeguards that will be retained which ought to assure in particular the criminal bar that accused persons will still have the protections that the system retains. We think that is important in terms of removing the discriminatory impacts of current selection processes. As I said, this brings Victoria more into line with other jurisdictions. The court will still retain discretion, and we think that that is wholly appropriate. It is not inconsistent with the aims of this bill.

The other changes which the bill makes I will just touch on briefly, but we do not have any objections to those. In relation to the jurisdiction of VCAT to hear Land Acquisition and Compensation Act cases, we think that is appropriate. It does not take away any rights but allows for more cases to be determined in a low-cost jurisdiction, and that to us makes perfect sense. We do not see that as something worth spending too much time on objecting to, so I will not deal with it any further.

The Appeal Costs Act amendments do involve section 85 issues under the Constitution Act but we nevertheless have no objections to those. To the extent that the government says that these changes will make it easier for appellants to request direct payments, we think that that is wholly appropriate. We know how difficult and expensive litigation is these days, so

anything that can assist a successful party in trying to recover costs more easily can only be a good thing, given the financial distress that many litigants face in managing litigation when they are caught up in it.

On statutory fees reimbursement, in terms of further amendments to the VCAT act which would, according to the government, allow for local councils to recover fees in relation to enforcing planning laws, we are quite happy to see those go through. If persons, corporate or otherwise, are going to breach planning laws and demolish particular buildings — for example, of heritage value — or just ignore those changes, we are quite happy to see those go through, and we think that local councils being able to recover their costs would be a beneficial change.

There are further changes in relation to barristers clerks being approved by the Legal Services Board to receive trust moneys. We do not have any objections to those. The other changes largely clarify other acts and instruments which we do not have any objection to.

On the two main issues, just to recap, the government does need to come to grips with the fact that court security remains an urgent problem. Although this bill is here and it is going to pass, hopefully, with no objection and no opposition from us, the government needs to get cracking on this because there are many courthouses around the state which are without the security upgrades that are urgently needed. The government can talk a big game but there are people as we speak who are consumers of court services and do not have those protections. The jury changes, as I said, we think are appropriate and we are happy to see those proceed. On that basis, I conclude my remarks.

Ms KILKENNY (Carrum) — I am very pleased to rise to contribute to the debate on the Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017. As we will see with this bill, we will be building on this government's commitment to making sure that all Victorians have access to safe and secure courts. The bill will support a new court security model, with amendments to the Court Security Act 1980 and associated acts, which will see entry screening at many courts across metropolitan and regional Victoria where it is currently not available, as well as additional court security officers.

This bill, as we have heard, will also make a range of other amendments to improve the operation of our justice system, including amendments to the Juries Act 2000, which I will speak on in a bit more detail later, as well as improving the way trust moneys are handled, and improving the operation of the Appeal Costs Act

1998. I would like to deal with just two aspects of this bill. The first concerns the court security measures, and second concerns amendments to the Juries Act.

On the issue of court security, we know that people who attend court are often vulnerable, they may be angry and they can be distressed. We know from the Royal Commission into Family Violence that some perpetrators of family violence actually use their attendance at court to further intimidate or harass their victims. We learned through the royal commission that family violence victims are often reluctant to seek redress through the court system if the courts are not safe places for them.

Of course, this does not apply just to family violence matters but more broadly to other crimes and other victims as well. The administration of justice and public confidence in our judicial system depends very much on our courts being safe places, by having proper security arrangements to deal with and respond to incidents, and to keep people who are attending court safe from harm.

I am very pleased to say that the Andrews government is responding to this. We committed more than \$58 million in the 2016–17 state budget to deliver a new court security model, as well as upgrades to the courts across Victoria. As we have seen over the last couple of months, work has already started in many of those courts to install waiting rooms, private interview rooms and security counters to make courts safer for court users as well as for court staff.

The bill makes specific amendments to the Court Security Act 1980 to make court security officers authorised officers under the act. This is important because it will give those officers stronger powers to keep people safe, particularly vulnerable witnesses and victims of crime. This will include powers to undertake searches, enforce an officer's direction, prevent a person from entering court, remove a person from court, seize prohibited items and ensure the safety of any person who is escorted to or from court. Importantly, their powers will be clarified. Thus an officer can direct a person to cease harassing or intimidating another court user, and an officer can use reasonable force if needed to enforce those directions.

In essence this bill ensures that court security officers have the powers they need to keep court users safe as well as the clear authority to administer and exercise those powers in the exercise of their duty. These amendments will support the implementation of a new court security model — a model that is going to see an

increased number of more highly trained and equipped security officers in Victoria's courts and tribunals.

The other matter I wish to speak briefly about is the Juries Act 2000, and it concerns changes to the way juries are empanelled. We know from a lot of the work that we have been doing in jury reform that jury trials are in fact the centrepiece of our criminal trials and the criminal justice system. We have already made significant reforms in respect of juries, in particular in respect of jury directions. This bill now picks up some of the key recommendations made by the Victorian Law Reform Commission in its 2014 report entitled *Jury Empanelment*.

For most people jury duty begins when they receive a letter advising them that they must attend court on a particular day. They attend court and are directed to the jury pool room where they arrive with many other members of the public who have received similar letters. They become part of the jury pool, and of that pool 30 are selected. That 30 are then whittled down to 12 in a criminal trial or six in a civil trial. During the process the accused person has the capability to challenge up to six jurors. When an accused person challenges one of those jurors that person is excluded from the jury. This is known as a peremptory challenge, and an accused person is not required to provide any reason whatsoever for making such a challenge. Often this challenge is used to select a jury that the accused person thinks will be more receptive to their case.

Importantly, the Victorian Law Reform Commission identified significant issues and problems with the way these challenges are exercised. They identified issues of potential discrimination on irrelevant grounds and of course the reduced representativeness of juries. Under our laws here in Victoria juries are supposed to represent the community. That is why the process is random and people are selected at random to attend to participate in the jury pool. The commission concluded that the use of the peremptory challenge to exclude jurors actually undermines this goal. In its report of 2014 the commission recommended a reduction in the number of those challenges an accused may make from six to three in criminal trials and from three to two in civil trials. I am pleased to say that this bill adopts that recommendation.

We know that challenges to jurors were adopted very early on as part of the jury selection process, and initially the number of challenges allowed was 35. There was good reason for this. Back then smaller communities meant there was a smaller pool from which to select jurors, which gave rise to potential conflicts of interest and greater challenges with

impartiality. But obviously as communities have grown and the jury pool has become wider the number of challenges needed to maintain that impartiality has reduced. We have seen cases where the defence strategy has been to use all of its challenges to challenge women from the panel for the jury, and the end result in some cases that I have been aware of has been a jury of 12 made up of three women and nine men. This significantly skews the gender composition of the jury.

The notion of impartiality together with trial by one's peers is obviously fundamental to our jury system. Today, in modern-day jury trials we see that the notion of representativeness of the community is and should be the guiding principle. The role of juries in representing the community in the legal system encourages the community to take ownership of that system and comply with its laws. In this regard it is about community and civic participation.

As we have seen, the commission concluded that the peremptory challenge interferes with the random nature of the selection of jurors and undermines the impartiality and guiding principle that defines that jury process. It is important to recognise the negative impacts of these challenges. They have the capacity to facilitate discriminatory stereotype-based judgements, and they undermine the essential elements of an impartial jury. It is now time to redress that balance, and the amendments proposed to the Juries Act to reduce the number of challenges does just that. I commend the bill to the house.

The ACTING SPEAKER (Mr Pearson) — Order! It is a big welcome back to the member for Gippsland South.

Mr D. O'BRIEN (Gippsland South) — Thank you very much, Acting Speaker. I have never been so popular in this place and never will be again, I suspect, after today.

Honourable members interjecting.

Mr D. O'BRIEN — That is just talking about my own side, let alone those opposite.

Mr McGuire interjected.

Mr D. O'BRIEN — Thank you. I think what the member for Broadmeadows is alluding to is when members stand in their place at some distant time in the future I hope it will be to honour my service in this place. Thank you all for your support. As I said earlier, it has been pleasing in the wake of my heart attack, for those who are reading *Hansard* and do not know what

we are talking about, to have received support from right across the chamber and indeed across the Parliament. That has been good.

I am pleased to be here to start with, but I am also pleased to be here to speak on the Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017. A previous speaker, the member for Hawthorn, outlined our position and outlined the key aspects of this bill, which is largely an uncontroversial one. As the member for Carrum has just pointed out, the issues surrounding jury members are among the main provisions of the bill. In particular it attempts to ensure that we have as equal as possible representation or a cross-section of the community when juries are selected.

Whenever I have legislation that relates to juries, not being a legal person myself and not having had any direct experience, thankfully, of the legal system, I think of that wonderful movie from 1957 called *Twelve Angry Men*. I appreciate of course that the US system is very different to ours, but there is one quote from that movie that I think is important. Juror number 12 says:

Oh, come on. Nobody can know a thing like that. This isn't an exact science.

Indeed the law, jury trials and jury selection are not an exact science. That is something that is always true with respect to trials and is always true when we are asking men and women, the common citizens, to act and stand in judgement on their fellow citizens particularly in a criminal trial.

This legislation does attempt to ensure that we have a better cross-section of the community. Indeed it is no longer *Twelve Angry Men*. As should be the case, we should not just have 12 good men and true, as the Americans would have said, standing in judgement on their fellow citizens. We should in fact try to have a representative cross-section of the community. This bill will attempt to improve the current arrangement and make sure that we do have men and women and people of all different types in particular by ensuring that potential jurors at the jury selection stage are called out by their identifying number rather than by name. That change stems from a Victorian Law Reform Commission report that was tabled under the previous government in September 2014. The bill also decreases pre-emptory challenges from three to two potential jurors in civil matters, from six to three in criminal trials, and from five to two where two or more people are arraigned in criminal trials. So it does attempt to make it more equitable.

The legislation has a number of other aspects to it as well. It amends the Legal Profession Uniform Law

Application Act 2014 to allow barristers' clerks to deal with trust moneys. It updates the Land Acquisition and Compensation Act 1986 to amend a number of tribunal-related provisions. Those again are largely uncontroversial changes.

In respect of the legislation itself I refer to the main provisions that reflect those key purposes of the bill. Part 3 aims to make it easier for parties who are successful on appeal to obtain compensation arising out of judicial error. Clause 34 provides for the compulsory acquisition of interest in land and the determination of compensation. VCAT will be able to determine disputes up to \$400 000 when presently it is only up to \$50 000. This is intended to reflect the change in value since that threshold was inserted in the original act in 1986. As I said, this is uncontroversial, and the opposition is not opposing the legislation. But it is part of a slew of legislation we have had in recent times from this government as it frankly desperately tries to clean up the mess that is our criminal system and our law and order system.

While this measure is not directly related to the rising crime rate, it is something that is of concern to many in the community. I must say that from the figures released only last week by Crime Statistics Agency Victoria, in my own electorate there has been an alarming growth in the crime rate. In the Shire of Wellington, since the election of the Andrews government, crime has risen by 18.47 per cent. In the Shire of South Gippsland it has risen by an incredible 41 per cent. That is of significant concern. It is not surprising that it is on the front pages of the local papers this week. It is interesting that often people will say, including those opposite, that it is the coalition parties — the Liberals and Nationals — that will beat up crime as an issue. They say that we try to be all hairy chested, that we talk tough on crime and that we are just beating it up for political purposes. I was interested to read on the weekend the editorial from the *Age* of Saturday, 17 June. Now the *Age* is not known to be particularly friendly to us, and neither is it known to be hairy chested when it comes to issues of crime. But the *Age* editorial stated, and I quote:

There has been a clarion call to action for the Andrews government to deal with Victoria's crime issues and this week's disturbing crime statistics only turned up the volume.

The numbers show that Victoria is in the grip of a very real crime wave, and the fears of the public are not just the creation of a shrill state opposition —

there it is —

scaremongering for political gain. The facts are chilling and compelling.

I must say I was quite surprised to read that in Saturday's *Age*, but there it is. That is a reflection of one of the two newspapers in this state on the crime stats that came out last week, and it is indeed the coalition that has been leading on this. We announced on Friday that we will be introducing legislation to enact a new offence of ramming a police car. That was not too soon an announcement from my perspective because sadly on Saturday morning we had a situation where two police cars in Sale, in my own electorate, were rammed by an allegedly stolen car carrying three teenage girls and one teenage boy. All of these four were 15 or 16 years of age and they rammed two police cars as they attempted to evade them. Thankfully they were later caught and obviously will face the consequences of their actions. But if our proposed new legislation had been made law, they would obviously be facing those charges with respect to ramming a police car. Great credit to a member in the other place for Eastern Victoria Region, Edward O'Donohue, for the work he has done as shadow minister in particular and for introducing that bill as well this week.

Overall the crime wave is of great concern in my community. I appreciate that in my community, although the statistics are quite compelling and the increase has been large, it is the increase in the number of violent crimes in Melbourne that is concerning. The number of carjackings and home invasions and the unprecedented level of attacks on jewellery stores has really got people genuinely concerned, and that is reflected in the *Age* editorial that I referred to earlier. As I said, that is not a newspaper that is prone to alarmism or to backing our side of politics when it comes to crime or our policies, and it is certainly a concern. Nonetheless this legislation is largely uncontroversial and the opposition is not opposing it.

Mr CARROLL (Niddrie) — It is my pleasure to rise to speak on the Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017. Without doubt the government is fully committed to ensuring that all Victorians, whether in metropolitan or regional locations, have access to modern, safe and secure courts. As was evident in the Royal Commission into Family Violence report, if courts are not safe, victims of family violence will not be willing to seek redress through the justice system.

The proper and efficient administration of justice depends on courts having effective security arrangements in place so that security incidents can be responded to effectively and disruptions to proceedings can be minimised. There are significant challenges to ensuring that our courts are safe. People attending court can be distressed, angry or vulnerable. We know that

some perpetrators of family violence use their court attendance as an opportunity for further intimidation or threatening of victims.

This legislation does a whole range of things, including reform of court security, direction powers for safety and good order as well as direction powers in relation to other matters, jury reform, which I know the Attorney-General is very keen on, and statutory fee reimbursements. The Attorney-General has made reforms to the VCAT forum — while it is not a court, it is a creature of statute — where some of the most vulnerable Victorians end up, and he is to be commended for those reforms in relation to fees.

This bill does support the government's deployment of approximately 70 new court security officers (CSOs) on sitting days at Victorian courts where there is currently no formal security presence in place, in addition to the approximately 90 CSOs currently deployed in our courts. The government's 2016–17 budget allocated \$58.1 million to strengthen court security arrangements, including the deployment of these new CSOs. Court Services Victoria is currently finalising the procurement process for a security contractor to roll out the expanded CSO services across Victoria in the second half of this year. Importantly, this bill will clarify and strengthen the powers of these CSOs, who are appointed as authorised officers under the Court Security Act 1980, at the same time as their numbers are increased and their responsibilities expanded.

CSOs provide entry screening, roving patrols and courtroom security to ensure Victorians are safe when they attend court. The reforms in this bill will ensure that CSOs have the power they need to keep court users safe. In particular the reforms in this bill will provide a general power to make directions for the security, good order and management of courts, including making directions to ensure the safety of a person or authorised officer when escorting a person to or from court premises; provide a power to make directions to respond to unauthorised recordings, transmissions and publications; and clarify that reasonable force may be used by authorised officers in the exercise of their powers — for example, to keep perpetrators of family violence away from victims during court proceedings. The deployment of these new CSOs also means that police will, when it is considered appropriate, be able to redeploy officers currently providing court security to frontline duties in their communities, which goes to the heart of some of the reforms that we have put in our *Community Safety Statement 2017*, along with the more than \$2 billion invested in Victoria Police to ensure our community is safe.

Importantly, the reforms in this bill will seek to implement the key recommendations from the 2014 report on jury empanelment by the Victorian Law Reform Commission (VLRC). The reference on jury empanelment was made by the former government in 2013, and the work by the Department of Justice and Regulation in bringing this legislation forward on the back of the incredible work of the VLRC is to be commended. Consistent with the VLRC's recommendations, the bill introduces important reforms in relation to reducing the number of peremptory challenges to potential jurors available to parties in criminal or civil trials in order to minimise the opportunity to skew the representatives of the jury. It creates a presumption that jurors will be identified by number rather than name to ensure consistency across the court system and further protect the representativeness of the jury.

A peremptory challenge is a challenge made by a party to exclude a prospective juror from the jury where there is no requirement to provide a reason for making the challenge. In criminal proceedings the defence currently has six peremptory challenges available. A smaller number of peremptory challenges are available to the defence per person where there are multiple persons arraigned. In civil proceedings parties currently have three peremptory challenges. Only the juror's name or number and occupation are called out in open court. The VLRC review found that, while peremptory challenges provide an effective means of removing potentially hostile or incompetent jurors, common stereotypes often informed the use of these challenges and these challenges have the capacity to distort the composition of juries. In particular it should be noted that the VLRC report found that female potential jurors were being peremptorily challenged at double the rate of male potential jurors in criminal proceedings. This bill will ensure that we help address this apparent gender discrimination by reducing but not abolishing peremptory challenges.

The bill does amend the Juries Act 2000 to provide that in criminal proceedings each defendant is allowed to challenge peremptorily three potential jurors if one person is arraigned in the trial or two potential jurors if two or more persons are arraigned. The Crown's right to stand aside will also be reduced in an equivalent manner. In civil trials the bill provides that each person is allowed to challenge peremptorily two potential jurors. These reforms effectively balance the rights of parties in legal proceedings with the need to ensure our jurors properly represent the community.

The bill is wideranging. There are also other amendments about which I will not go into detail in

relation to amending the Legal Profession Uniform Law Application Act 2014 to empower the Victorian Legal Services Board to approve a barrister's clerk to receive trust money, to suspend or revoke its approval on specified grounds and to appoint a trust account supervisor to an approved clerk in certain circumstances. It also improves the operation of the appeal costs scheme, which partially compensates litigating parties who have suffered a loss by judicial error or other special circumstances.

The bill will also improve the Appeal Costs Board and bring the Appeal Costs Act 1998 up to date with recent legislative reforms; update the jurisdictional threshold in the Land Acquisition and Compensation Act 1986; extend the VCAT fee reimbursement presumption to planning enforcement proceedings; and amend certain time frames and service provisions in statute. The bill will make technical amendments to the Forests Act 1958, the Wildlife Act 1975 and the Fisheries Act 1995, and it will clarify provisions that currently prevent the Traditional Owner Settlement Amendment Act 2016 from operating as intended.

As I said at the outset, it is a wideranging bill that is relatively uncontroversial in the sense that it makes a lot of technical amendments, but it does go a long way to ensuring we have an effectively operating court system. The Neighbourhood Justice Centre only recently celebrated its 10-year anniversary, and for every taxpayer dollar invested at the Drug Court in Dandenong \$5 is returned. A big part of the Premier's ice action task force has been the expansion of the Drug Court. It has now been expanded to Melbourne. The former Law Reform Committee recommended its expansion. The former government did not take that up, but this state government has.

When you have a look at the expansion of the Court Integrated Services Program or the upgrades of regional courts right across this state — and I have had the honour on behalf of the Attorney-General to go and visit many regional courts and see the great work they are doing — I think it is important to note that it has been Labor, through Attorney-General Pakula and before him the former member in my seat, Rob Hulls, who have made sure that we have been proactive about our legal system and the efficient running of our courts and that our jurors have all the support they need.

As the report done through the work of Marcia Neave has shown, we also have a lot to do in the area of family violence with our courts, including making sure that perpetrators and victims are separated, that the use of audiovisual equipment is efficient and that our courts reflect the 21st century. I should also congratulate the

outgoing Chief Justice Marilyn Warren on her recent announcement that she will be standing down, as is her prerogative. She has done a lot of good work in terms of making sure that our courts do reflect community expectations in the 21st century. I had the honour on behalf of the Attorney-General of working with the chief justice at the recent Australian and New Zealand judges conference, where we talked about what courts of the 21st century will be like.

As we all move to the digital age it is incumbent on our courts to make sure they move with the digital age too, so this legislation is very important. It updates a raft of acts pertinent to the efficient running of the judicial system. It also ensures that our commitments to family violence are reflected in our courts, where both victims and perpetrators end up more often than not.

I want to commend the Attorney-General. I also want to commend the Department of Justice and Regulation but also the Victorian Law Reform Commission, which under the previous government commissioned the report. Here we are again doing a lot of work started by the previous government that they never got around to finishing. We are implementing it. I also want to say that this legislation is very important. Court security, juries and other matters in relation to our court system are very important. I commend the bill to the house.

Mr GIDLEY (Mount Waverley) — I arise to make a contribution this afternoon to the Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017. As the debate has been wideranging, as indicated by the member for Niddrie, on everything from police deployment, public safety, court security and other things, I will certainly be covering that suite of areas.

I note that this particular bill contains in clauses 7 to 12 a number of changes to the empanelment of potential jury members, who will now be called out and identified by a number rather than their name. It really stems from a Victorian Law Reform Commission report that was undertaken by the previous government and tabled in the Parliament on 3 September 2014. Whilst the opposition is not opposing this bill it does raise a question of, given the report was tabled in the Parliament on 3 September 2014, and these changes seem to be sensible changes, why has it taken until 2017 for the government to get off its hands and take action to implement the recommendations from that report?

We are coming up to three years, and I would have thought, given that a number of the changes that were recommended in that report seem like sensible changes, and given the deepening and worsening crisis of

confidence in our public safety and justice systems in this state, it should not have taken that long to put forward this bill on those particular areas.

Notwithstanding that, better late than never. Like in so many things on public safety under this government, better late than never — and I note that particular aspect of the bill.

As the Shadow Attorney-General, the member for Hawthorn, has eloquently outlined, whilst there has in recent times been some improvements in the spending on court-related security, I note that in the 2015–16 state budget spending on new court security was effectively halted. Again, whilst we welcome the change of mind, whilst we welcome some recent announcements on increasing court security funding, the question needs to be asked: why did that happen? Why did the government undertake to halt new spending on court-related security in the 2015–16 budget?

At best the government is playing catch-up. But my great concern is that at worst that decision in the early part of this government has compromised public safety, and has put the safety of the public at risk in relation to our courts, and that is something that concerns me greatly. There seems to be almost a pattern of behaviour in relation to the slow response of the government to matters of public safety. I have outlined in the house previously my concerns why it took the Attorney-General so long to respond to the Court of Appeal's decisions on baseline sentencing, on which clearly the public had an expectation of tougher sentencing. Yet the government again sat on its hands, and it is only recently that we have had legislation to address that.

Whether or not it is the slow response to the Court of Appeal on baseline sentencing, whether or not it is the slow response to implement recommendations from the Victorian Law Reform Commission, it seems that the government either does not have public safety as a priority or just sits on its hands. Or maybe it does not know what to do. Either way the public is the loser, and the public in my view expects more and certainly deserves more.

On those particular matters there has been some debate in the house in relation to custody officers and other changes which will have an impact on the deployment of Victoria Police. Again, as I have said in this house, I remain gravely concerned in relation to this government's commitment to police deployment and policing numbers. The chief commissioner at the Public Accounts and Estimates Committee (PAEC) clearly put on the record that in 2015–16 there was a cut under this government of frontline police officers per head of

population. That goes without saying; it is very, very clear in the transcripts. We know there are 33 less Protective Service Officers (PSOs) on the beat since December last year. You put that together: the chief commissioner outlining to PAEC clearly a cut in police numbers, the record showing there are 33 less PSOs. We know that at train stations there has been a number of cuts in relation to that. It concerns me greatly that, whether or not this government is very slow to act on sentencing or cutting police numbers, the public is being put at risk.

Is it any wonder that crime is up 20 per cent? That is a horrible statistic because there are victims of crime behind it. When there are victims of crime behind those figures, it means that their lives have been in many cases touched irreversibly. It means their family and loved ones have been touched irreversibly. It is a figure I look at and I cannot understand why the government would seek to undertake the cuts that they have to Victoria Police.

In my area on public safety and on police deployment matters that have been touched on in this house, I am also highly concerned by the plan to close not one, not two, not three, but four police stations in Monash put out by senior Labor Party figures. That is the shutdown of Glen Waverley, the shutdown of Mount Waverley, the shutdown of Oakleigh and the shutdown of Clayton. I just ask the question: why would the government want to and be undertaking a program of shutting four police stations in one police service area as a consequence of the calls by senior members of the Labor Party? I also note for the record that it has been raised with me again by serving officers of Victoria Police this very week — yesterday, in fact — why the Burwood police station is still closed and why there is graffiti on the Burwood police station.

If that does not send a signal to the community that we are in a state of lawlessness with the crime figures up 20 per cent, the police station closed, the police station has graffiti on it at times, I do not know what does. Whether or not it is in relation to the slow response of the Victorian Law Reform Commission to bring about changes to jury selection, whether or not it is in relation to the slow response of introducing legislation to respond to the Court of Appeal on baseline setting, whether or not it is in relation to the plan to shut four police stations in Monash and to keep Burwood closed, whether or not it is a view by senior members of the Labor Party to not support the plan to open, refurbish and reopen Murrumbeena — all of those things very clearly indicate that regardless of the views expressed by the government in this house, their actions speak louder than words.

The actions I have outlined clearly show that the government does not acknowledge the serious public safety issue we have in Victoria let alone have an understanding as to how to respond to it. Whether it is those matters or the time taken to revise bail laws to bring into this place measures to improve our bail system, the Liberal-Nationals have been calling for many, many months for those changes to be made. Unfortunately the government has again not gone far enough on those matters.

It has taken the government far too long to bring in stage 1 legislation in relation to bail, and it is still refusing to reverse its removal of breach of bail as an offence for juveniles. Again that sends the wrong message to our community. It does a disservice to the victims of crime; it does a disservice to their families and their loved ones who are touched by the terrible atrocities of serious crime from which many will never recover or be able to eliminate them from their memories over their lifetime. Therefore it is incumbent upon us to talk frankly about these matters, to be open and to call out policies that are exacerbating the crime wave that is hitting Victoria — the policy of taking away an offence of breach of bail for juveniles, the policy of cutting Victoria Police numbers as confirmed by the chief commissioner, the policy of cutting 33 PSOs, the policy of taking too long to come back to this house and to the Parliament generally on bail laws and the policy of taking too long to respond to the Court of Appeal on baseline sentencing.

There are people who are genuinely worse off as a result of this government's refusal to meet its obligations to the state of Victoria — to the residents of our state, to taxpayers — to put in place laws that give them greater protection and lessen the risk of crime. That is one of the key areas of government responsibility, which this government is certainly failing on. Whilst we are not opposing this bill — there are certain measures in here which, as I said, will provide some improvement — they have just taken too long. It is my view, on behalf of the residents of Mount Waverley District, that much more needs to be done. This government needs to recognise that we have a law and order crisis in our state. It needs to respond to that crisis, and it needs to listen to the Liberal-Nationals, who have put forward a comprehensive plan to make Victoria safe again.

Mr McGuire (Broadmeadows) — The Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017 will make a range of amendments to improve the operation of the justice system, as well as other minor amendments beyond the justice portfolio. The non-justice amendments concern

consequential amendments to natural resources legislation and statute law revisions, but the main proposition here is the bill will support a new court security model by amending the Court Security Act 1980 and associated acts to provide clearer and enhanced security powers to court security officers, known as authorised officers. Under the new court security model, entry screening for Victorian courts and tribunals will be upgraded, along with the rollout of increased numbers of better trained and equipped court security officers.

Those who have a memory of law and order in Victoria will remember that someone was actually shot in the precincts of the Melbourne Magistrates Court some years ago, so this is about how we actually upgrade security. The bill will make a range of other amendments to improve the operation of the justice system. These include amending the Juries Act 2000 to reduce potential discrimination and improve the jury empanelment process; improving the operation of the Appeal Costs Act 1998; improving the handling of trust moneys by providing the Victorian Legal Services Board with greater powers to safeguard clients' trust moneys — an important improvement there; and making jurisdictional amendments to the Land Acquisition and Compensation Act 1986 to reflect the increase in property values since the enactment of that principal act.

The bill also amends other court and tribunal-related provisions to harmonise leave to appeal provisions in court statutes with those under the new civil appeals regime, established in 2014; to change certain time frames to accommodate Australia Post's revised letter delivery time frames; to extend the statutory fee reimbursement presumption in the Victorian Civil and Administrative Tribunal Act 1998 to cover planning enforcement proceedings; repeal the unnecessary procedural requirement in the Magistrates' Court Act 1989 for the return of execution copies of all warrants and instead empower the Magistrates Court and the Children's Court to make tailored rules on the return of warrants; add judicial registrars to the list of people who can undertake certain case transfer functions under the Courts (Case Transfer) Act 1991; to add the President of the Children's Court and the State Coroner to the board of the Judicial College of Victoria, joining the other heads of jurisdictions as board members; and to clarify the Chief Magistrate's leave entitlements under the Judicial Entitlements Act 2015.

So there are a whole range of big-picture, systemic issues that are being addressed and then some, housekeeping issues that are being fixed at the same time. The bill will also make consequential

amendments to natural resources legislation to ensure recent traditional owner amendments operate as intended, and various statute law revisions.

Different parts of the bill will come into operation on different dates. I will not go into the detail of that, but the substantive proposition is that one of the key things in the policy context is there is a new court security model, which was funded through the 2016–17 budget. This funding to Court Services Victoria of more than \$58 million over four years for a new court security model and asset upgrades to court facilities is a vast improvement and will create a safer and more secure environment for court users and registry staff.

The new court security model will provide the following minimum security standards for all Victorian courts and tribunals, when in session: entry screening to detect and remove prohibited and offensive items, including weapons; and an increased and more highly trained and equipped — carrying handcuffs and batons — private court security officer presence, including roving patrols, that will enable police in regional Victoria to focus their resources on general policing duties rather than the provision of court security. That is a better use of manpower within rural and regional Victoria.

In the policy context, the new court security model responds to the inconsistent levels of court security across courts and responds to the security challenges faced by courts. In the Victorian system, security is provided by police in regional courts under informal arrangements, protective services officers in metropolitan courts and private security providing entry screening at a number of court locations. In regional courts there is inadequate weapon screening capability and a reliance on police to provide security.

The new court security model will reduce risks to court users and increase public confidence in the justice system. The model will maintain the current number of protective services officers but enable police who currently provide court security in regional courts to be released for general policing duties, so that is a better use of manpower. Some police will continue to be required for court security and be present at sittings of the Supreme Court and County Court in their criminal jurisdiction.

The new court security model will deploy approximately 160 private security officers across court and tribunal premises, including at 40 courts where there was previously no formal security presence in place, so that is a significant upgrade and improvement. The new court security model will provide

approximately 70 new court security officers in addition to 94 court security officers currently deployed under the existing model.

The bill will amend the Court Security Act to support the increased use of private court security officers in Victoria's court network. The proposed amendments will clarify and strengthen the powers of court security officers who are appointed as authorised officers under the Court Security Act to ensure that these officers can maintain the safety and order of Victoria's courts.

The key proposed amendments will provide a general power to make directions for the security, good order and management of courts, including making directions to ensure the safety of a person or authorised officer when escorting a person to and from court premises; provide a power to make directions to respond to unauthorised recordings, transmissions and publications; and clarify that reasonable force may be used by authorised officers in the exercise of their powers.

The Court Security Act 1980 expressly authorises the use of force in relation to the exercise of some powers, including in undertaking searches and removing a person from court premises where that person has failed to submit to the demands or requirements made by the authorised officer. However, the Court Security Act does not expressly authorise the use of force in relation to other powers, and examples cited are in preventing a person entering or removing a person from the court premises where the person is likely to adversely affect the security, good order or management of court premises and in the seizing of a prohibited item from a person. Accordingly the proposed amendments will clarify that an authorised officer can use reasonable force in the exercise of the following powers: undertaking searches, enforcing an officer's direction, preventing a person from entering or removing a person from the court premises, seizing prohibited items and ensuring the safety of an escorted person or the authorised officer while that person is escorted to and from the court premises.

These are commonsense initiatives that are being implemented. This clarification will ensure that authorised officers have a clear authority to use reasonable force to ensure the safety and security of persons at court premises. These changes will ensure that the current lack of clarity about the use of force does not prevent necessary and appropriate responses by authorised officers to ensure the safety of court users and staff. That is a critical point about how appropriate force is used, and that goes to the previous proposition that I raised in my last contribution as well as to the use of deadly force and the investigations that I undertook

in pursuing that in the media — which led to Walkley Awards for investigative reporting — and the way the opposition is now trying to revise that. I think they need to understand that this went to the issue of fatal police shootings and helped to raise the issue to international prominence, according to the Walkley Awards citation.

After years of denying they were part of problem, Victoria Police retrained the entire operational force in the use of firearms. I think that is the key summation of what that was about. We need to be able to make sure that we have scrutiny and accountability and that we have safety in our courts. I recommend the bill to the house.

Mr WATT (Burwood) — I rise to speak on the Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017. Last sitting week I rose in this place to talk about freedom. Particularly I rose to speak about Franklin D. Roosevelt's four freedoms and Menzies's musings on those, and I noted that those four freedoms were put into the preamble to the United Nations Universal Declaration of Human Rights. Those four freedoms, as I said last week, are the freedom of speech and expression, the freedom of belief, the freedom from want and the freedom from fear.

I raise that particularly because I listened to the contribution from the member for Broadmeadows, and in his contribution he talked about a reduction of public confidence in the justice system. I want to reflect on that comment by the member for Broadmeadows, particularly in relation to basic human rights and the freedom from fear. I note that at the end of the day people in this state have the right to feel safe in their homes. They have the right to feel safe when they go into a court. They have the right to feel safe as they go to work. Safety and freedom from fear is extremely important.

I noted that in his contribution the member for Broadmeadows used the words 'reduction in public confidence in the justice system'. As the member for Burwood I certainly understand that my constituents have definitely had a reduction in confidence in the justice system, particularly when you hear about some of the crimes that are happening in the electorate. I was speaking to a constituent of mine just yesterday who was telling me about the fact that she had both of her cars stolen from her house and that one of them was used in a subsequent crime.

Three years after a report was tabled in this Parliament we now have the government's response — three long, dark years of hard Labor. Three years of inaction. Three years of a reduction in public confidence in the justice

system. I raised this and I continue to raise this, especially after listening to the member for Mount Waverley when he talked about how spending in new court security has halted under this government. I note the member for Mount Waverley also talked about the 20 per cent increase in crime in this state, and it is very noticeable that members of my community are now contacting me about things like carjackings. That is not something that was being talked about by my constituents three years ago.

There have been home invasions too. For me to be able to identify off the top of my head quickly a number of constituents who have contacted me about home invasions is extremely concerning. It is of concern to think that you might go to bed at night and be woken up not by your alarm clock, not by your kids and not by the birds outside, but by some big burly bloke with a machete saying, 'Get out of bed, I want your keys, I want your car'. When I talk about this I reflect back on the freedom FDR talked about, which was the freedom from fear. Menzies talked about it, and then it was put into the preamble of the United Nations Universal Declaration of Human Rights. It is a basic freedom that people in this state deserve. It is something that is, as I said, a human right.

My fear as a member of Parliament is that members opposite do not get it. The government does not get it. The inaction by this government is proof that the government just does not get it. When I hear senior figures of the Labor Party talk about reducing the capacity of the police force to actually act when it comes to crime and reducing the capacity of people to contact a police officer, when I see senior members of the Labor Party out there advocating for the closure of all the police stations in the Monash area and when I see two other police stations very close to the Monash area having been either completely cut or downgraded, I am concerned that members of the government, members of the ALP, do not comprehend what is happening in this state when it comes to security and when it comes to justice. I am concerned because, as I have said, with the advocating for the closure of the four police stations in Monash and the justifying of the closure of the Burwood police station and the downgrading of the Ashburton police station to two days a week, where do people when they are victims of crime go to speak to the police?

I have talked previously about an incident that I had in my electorate. I was riding my bike. A car came along and tried to swipe my kids and myself off the road. My children were extremely distressed by this. Initially I thought, 'It must have been an accident' — I have talked about this — 'Who would do that?'. So I then

made my way to three police stations, all of which were closed on the weekend. Three police stations were closed. I would have thought that if a person wanted to report a crime, they would genuinely be able to go to a police station.

I did make it to a police station that was actually open, the fourth police station that I went to. I have heard senior members of the Labor Party say — I have heard the words coming from their mouths — that the Oakleigh police station should be closed. That was the one that I was able to get to. That was the one where I was able to report the incident, and to know that senior members of the Labor Party — along with the others — are calling for that particular station to be shut down is concerning for my constituency. I know that it concerns residents throughout the Monash community. I am also concerned that there are members of this house who have yet to call out their colleagues in the Labor Party.

As someone who represents the Monash area it is somewhat disappointing to know that I have not yet heard any member of Parliament that represents Monash stand up and repudiate this plan by the Labor Party and the senior Labor Party members calling for this closure. I would particularly like to see members of the Labor Party, members of the government, who represent Monash call this out and say, 'No, it won't happen'. Unfortunately the member for Mount Waverley and I have mentioned this a number of times in this chamber, and I am yet to see members of the Labor Party, members of the government, who represent Monash stand in this place and say, 'It will not happen. It is wrong to close police stations. It is wrong that the Burwood station is closed. It is wrong that Mount Waverley has been downgraded to the level it has. It is wrong that Ashburton has been downgraded'.

Now, I accept, as I said, for those people who represent Monash in this area — and I specifically mention the members for Oakleigh and Mulgrave, those two members in particular — that Burwood and Ashburton are not in Monash, but they are very close, and the constituents of Monash would actually use those stations to report crimes if they were open. But Mount Waverley, Oakleigh, Clayton and Glen Waverley are stations in Monash, and I call for members of the Labor Party, members of the government, to actually stand up, repudiate and say, 'It will not happen'.

I know that members of the Monash community may not believe the government when it comes to police numbers. They may not believe them when it comes to security, noting that we have had a downgrading in protective services officers through the Monash

community. They may not necessarily believe it, but I know they want to hear it. They want to hear the member for Oakleigh stand here and say, 'If there's a crime in Oakleigh, you'll be able to go to the Oakleigh police station; it's not going to be closed'. I would like to hear it. I have not heard it, and I call on the government to make sure that it actually does repudiate these claims.

Mr PEARSON (Essendon) — One of the great privileges of spending a lot of time in this chamber and spending a lot of time in Public Accounts and Estimates Committee hearings is that you get to see a lot and you get to listen to a lot. One thing that never ceases to surprise me is that the members for Burwood and Mount Waverley seem to recycle the same speech over and over again. It is just extraordinary.

I found the contributions from both members in relation to closing police stations interesting. On 15 February this year at a Public Accounts and Estimates Committee financial and performance outcomes hearing the Chief Commissioner of Police gave evidence on this very matter. 'Could you please advise which police stations had their opening hours cut during the 2015–16 financial year?' was the question that was posed by the member for Kew, and the response from the chief commissioner — this was sworn evidence, and it is recorded by Hansard — was:

I will have to give you specific details on which police are at which station counters on notice. We have not got a policy around closing any police stations; none of those are closed, but we do adjust counter hours depending on patrol patterns at various locations and have done for some time. We are certainly not about closing police stations, but we do have a preference where we can to have police on patrol rather than behind station counters.

I think this is a very interesting proposition. I think I would rather my police officers — for example, in a divisional van, in a patrol car — be on the streets in my community driving through my electorate, ensuring that there is a visible police presence, rather than sitting behind the counter authorising and witnessing documents, for example. I would rather — —

Mr Watt interjected.

Mr PEARSON — I will come to that in a moment, member for Burwood. I found that quite interesting. I also find it interesting when I again have to listen to the tortuous display of the member for Mount Waverley regurgitating the same speech time and time again talking about cutting police numbers. I refer to the chief commissioner's evidence — —

Mr Watt interjected.

Mr PEARSON — We are talking about cutting police numbers, member for Burwood, just for the record. I refer to page 20 of the evidence given by the chief commissioner on 15 February 2017 at the financial outcomes hearing. I would have thought that, given that the member for Mount Waverley and the member for Burwood constantly go on about policing in this state, they might have come into the Legislative Council committee room, sat through 3 hours of evidence — like I did and like other members of the Public Accounts and Estimates Committee at the hearing did — and maybe listened to the advice from the chief commissioner. In it the chief commissioner indicated, on page 20, that there were 159 new police officers that had been recruited. This was, again, for 2015–16. There had been an increase in police numbers — an increase — of 159 sworn officers.

So when the member for Mount Waverley comes in here almost every sitting week and says there has been a cut in police numbers, he is patently wrong. He is wrong — and he is wrong because he is lazy. He does not bother to do the work. If he bothered to turn up and sit through committee hearings, even if he was in the fetal position under his desk in his electorate office and he got his staff to print out the transcript and he read the evidence given by the chief commissioner, he would know he is wrong. He is just wrong. It is as simple as that: he is wrong.

Again the members opposite go on about senior Labor figures. I was in the chamber in the last sitting week and I listened to the very good contribution from the member for Oakleigh, who indicated that a councillor from the City of Monash, Geoff Lake, who is known to me and known to many of us, had — according to the member for Oakleigh — hypothesised that given the fact that you have got four stations located in close proximity, you might have a super-station. I do not think it was anything more than that. I think it was just an elected councillor making a contribution, making a suggestion. There is absolutely no suggestion by the member for Oakleigh or members of the government that that suggestion is being taken up. And were it to be taken up, I would imagine that it would be done in consultation and discussion with the Chief Commissioner of Police, because at the end of the day it is about making sure that we work with the best and brightest in force command at Victoria Police and we listen to their advice.

Again, those opposite are just misrepresenting the situation. The fact that you have got these people opposite suggesting that a member of the Labor Party who is an elected councillor in the City of Monash is somehow speaking for this government is just patently

false. It is patently false. If that is the yardstick they are going to use to measure their standards by, I think we should start looking very closely at what some of the Liberal councils might be saying around the state and saying, ‘That obviously represents the view of the state opposition’.

That is the logical extension of their thinking. This is what happens when you have got two lazy dilettantes sitting on the back bench. They are lazy. They do not do the work. They make stuff up. They just sit on the back bench and they recycle the same speech over and over again. They are like the Greens: they are the great recyclers. Honestly, they just recycle the same speech over and over again, and it is so tedious that those of us who sit here and do the work of our constituencies and represent this great government in this great place have to sit through these tedious discussions. It would add up to hours over the course of the year, listening to the same speech.

I say to the member of Burwood that I am sorry that he had an obviously traumatic experience in his electorate with his children. I can only imagine how upset he might have been. I would say, as a father of young children, if I had had that experience, I would have rung 000. Maybe that is just me. I would have rung 000. I would not bundle up my children and drive around the electorate of Essendon, going to Flemington police station, going to Moonee Ponds police station or going over to Avondale Heights to report a crime. If someone had threatened my life or threatened the lives of my children, my response would be to call 000. But maybe that is just me. Maybe we are just different, member for Burwood. It is a very important piece of legislation —

Mr Watt interjected.

The ACTING SPEAKER (Ms Graley) — Order! The member for Burwood, could we have some quiet?

Mr PEARSON — I really do not have anything else to say after that little outburst. Again, I am taking at face value what the member for Burwood has said and I am saying that if someone had tried to kill me and my children, and I was traumatised by that event, I would call 000. I would not bundle up my children in a car and drive randomly around trying to find a police station. That is the point I am trying to make. Maybe that is lost on the member for Burwood, I do not know. Having listened to the member for Burwood for coming up to three years, nothing really surprises me in terms of what he may say.

In relation to the bill itself, we are looking at making significant investments in terms of the quality of the infrastructure for courts. To reflect on the old Moonee Ponds courthouse in my electorate, which was built in 1890 and badly damaged by fire last year, I remember going into the facility before it was badly damaged. There were no security systems in place; it was very open. Obviously this court had closed in the 1970s, but I imagine across Victoria there would be similar facilities.

I commend the government for making these sorts of investments and making sure that we have a safer environment for people who are going before the justice system, particularly the victims. That was borne out by the Royal Commission into Family Violence. With your indulgence, Acting Speaker, I would like to refer to the statute law revision and repeals of part 10 of the bill. Specifically clause 87 relates to the Imperial Acts Application Act 1980, referring to the use of monopolies. I am very pleased that I saw that the member for Bentleigh won a game of Monopoly for Bentleigh. I saw that on Facebook on the weekend, and I thought that was fantastic.

It is a very serious bill, and it is just a shame that those opposite seek to trivialise this through their consistently appalling behaviour by recycling the same speech week after week. I commend the bill to the house.

Ms McLEISH (Eildon) — I rise to make a contribution to the Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017. This bill that we have before us amends quite a number of acts across the justice and regulation portfolios. The coalition is not opposing this bill. There is not a lot of concern. The key purposes here are about amending the Court Security Act 1980 to clarify the powers of court security officers; to amend the Juries Act 2000 to reduce discrimination in jury selection; to amend the Legal Profession Uniform Law Application Act 2014 to allow barristers and clerks to deal with trusts monies, which is quite important; and to update the Land Acquisition and Compensation Act 1986 to amend a number of tribunal-related provisions.

I want to touch briefly on the reforms to jury selection, which have come about because of the Victorian Law Reform Commission's recommendations. The recommendation here is that jurors will be known and identified by numbers rather than how they are currently. It is seen that perhaps this could reduce some discrimination in the jury selection process. I think that women are typically underrepresented in this area.

The key area I want to focus on are the changes being made around court security. I have one court in my

electorate, the Mansfield Magistrates Court. People from areas in the Murrindindi shire will typically venture to either Mansfield or Seymour, which is out of my electorate. Further south they will typically go to the Ringwood court. I am pleased that some of the reforms are going to be made. I think the second-reading speech refers to access to 'modern, safe and secure courts' and certainly the efficient running of the judicial system. It has taken some three years to get these things that are quite important before the house.

In relation to court security, I note that there are going to be improvements with entry screening capability, an increased private court security officer presence and also the expansion of powers of the authorised officers so that they can prevent and respond to incidents. These sound almost exciting to me, but when I consider the Mansfield court, I do wonder how these are actually going to be implemented, and it is of some concern.

I guess I am quite pleased to note that the Attorney-General is in the chamber listening to my contribution and my concerns about the security around Mansfield court. I did note that the member for Niddrie said he has been to courts all over Victoria; he said he has been representing the Attorney-General. I do not know if he has been to the Mansfield court or not and noticed the work that is needed, and I am not sure whether the Attorney-General has in fact visited the Mansfield court. If he has not, I invite him to do so, because two of us could be advocates for our courts.

Mr Pakula — Happily.

Ms McLEISH — I am pleased that the Attorney-General is happy to come to Mansfield to have a look at the court.

Mr Pakula — And do some other things while I am there too.

Ms McLEISH — We have got a picnic racing club at Merton and at Mansfield as well. We can keep you entertained and easily fill up a day in one of the most beautiful towns in the state.

The Mansfield courthouse is a historic courthouse. It is very old, and with that comes limitations to its functionality and its security. If we are thinking about family violence situations or any situation where there are people with opposing views, they all have to come in through the one entrance, so it is very easy for them to bump into each other. It can also be a bit squeezey at the entrance.

There is also a lack of interview rooms, so when we do have someone on duty they fairly well commandeer

that interview room. When lawyers brief clients those briefings usually happen in the street. The courthouse is set in quite lovely surroundings, and on a lovely day that is not a problem, but in the bitterness of winter — Mansfield is at the foot of Mount Bulla — it is not ideal that meetings between solicitors are being conducted in the street in very cold conditions, with wind and sleet and things like that. As I said, the entrance through which everyone has to come and go is squeezey, so it is very difficult not to make eye contact, even in the small court, with those that you may be opposing on the day.

There are also no toilets. There are public toilets across the street and a little bit further up, and also the toilets in the buildings next door — I think the fire station toilets — get used by the court officers.

I have had complaints about this court from the public, from the court officers and from the police. A lot of other authorities attend for prosecutions. Mansfield is very big on hunting, so illegal hunting and illegal fishing happen. We have people from the Department of Environment, Land, Water and Planning who do the fisheries prosecutions. People like that are all very concerned about the conditions at the Mansfield court. I have certainly met with local solicitors there who have expressed their concerns. When we look at the family violence agenda that the government spruiks constantly, this is one that is much more of a challenging environment. It needs to be addressed, because modern, safe and secure courts are so important, and it is imperative that the people who are attending court are also kept safe.

I note that some \$58 million from the budget is being directed here, but I am really not quite sure where that is going. I do hope some of it goes to the Mansfield court. I somehow doubt it, but I have a little glimmer of hope that the Attorney-General has said that he will come to Mansfield, and that will be great news. I am sure that everyone in Mansfield will be pleased that I have raised these issues, and the press will be most interested. We will look forward to the Attorney-General coming up to Mansfield. He has locked himself in now, and I am not going to let him forget it. With that, I will end my contribution.

Ms THOMAS (Macedon) — It certainly is my pleasure to rise this afternoon to speak on the Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017. Following the member for Eildon, I might also say that I visited the member's electorate on Friday. It was fantastic to be at Upper Yarra Secondary College, where I was able to see the great work the Andrews Labor government has done delivering the doctors in schools program there. It was

very warmly welcomed by the principal, the students and the staff at that school, so it was lovely to tour through the member for Eildon's electorate on Friday.

The member for Eildon also talked a little about the extraordinary \$58.1 million that the Attorney-General delivered in the budget of last year, and she queried where this money might be being spent. I am really pleased to be able to inform her that there are court upgrades — as she pointed out, not at Mansfield — being delivered at Echuca, Bacchus Marsh, Korumburra, Ararat, Bairnsdale, Stawell, Colac, Portland, Maryborough, Swan Hill, Seymour and of course Kyneton, but I am going to talk a little bit more about that in a moment. I want to make the point that this is an extraordinary and very welcome investment in our courts in rural Victoria.

It has been a great pleasure on a number of occasions to host the Attorney-General in my electorate, and he has joined me in visiting the Kyneton courthouse. The Kyneton courthouse has been operating since 1857, and it is probably fair to say that very little has been done to that courthouse since 1857 — indeed many people note that not much has changed since Ned Kelly was tried there. While it is beautiful, historic and has many charms, the courthouse no longer really fulfils the requirements that we would expect in our contemporary justice system.

In particular I pointed out to the Attorney-General — and he certainly was very aware and cognisant of the challenges — that family violence victims face if they are attending hearings at the Kyneton courthouse. One of the challenges of that courthouse is one very narrow entrance; everyone has to enter through the same very narrow doorway. There is a tiny little vestibule where people can wait and where they might be able to speak to their lawyers or legal aid, but there is no privacy. It is not uncommon for clients and their lawyers and so on to meet outside in the park, which again — as the member for Eildon said — is fine when the weather is sunny, but I can tell members that in Kyneton it is often not sunny. Let us be honest about it, in winter it can be really, really cold, so that is far from satisfactory.

The most important thing is to secure the safety of people who want to be able to access our justice system. This is a point that the Royal Commission into Family Violence made very clear. We must make sure that our justice system works in a way that enables women to access the justice and safety that they deserve. That is what this bill is about, so I am really very pleased to see it before the house today.

The bill supports the government's deployment of approximately 70 new court security officers (CSOs) on sitting days at Victorian courts where there is currently no formal security presence in place. This is in addition to the approximately 90 CSOs who are currently deployed in our courts. The bill clarifies and strengthens the powers of CSOs who are appointed as authorised officers under the Court Security Act 1980 at the same time as their numbers are significantly increased and their responsibilities expanded. Court security officers provide entry screening, roving patrols and courtroom security to ensure that Victorians are safe when they attend court. The reforms in this bill ensure that they will have the powers they need to keep court users safe.

The reforms in this bill will provide a general power to make directions for the security, good order or management of courts, including making directions to ensure the safety of a person or authorised officer when escorting a person to or from court premises; provide a power to make directions to respond to unauthorised recordings, transmissions or publications; and clarify that reasonable force may be used by authorised officers in the exercise of their powers — for example, to keep perpetrators of family violence away from victims during court proceedings.

Indeed, this is one of the key reforms that I certainly am very glad to see. I think we have to accept that this has been an issue that for a long time has been swept under the carpet, that we have not really faced. Some of our legal aid services have had to grapple with this issue as well. We want to see that perpetrators get a fair hearing, but how do we ensure the safety and security of and access to justice for the women and children who are overwhelmingly the victims of family violence? How do we ensure that they feel safe to access our justice system? What we do not want to see are women feeling that they cannot seek the intervention order that they need — that they cannot get legal redress because they do not feel that our court system will protect them and keep them safe. These are fantastic reforms and I commend the Attorney-General on the work that he has done.

The deployment of these new court security officers also means that Victoria Police will, where they consider it appropriate, be able to redeploy police officers currently providing court security to frontline duties in their communities.

I am really pleased with the progress that is happening at the Kyneton courthouse. Planning is just about complete. I am looking forward to seeing the detailed plans, which I am assured are almost ready. I also

understand that the upgrades to this courthouse will be completed around mid-2018. This is really terrific. We are going to have safe waiting spaces, interview rooms, a secure registry counter and, importantly, new disability-accessible public entry. This legislation before the house supporting that vital investment in our courts, particularly those in regional Victoria, is very much welcomed.

Before I conclude my contribution this afternoon, I do have to pick up on a couple of points that have been raised throughout this debate by those on the other side of the house. The inability of those on the other side of this place to understand the way in which contemporary policing works in our community never fails to amaze me. Let us be very clear: this government, the Andrews Labor government, has made an investment to put more than 3000 additional police on our streets to keep our community safe. That is where we want to see our police. We want to see them out in our community, where they are doing the very vital and important job of preventing crime. It is a visible police presence on our streets that is key to preventing crime — not police sitting in the back of a police station witnessing someone's stat dec, not there at the beck and call of the member for Burwood, but in our community, visible to our community, deterring crime. That is a key role and responsibility of Victoria Police — one that they do very well, I might add, but one that they are being enabled to do even better by the record investment that this government is making in Victoria Police.

Let us be clear again: those on the other side of this house in the four years that they were in government did not invest one single new dollar in putting police on our streets. The police that we saw under their watch had been committed and funded by the Brumby Labor government.

Mr DIMOPOULOS (Oakleigh) — It gives me pleasure to speak on the Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017, particularly given the Attorney-General is in the chamber — and I am sure he is interested in my fine words.

I want to respond to some of the claims made by those on the other side. Before I do, I note that this bill covers a range of very important matters, but I want to contain my remarks specifically to the matters around court security. As we have heard from the Attorney-General's second-reading speech, the bill will expand and clarify the powers of authorised officers under the Court Security Act 1980 — known as court security officers, or CSOs for short — including providing powers to give

certain directions, and clarifying when force may be used by an authorised officer.

These reforms, again as we heard from the Attorney-General, support a new court security model, which is vital. It is important for a range of reasons, for court security in itself — that is the primary purpose — but it is also important because it actually saves police time. As we as a government have done through the provision of custody officers, we have police doing work that only they are qualified to do and other categories of enforcement personnel doing the work that they are trained to do. This model will support the freeing up of police from many of our courts and will see the increase of a private CSO presence in Victoria's courts. As I think the member for Macedon said, this comes from the investment of \$58.1 million we put in the 2016–17 state budget to enhance security equipment in metropolitan and regional courts.

I just want to briefly — if I can do it briefly because those on the other side make me so annoyed, let me put it that way — make another point. I think it is one thing to have a difference of opinion, to look at things from a different perspective and to debate policy and legislation, but it is quite another to mislead. I am referring specifically to the mendacious member for Mount Waverley and the mendacious member for Burwood. I have to clarify, though, that I did not hear the member for Burwood's contribution because I was busy washing my hair — sorry, I was actually busy doing other things.

The member for Burwood, I understand, said that I did not pull up Cr Geoff Lake of the City of Monash for making claims about police stations in my community. First of all, it is not my job to pull up people. The Labor Party is a democratic party and people can express an opinion. But I think I did say in this chamber last sitting week words to the effect that Cr Geoff Lake has as much influence on police resourcing and policy in this government as my grandmother, and my grandmother has none, so neither does Cr Geoff Lake. If that does not constitute pulling him up —

Mr Gidley interjected.

Mr DIMOPOULOS — Can I just say, Acting Speaker, it might be slightly amusing but it is actually quite serious, because what is happening here is that there is this narrative in my community —

Mr Gidley interjected.

The ACTING SPEAKER (Ms Graley) — Order! If the member for Mount Waverley wishes to make a contribution, would he please resume his seat.

Mr DIMOPOULOS — There is a narrative the other side are trying to prosecute in my community, which is alarmist, which is not factual and which is also, to be really frank, so far removed from reality it may as well belong in a bloody — apologies, Acting Speaker — Harry Potter book.

What they are saying is that I have somehow colluded with a councillor from the City of Monash to put out an idea, a proposal, that we should close four police stations in Monash and turn them into one super-station. Somehow every opinion expressed by every one of the 10 000 members of the Australian Labor Party in Victoria I have to take responsibility for, or this government has to. That might work in the dictatorial Maoist Liberal Party of Victoria, but it does not work in the Australian Labor Party. So number one, people can express their opinion; and number two, the member for Mount Waverley has said previously in this place 'Senior people in the Labor Party', without naming them. There has got to be a context to that, and the context is that that member of the Labor Party is not a member of this government or this Parliament, and therefore his views on police are not as relevant.

The member for Mount Waverley may feel that he has a role as a community leader, absolutely, to express an opinion, and he has done that. But the worst part about this narrative that the coalition are trying to prosecute about police is that they have taken their policy from before the last election under Premier Napthine.

I will tell you how it was, and I will not be as untruthful as some of them. I will be clear about this. I say it was their policy, but really it was the then chief commissioner who put out a blue paper about which the then minister and the then Premier did not say, 'No, we won't be doing that'. The chief commissioner was on morning radio prosecuting the case for the blue paper. One of the suggestions in the blue paper was that we should close four police stations in Monash — this is under the previous government — and open a super-station. What the opposition has done is take a proposal from under their administration, rehash it and somehow attribute it to me and to the Labor government. That is how absolutely mendacious they are.

I think I have knocked this on the head a couple of times in this chamber, so I am not going to waste my breath any more other than to say that what makes it more galling is the monumental effort and investment we have put into police and security, and not just court security, which is absolutely vital. As the member for Macedon said, all sorts of ordinary Victorians have to front up to a court and, guilty or not, whatever their

background may be, they need and deserve safety in a courtroom and in the anterooms to a courtroom.

I worked in Court Services Victoria in my previous role, and there was a big focus on court security. It is very important when you have got 54 sites around Victoria, many in regional Victoria in old buildings with ageing infrastructure. The loud claims from the other side were not as loud when I was a public servant in Court Services Victoria. They were not as loud then. The coalition did not make a \$58 million investment, like we are today. Not only have we freed up 400 police by appointing custody officers to look after prisoners in remand centres and not only are we freeing up police officers because we are changing the court security model to enable private court security officers to do their jobs more effectively but we have funded, as other speakers on this side have said, 3135 police in the forward estimates.

The other side in the last couple of decades on the on-occasion and off-occasion when they were in government funded replacement police purely to replace what was natural attrition. They have not once since prior to John Cain funded any additional police officers. I have said previously that the last time any Liberal government in Victoria funded an additional police officer was when Edward O'Donohue, the shadow minister, was, I think, six or seven years of age. Now they are here talking as if they have got some kind of mandate on security and a mandate to keep us safe. If we had to depend on them, my God, we would be in a world of trouble.

In addition to our investment, we have managed to secure a written agreement between the Police Association of Victoria, Victoria Police and the Victorian government. It is a tripartite agreement, which has not happened, I understand, in Victoria's history. You do not get that through not investing. The police are not going to be hoodwinked into signing an agreement without proper investment.

That is the last time I think I am going to give the member for Mount Waverley and the member for Burwood any time to dispel their mythology. They should be writing fiction; it would not be very good fiction at that. I am not going to waste my time in this chamber responding to the rubbish allegation about Monash police stations. I strongly support this bill. It is a very important bill in terms of everything else we are doing in security, whether it be in courtrooms or outside courtrooms. I commend the Attorney-General, and I commend the bill to the house.

Mr SOUTHWICK (Caulfield) — I rise to speak on the Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017. As we have heard, the opposition will not be opposing this bill.

The bill seeks to do a number of things. It expands the Court Security Act 1980 to clarify the powers of court security officers, amends the Juries Act 2000 to reduce discrimination in jury selection, amends the Legal Professional Uniform Law Application Act 2014 to allow barristers' clerks to receive trust monies, updates the Land Acquisition and Compensation Act 1986 and amends a number of tribunal-related provisions. I will talk a little bit about some of the clauses.

Ultimately what we are seeing, certainly under this government, is a lawless state. We have seen crime spiral completely out of control. The Attorney-General may beg to differ on this, but you only have to talk to any Victorian in any of our electorates and ask them what the single biggest issue is on their minds to know it is safety, it is law and order and it is feeling safe in their homes and on the streets. This government can talk as much as it likes and say that they are active in this space, but it is fair to say that they have been completely missing in action.

When it comes to this bill and particularly potential jury member selection, people will now be called by identifying number rather than name. This is something that came through work done by the Victorian Law Reform Commission in a report that was commissioned by the previous government and tabled in the Parliament on 3 September 2014. Here we are in 2017 actually bringing the legislation before the house, which shows just how slow this government is to respond on anything when it comes to law and order. They are completely missing in action when it comes to law and order, and they are dragging their feet.

We just have to look at the sorts of things that are happening on our streets. We only have to look at what is happening in our courts. The police are doing their job with stretched resources, and often they are completely under-resourced. If I take my electorate of Caulfield and the City of Glen Eira as an example, we have one divisional van that is effectively patrolling for 160 000 residents, which is completely ridiculous. It is completely out of control. If you look at the numbers, we had double or triple that 10 years ago. Those numbers have reduced and there are less and less police resources, while crime is spiralling out of control. Since the Andrews government came to power there has been almost a doubling in the crime rate in my area of Glen Eira.

Mr Pakula interjected.

Mr SOUTHWICK — The Attorney-General may question that, but the statistics have only just come out. This year they have risen by 20 per cent and it was 40 per cent in the year before, so the numbers speak for themselves. The crime rate is spiralling out of control under this government, and there is little if anything that we are seeing the government is doing to fix the problem.

As I said, Glen Eira police are under-resourced. They do a fantastic job with stretched resources. A local jewellery store in my area in Glenhuntly Road has been done over twice in six months. He is still waiting for compensation from his insurance company. He is running a business with half the stock he had, and clients are coming into his store looking over their shoulders for fear of yet another attack.

In this particular situation, as with many, we see the work of the police being under-resourced thanks to this government. When finally criminals are brought to justice, unfortunately in many, many cases they are let off and end up back on the streets far too quickly. In many cases we are seeing situations where they are released on bail and they recommit offences time and time again. We are seeing early parole, same situation, where they are committing offences when they should not be — as with the Brighton attack, which was horrific.

The Brighton attack was only down the road from my electorate — a shocking situation. Here is someone that should not have been let out on the streets, yet he was, and look at the attack and what that did to change people's lives forever. If you take that 36-year-old who was killed, he came to Australia to start his life, was educated and worked hard in Gippsland. He came here, got a job and was only married two months earlier and about to go with his new wife back to China, and he was killed. He was killed in what was always seen as the safest place to live, in Victoria — a great place.

We pride ourselves in Victoria on being the most livable city, but how are we going to keep that reputation as the world's most livable city when we have crime rates out of control and when we have a government that is doing absolutely nothing to fix this problem? The Attorney-General may shake his head, but it is very, very simple. Do not ask me; talk to anyone out there on the streets, listen to talkback radio, listen to one of your constituents and ask them what is the big problem of the day. Ask them what they are most concerned about. Is it housing? Is it congestion? Is it affordability of gas and electricity prices? They are all big concerns, and they would say, yes, they are all big issues. But on top of that the most important issue for every single Victorian, no matter what constituency you are from, no matter where you live, is law and order; it

is being safe, because if you are not safe, if you do not feel safe, then you are not going to be able to get on with your life and do all the other things that you want to do. Nothing else matters if you cannot feel safe about going about your day.

Returning to that Chinese young person who was killed in Brighton, he came here to start a new life, as many do. If you look at the sort of investment that Victoria invites to try and encourage people to come and live and work here and start a new life, if you look at business opportunities and you look at trade, all of those things are based on having a safe and secure state that has a government that invests, and invests heavily, in all these things. Unfortunately we have a government that does not allow people who have done the crime to do the time. That is fundamentally where we think Victoria should be; Victoria should be safe again. Victoria is not safe under this government. The Premier has allowed this government to completely fall out of control when it comes to what is happening on our streets, what is happening with our police and what is happening in our courts. It does not matter which way you look at it, it does not matter which way this government carves it up, the truth of the matter is that this government has failed.

The Premier has failed the state, and he has failed all Victorians. The members of the government can stand up here all they like and talk all they like about how fantastic it is — the legislation they bring before the house — but the truth of the matter is that no-one believes them. Victorians do not believe them. Victorians do not feel safe, and this government has a lot to answer for. This Premier has a lot to answer for. When we see the sorts of offences that have been committed, when we see the sorts of people that are being let out on bail, that are let out early on parole and that are reoffending time and time again, this is absolutely out of control.

The government should be ashamed of themselves. They should hang their heads. This government, if they were serious and showed some decent leadership, should actually get on with it and they should do something. They should ensure that the police have the powers, that they have the resources and that they are armed with the right technology to be able to do to do their jobs. We can stand here and talk about this all we like, but the truth of the matter is that this government has failed Victorians. This government has failed Victorians, and it is not good enough.

The DEPUTY SPEAKER — Order! The time appointed by sessional orders for me to interrupt business has now arrived. The honourable member

may continue his speech when the matter is next before the Chair.

Business interrupted under sessional orders.

ADJOURNMENT

The SPEAKER — Order! The question is:

That the house now adjourns.

Justice system

Mr WAKELING (Ferntree Gully) — (12 826) My adjournment matter this evening is for the Attorney-General. The action I seek is for the Attorney-General to take action within his department to see what powers he has to deal with the serious matter which has affected one of my constituents.

Jess is a 24-year-old resident of my electorate with intellectual and physical disabilities. She is unable to drive and needed to develop some independence, and so has spent two years learning how to use public transport and was very proud of her achievements. She was sexually assaulted and robbed in Ferntree Gully station in July 2016 while making her way home from her support service in Bayswater. Her offender was well known to police. He had committed a number of thefts targeting vulnerable people and had a string of other charges against him. Yet somehow he was allowed to roam the streets, which resulted in Jess being attacked and robbed. Fortunately the offender was caught and jailed; however, the sentence that was meted out to him was only 12 months, and due to safety issues and the trauma of the attack Jess will never be able to use public transport again. She has not been able to go to a cafe by herself or go to Coles on her own, which she had previously enjoyed doing.

This event has changed the lives of her family forever, and it has ripped away Jess's independence and innocence in one single afternoon. The 12-month jail sentence handed to her attacker is a disgrace, as is the fact that he is back on the street. The family is distraught to think that this person was on the streets.

The family wrote to me recently about this issue. The mother is, as members can appreciate, significantly distraught about this situation, not only about the justice system but about how this has personally affected her daughter. Her daughter, who despite her disabilities had sought to make a better life for herself, had shown the courage to go out and learn to be independent both through travelling and visiting shops. That has been taken away from her by this perpetrator.

Whilst we know that the situation itself is an absolute disgrace in terms of what this person has meted out to my constituent, the parents and Jess rightly feel let down by the justice system in Victoria. Whilst I acknowledge that in an adjournment debate we cannot seek legislative change, I request that the Attorney-General take whatever action is possible within his department to ensure that with regard to this situation, a 12-month sentence for such an offence would not be handed down again.

Romsey ministerial visit

Ms THOMAS (Macedon) — (12 827) The adjournment matter I wish to raise is for the attention of the Minister for Regional Development in the other place, and the action I seek is that the minister join with me and visit Romsey to consider ways that Regional Development Victoria can support and promote local businesses in this beautiful township.

The picturesque and historic township of Romsey truly is a hidden gem in the Macedon Ranges and has become immensely popular with young families seeking a family-friendly lifestyle. Having spent a great deal of time with Romsey residents of late through regular visits, doorknocks and street stalls, I know this is a hardworking community with a big heart. Only this weekend I was talking to residents at the new Lomandra estate and spending time with footy and netball players from the Romsey Redbacks at their annual sponsorship luncheon. It is clear that Romsey community members love their town, but it is also clear that the town centre infrastructure needs an upgrade in support of local businesses and the local economy.

There is much that can be done to promote the town through better signage, improving pedestrian access and lighting, as well as landscaping and street furniture. Such simple improvements would go a long way towards attracting locals and visitors to shop and importantly to spend their money and time in this wonderful town. With this in mind I would like again to ask the Minister for Regional Development to join with me in Romsey to look at initiatives that can deliver economic benefits to the town and increase local employment.

Timber industry

Mr McCURDY (Ovens Valley) — (12 828) The matter I raise is for the Premier, and the action I seek is that the Premier meet with Myrtleford community members to establish how the Victorian government can assist by intervening to ensure the community is resourced to deal with the continuing industrial dispute at the Carter Holt Harvey timber mill.

Myrtleford's Carter Holt Harvey timber mill was established in 1975 and employs around 200 workers. Myrtleford's population is only about 3000 people, so it really is the major player. It is the major employer, and it is the hub of Myrtleford. There has been an ongoing dispute since the workforce was locked out on Wednesday, 19 April. I do not want to get involved in the dispute. It is between the company and the union, and that is rolling along, but my concerns are with the community. Alpine Shire Council mayor, Ron Janas, has said the lockout is taking its toll on local businesses and on the community. I can confirm that after spending last Friday and most of Saturday talking with local businesses and workers, and to both union and non-union staff and service club personnel. This community certainly is fractured and vulnerable at the moment.

The dispute at Carter Holt Harvey has extended beyond the industrial dispute. It is dividing the normally close-knit township of Myrtleford, and sadly neighbours and friends are at odds as the dispute extends into another week. This dispute is primarily between a multinational company and a union, with neither prepared to back down. The real losers in this whole saga are the families, the businesses and the community spirit in this magnificent timber town.

Having been through the demise of the tobacco industry, Myrtleford had got back on its feet and is a vibrant destination for tourists and a great place for locals to live. I am requesting that the Premier meet with Myrtleford community members as soon as possible to establish how the Victorian government can assist or intervene to ensure the community remains viable in the short term while this dispute drags on.

King George VI Memorial Reserve

Mr STAIKOS (Bentleigh) — (12 829) My adjournment matter is for the attention of the Minister for Sport, and it concerns the King George VI Memorial Reserve in East Bentleigh. The action I am seeking from the minister is that he directs funding towards a new electronic scoreboard at the reserve.

I would like to thank the minister for supporting the recently announced upgrade of the pavilion at the King George reserve with a funding contribution from the state government, and I congratulate council for taking the lead on that. There is another need for the King George reserve, which is the home of the Bentleigh junior footy club, Bentleigh Auskick, the Bentleigh ANA Cricket Club and the East Bentleigh Central Cricket Club, and that need is an electronic scoreboard. It is something that the clubs have wanted for some

time. I ask that the minister consider making a contribution towards that scoreboard.

Indigo North Health

Mr TILLEY (Benambra) — (12 830) I wish to raise a matter for the attention of the Minister for Health, and the action I seek is again with regard to the urgent need to fund Indigo North Health's kitchen refurbishment. I thank the minister for her latest correspondence on this issue, which has now dragged on for several months, but her advice to apply for the next round of the Regional Health Infrastructure Fund is misinformed and fails to address the growing sense of urgency.

Indigo North Health is an incorporated not-for-profit health service with its primary base in Rutherglen and a secondary campus located 15 kilometres away in Chiltern. It provides residential aged care, retirement village living, a wide range of community health services as well as childcare services. It employs about 110 people at its Rutherglen campus alone. The building is an agglomeration of add-ons to the original bush nursing hospital which was built in 1939 and is in desperate need of updating.

The kitchen at Rutherglen produces an incredible 55 000 meals a year for residents and Meals on Wheels services. All of that is done from just one oven, one cooktop, two freezers and no air conditioning other than a pedestal fan. Repeated applications have failed to secure money for a major refurbishment, including previous rounds of the Labor government's much-lauded Regional Health Infrastructure Fund. The kitchen is by any standard inadequate, but the service has been told that unless improvements are made before the next food safety audit in October this year, the kitchen will be closed down. Now \$250 000 is desperately needed to make this kitchen serviceable and able to continue to feed the aged residents of the area.

The minister has recommended that Indigo North reapply to the infrastructure fund, but submissions close in August, with a subsequent decision being made in 2018. That is long after the audit coming up in October that will potentially shut down the kitchen. I reiterate that it is a matter of urgency for the minister to reconsider, and her department needs to find this money as soon as possible.

Eltham electorate ministerial visit

Ms WARD (Eltham) — (12 831) The adjournment matter I raise is for the Minister for Public Transport, and the action I seek is for the minister to come to my

electorate and see firsthand all the terrific public transport infrastructure that is currently underway, completed or about to happen. Thanks to the Andrews government, we are not only seeing the duplication of the Hurstbridge line between Heidelberg and Rosanna and the removal of the Rosanna level crossing, but we have also had improvements to the Montmorency substation, a new Myki reader and shelter installed at Montmorency station, \$500 000 allocated to improve commuter parking at Monty, \$5 million for the business plan to duplicate the line between Greensborough and Eltham, the additional train service commencing in Eltham during the a.m. peak and the new route 343 bus on which the member for Yan Yean and I travelled yesterday and had a ball.

I love seeing how well this new bus route has been received and the number of people who are hopping on the bus. The member and I are committed to making buses sexy again. There is so much more happening in public transport in Eltham. I invite the minister to come and have a look at all the fantastic things that are happening in public transport in the Eltham electorate.

Herbicide contamination

Ms SHEED (Shepparton) — (12 832) My adjournment matter this evening is for the Minister for Agriculture in the other place. The action I seek is that she instigate an immediate written notification to all farmers throughout Victoria about the risk of contamination from the use of three commonly used herbicides made by the major agrichemical companies Nufarm, Crop Care and Syngenta, and their rights in relation to damages.

‘Clean and green’ is the label we proudly place on our locally produced fruit and vegetables and other agricultural produce. Australian food products are regarded throughout the world as being safe and of high quality. It is essential that we maintain that reputation, but that reputation is in jeopardy.

In March the *Weekly Times* horticulture reporter, Shannon Twomey, broke a story which surprisingly has not been more widely reported. It detailed the devastating losses farmers across Victoria and beyond are suffering after treating their crops with contaminated herbicides from these three major agrichemical companies — 200 000 litres of the tainted herbicide had been in supply stores for up to two years before being voluntarily recalled in December 2016 and January this year.

Last week the newspaper revealed Syngenta had recalled another 60 000 litres of the herbicide Gesagard, which

they had allegedly continued to sell despite knowing that it was contaminated. It is disturbing how little effort the companies have made to inform farmers about the contamination, despite federal guidelines issued by the Australian Pesticides and Veterinary Medicines Authority recommending recalls be advertised in media outlets and published in media releases.

When the story broke many farmers were still unaware of the damage that they were unwittingly causing to their land and produce, and it follows that many are still likely to be in the dark about the issue. The Goulburn Valley region, which encompasses my electorate of Shepparton district, produces close to 25 per cent of the total value of Victoria’s agricultural production, but this is an issue that knows no political boundaries and is affecting farmers across the state. I have heard the story of one farmer in the north of the state who has lost millions of dollars as a result of this contamination. He has lost 90 per cent of last year’s celery and parsnip yield, up to 80 per cent of his spring onions and significant portions of other high-value vegetable crops.

Responsibilities regarding the manufacture of chemicals to the point of retail sale and the regulations regarding product contamination are of course a matter for the federal government, but the state government has a responsibility to serve its citizens and needs to step in to fill the void left by toothless commonwealth legislation. I urge the government to assist Victoria’s farmers to address what has been a wholesale betrayal of their consumer confidence, and I seek the minister’s assistance.

Murrumbeena sports facilities

Mr DIMOPOULOS (Oakleigh) — (12 833) I wish to raise a matter for the Minister for Sport, who is also the Minister for Tourism and Major Events. The action I seek is that the minister visit Murrumbeena to determine what options or planning assistance might be available for further investment in local sports and sports facilities.

Murrumbeena has long been known for its great community feel. It is also well known for its contribution to the arts through people like the Boyd family and Nick Cave, as well as great sportspeople like Robbie Flower and Phillip Tracey. Sadly in recent years Murrumbeena has been mostly known for its level crossing, a crossing that has been recorded as being the worst in Melbourne and quite possibly one of the worst in Australia. But as the minister is aware, Murrumbeena is changing for the better. We are removing the boom gates at Murrumbeena, and we are also elevating the rail line.

These train tracks have divided the Murrumbena community for too long — since the 1870s. That is nearly 150 years of a train line cutting the community in half. This project is not just about removing the crossings; it is about connecting the community and creating some open space. I believe we have a unique opportunity to contribute even further to this suburb by enhancing the local sports facilities and giving more of the community the opportunity to participate.

I have already been in discussions with the minister regarding the Murrumbena Football Club and the Murrumbena Cricket Club and the proposal to rebuild their pavilion in partnership with Glen Eira City Council. Another issue is the need for lights at the Murrumbena Tennis Club. This is a very popular club in the community, and the installation of lights will allow more people to train and compete.

I look forward to welcoming the minister to Murrumbena to determine what options are available for the entire community and to visit the tennis club and the football club to discuss their specific needs.

Ballarat innovation lab and digital space

Ms STALEY (Ripon) — (12 834) My adjournment matter is for the Minister for Small Business, Innovation and Trade in the other place. The action I seek is for payment of \$4.2 million to the Ballarat City Council for the Ballarat Innovation Lab and Digital Space, as announced in the 2016–17 budget. I refer to a media release from the Premier of Wednesday, 22 April 2016, which amongst other things said that there was \$325 million for infrastructure and services:

This will include \$4.2 million for the Ballarat Innovation Lab and Digital Space which will bring ICT jobs to Ballarat.

At the time of that media release a statement from the Minister for Regional Development said that there would be a co-creation team formed in September — so that would have been September 2016. That team would consist:

... of representatives from the state and local government and the private sector, who will work with digital design specialists on the \$4.2 million project.

It was expected to generate 200 indirect jobs. The same media report said:

A rollout of BILDS initiatives will begin from March to September next year.

That would be 2017. However, my understanding is that none of this money has been seen by the Ballarat City Council. In fact there were a couple of meetings early on that included the Ballarat City Council, but they have ended. There now seems to be no clear path

for the payment of this money or for the rollout of this strategy. It also seems that Ballarat ICT, which was part of the group that was involved in delivering this, is ‘in recess’. It is owned by the council and has nothing to do with rolling this out.

Here we have yet another project announced for my region by the Andrews government for which the money has not appeared. I have already stood up in the house once today to talk about a project for which the money has not appeared, and that concerns the Stawell Gift. This project involves a lot more money and is part of a strategy that was trumpeted by the government, and once again we are seeing lots of announcements but no action. I ask the minister to deliver this money.

Yuroke electorate ministerial visit

Ms SPENCE (Yuroke) — (12 835) My adjournment matter is for the Minister for Sport, and the action I seek is that the minister visit the Yuroke electorate to tour our local sporting facilities, including the Splash Aqua Park and Leisure Centre, which is due to open later this year and will give residents across the northern suburbs access to a wide range of facilities.

While in the electorate, the minister may also be interested in visiting the Marnong Estate development, a new tourism facility in Mickleham set to open in February 2018 which will offer historic homestead accommodation, a winery and a 250-seat restaurant that will cater to the conference and events market.

I thank the minister for his work in this area and look forward to his response.

Responses

Ms NEVILLE (Minister for Police) — A number of members have raised a number of issues for a range of ministers, and I will pass those issues on.

The DEPUTY SPEAKER — Order! The house now stands adjourned until tomorrow.

House adjourned 7.19 p.m.