

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

**Tuesday, 2 May 2017
(Extract from book 5)**

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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 |
| Minister for Small Business, Innovation and Trade | The Hon. P. Dalidakis, MLC |
| Minister for Energy, Environment and Climate Change, and Minister for Suburban Development | The Hon. L. D'Ambrosio, MP |
| Minister for Roads and Road Safety, and Minister for Ports | The Hon. L. A. Donnellan, MP |
| Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans | The Hon. J. H. Eren, MP |
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| Minister for Health and Minister for Ambulance Services | The Hon. J. Hennessy, MP |
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| Special Minister of State | The Hon. G. Jennings, MLC |
| Minister for Consumer Affairs, Gaming and Liquor Regulation | The Hon. M. Kairouz, MP |
| Minister for Families and Children, and Minister for Youth Affairs | The Hon. J. Mikakos, MLC |
| Minister for Police and Minister for Water | The Hon. L. M. Neville, MP |
| Minister for Industry and Employment, and Minister for Resources | The Hon. W. M. Noonan, MP |
| Attorney-General and Minister for Racing | The Hon. M. P. Pakula, MP |
| Minister for Agriculture and Minister for Regional Development | The Hon. J. L. Pulford, MLC |
| Minister for Women and Minister for the Prevention of Family Violence | The Hon. F. Richardson, MP |
| Minister for Finance and Minister for Multicultural Affairs | The Hon. R. D. Scott, MP |
| Minister for 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 |
| Burgess, Mr Neale Ronald | Hastings | LP | Pakula, Mr Martin Philip | Keysborough | ALP |
| Carbines, Mr Anthony Richard | Ivanhoe | ALP | Pallas, Mr Timothy Hugh | Werribee | ALP |
| Carroll, Mr Benjamin Alan | Niddrie | ALP | Paynter, Mr Brian Francis | Bass | LP |
| Clark, Mr Robert William | Box Hill | LP | Pearson, Mr Daniel James | Essendon | ALP |
| Couzens, Ms Christine Anne | Geelong | ALP | Perera, Mr Jude | Cranbourne | ALP |
| Crisp, Mr Peter Laurence | Mildura | Nats | Pesutto, Mr John | Hawthorn | LP |
| D'Ambrosio, Ms Liliana | Mill Park | ALP | Richardson, Mr Timothy Noel | Mordialloc | ALP |
| Dimopoulos, Mr Stephen | Oakleigh | ALP | Richardson, Ms Fiona Catherine Alison | Northcote | ALP |
| Dixon, Mr Martin Francis | Nepean | LP | Riordan, Mr Richard 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 |
| Edwards, Ms Janice Maree | Bendigo West | ALP | Ryan, Ms Stephanie Maureen | Euroa | Nats |
| Eren, Mr John Hamdi | Lara | ALP | Sandell, Ms Ellen | Melbourne | Greens |
| Foley, Mr Martin Peter | Albert Park | ALP | Scott, Mr Robin David | Preston | ALP |
| Fyffe, Mrs Christine Anne | Evelyn | LP | Sheed, Ms Suzanna | Shepparton | Ind |
| Garrett, Ms Jane Furneaux | Brunswick | ALP | Smith, Mr Ryan | Warrandyte | LP |
| Gidley, Mr Michael Xavier Charles | Mount Waverley | LP | Smith, Mr Timothy Colin | Kew | LP |
| Graley, Ms Judith Ann | Narre Warren South | ALP | Southwick, Mr David James | Caulfield | LP |
| Green, Ms Danielle Louise | Yan Yean | ALP | Spence, Ms Rosalind Louise | Yuroke | ALP |
| Guy, Mr Matthew Jason | Bulleen | LP | Staikos, Mr Nicholas | Bentleigh | ALP |
| Halfpenny, Ms Bronwyn | Thomastown | ALP | Staley, Ms Louise Eileen | Ripon | LP |
| Hennessy, Ms Jill | Altona | ALP | Suleyman, Ms Natalie | St Albans | ALP |
| Hibbins, Mr Samuel Peter | Prahran | Greens | Thomas, Ms Mary-Anne | Macedon | ALP |
| Hodgett, Mr David John | Croydon | LP | Thompson, Mr Murray Hamilton Ross | Sandringham | LP |
| Howard, Mr Geoffrey Kemp | Buninyong | ALP | Thomson, Ms Marsha Rose | Footscray | ALP |
| Hutchins, Ms Natalie Maree Sykes | Sydenham | ALP | Tilley, Mr William John | Benambra | LP |
| Kairouz, Ms Marlene | Kororoit | ALP | Victoria, Ms Heidi | Bayswater | LP |
| Katos, Mr Andrew | South Barwon | LP | Wakeling, Mr Nicholas | Ferntree Gully | LP |
| Kealy, Ms Emma Jayne | Lowan | Nats | Walsh, Mr Peter Lindsay | Murray Plains | Nats |
| Kilkenny, Ms Sonya | Carrum | ALP | Ward, Ms Vicki | Eltham | ALP |
| Knight, Ms Sharon Patricia | Wendouree | ALP | Watt, Mr Graham Travis | Burwood | LP |
| Languiller, Mr Telmo Ramon | Tarneit | ALP | Wells, Mr Kimberley Arthur | Rowville | LP |
| Lim, Mr Muy Hong | Clarinda | ALP | Williams, Ms Gabrielle | Dandenong | ALP |
| McCurdy, Mr Timothy Logan | Ovens Valley | Nats | Wynne, Mr Richard William | Richmond | ALP |
| McGuire, Mr Frank | Broadmeadows | ALP | | | |

¹ 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 D. O’Brien, Mr Pearson, Mr T. Smith 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, 2 May 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.

SELECT COMMITTEE ON MEMBERS FOR TARNEIT AND MELTON

Establishment

Mr GUY (Leader of the Opposition) — Speaker, I desire to move, by leave:

That so much of standing orders be suspended as necessary for the motion standing in my name to establish a select committee on the conduct of the former Speaker and Deputy Speaker to be considered immediately.

Leave refused.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Member for Melton

Mr GUY (Leader of the Opposition) — My question is to the Premier. The member for Melton has rorted \$174 000 from the taxpayer. You are insisting he only pay back \$98 000 of it; you are letting him off \$76 000 in taxpayers money. This man has committed theft from the taxpayer, and the Premier is excusing half of it. Premier, why will you not support sacking this rorting member from the Parliament?

Mr ANDREWS (Premier) — What a half-hearted effort that was on budget day. The member for Melton — —

Mr Guy — On a point of order, it was not half-hearted; it was half paid back.

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

Mr ANDREWS — That is five weeks of practice! The member for Melton has made arrangements to pay back money that he owes. The terms of those arrangements are a matter for him. As to his conduct and the claims made by the Leader of the Opposition in his question, I would remind the Leader of the

Opposition that the member for Melton is the subject of a number of investigations and no-one in this place should be cutting across those investigations. The right thing to do is to pay the money back, and that is what the member for Melton is doing.

Supplementary question

Mr GUY (Leader of the Opposition) — He has not paid any money back. Premier, no Victorian can steal from their employer and then offer to pay back just some of the theft interest free and avoid any consequences or meaningful punishment. Premier, why have you caved in to the member for Melton? Why have you agreed that he should have \$76 000 of his theft forgiven? Why have you not demanded that the full amount be paid back?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his shouty little effort — five weeks of shouting. I reject all the assertions in the little rant from the Leader of the Opposition. As I said earlier on, the member for Melton is the subject of a number of investigations and inquiries. They should be allowed to run their course. The right thing to do is to pay the money back, and arrangements, as I understand it, that the member for — —

Honourable members interjecting.

The SPEAKER — Order! Members will cease shouting across the chamber, or they will be warned and asked to leave the chamber.

Ministers statements: regional rail services

Mr ANDREWS (Premier) — I was very, very pleased to be in Warragul on Sunday to announce the \$1.4 billion Victorian regional rail revival, the biggest ever boost to our regional rail network, a profound investment in better services for V/Line passengers, better connections for regional communities and jobs for regional Victorians — a fantastic package and one that is long overdue.

What does it mean? It means 40-minute services between Traralgon and Melbourne; the Avon River bridge being replaced; additional services on the Warrnambool line; important steps towards better rail into the Surf Coast, particularly Torquay rail; Ararat and Maryborough having better freight and passenger rail services — so freight and rail passenger services will be improved for Ararat and Maryborough; stations being upgraded at Donnybrook and Wallan; the track between Bendigo and Echuca being improved; and more services added to the Ballarat line. What a fantastic package of investment. What a fantastic

package to support regional Victoria to be strong and confident and prosperous.

And what have we had from those opposite? Liberals first and Victorians second out there doing Malcolm Turnbull's bidding. They are actually hoping that Malcolm Turnbull rips off Victoria — actually barracking, hoping, praying, begging for Malcolm Turnbull to rip off Victoria. We will get on and build these projects. We should not have to argue about any of them. They are outstanding, and we stand ready to get them built for every single regional Victorian.

Member conduct

Mr GUY (Leader of the Opposition) — My question is to the Premier. Your promised legislation to crack down on Labor rorts includes a penalty of 25 per cent for those caught rorting the system. Premier, why do you not apply the same 25 per cent penalty to Victoria's biggest two parliamentary rorters, Labor's member for Melton and member for Tarneit? Is it a case of rorters first, Victorians second?

Mr ANDREWS (Premier) — The government has announced that it will introduce a comprehensive package of legislative reform — reform not undertaken by those opposite. When those bills are put before the Parliament we will be able to debate them in full, and we will expect the support of those opposite.

Supplementary question

Mr GUY (Leader of the Opposition) — If it is good enough to have a penalty for future Labor rorters, Premier, why is it not good enough to have penalties for your current two Labor rorters?

Mr ANDREWS (Premier) — As I said, bills will be introduced into the Parliament. They will be debated, and we hope they pass with the support of all members of Parliament. One might ask: if it is good enough to say you have checked everyone's paperwork, why was the paperwork not handed over by the member for Benambra? Ah, boasting and bragging and found short on this issue!

Honourable members interjecting.

The SPEAKER — Order! Before calling the Minister for Public Transport I renew my warning that I will commence to remove members from the chamber if people continue to shout across the chamber at each other.

Ministers statements: regional rail services

Ms ALLAN (Minister for Public Transport) — I am very pleased to continue what the Premier mentioned earlier today about how the Andrews Labor government is delivering a \$1.45 billion regional rail revival program that will upgrade regional passenger lines right across regional Victoria. These are upgrades that are ready to go as soon as Victoria receives the funds under the national partnership agreement that Victoria is entitled to. Let us be clear: this is Victorian money owed to Victoria for Victorian projects, and we have said we will spend it on reviving regional rail.

Honourable members interjecting.

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

Ms ALLAN — Members of the house support more funds for regional rail. We know this because some have launched a petition calling for more money for rail services. The member for Polwarth, the member for South Barwon and the member for South-West Coast have all put their names on this petition.

I am very pleased to advise those members that this package includes \$110 million for the first stage of the Surf Coast rail and \$100 million for the Warrnambool line. I would like to give a particular shout-out to one of those three MPs who has been consistent in standing by their community. Only one of those three MPs stood by their community. The member for South-West Coast has told the Warrnambool *Standard* that this is 'a win' for her electorate. Thank you to the member for South-West Coast. Others could learn.

Honourable members interjecting.

The SPEAKER — Order! Government members will come to order.

Ms ALLAN — Others have said:

If there is money owed to Victoria, it should be paid in full, no mucking around, no half-baked discussion ...

Who said that? It was the Leader of the Opposition. So come on, be a Victorian first, not a Liberal.

Member for Melton

Mr GUY (Leader of the Opposition) — My question is to the Premier. Under the Penalty Interest Rates Act 1983 as prescribed by the Attorney-General last year, an interest rate of up to 9.5 per cent is imposed on debts owing to the state. Premier, why have you exempted the member for Melton's fortnightly

repayments of his moneys owed to the state from any requirement to pay interest, yet every other Victorian is required to pay penalty interest on their unpaid debts?

Mr ANDREWS (Premier) — As I said earlier, the government will introduce into the Parliament comprehensive changes — changes that were not made by those opposite in the review to end all reviews that was conducted by the previous Premier, Dr Napthine. Well, there is a bit more work that needs to be done — and it will be done — and we look forward to the fulsome support, with all the anger and gusto he can muster, of the Leader of the Opposition.

Supplementary question

Mr GUY (Leader of the Opposition) — Premier, in your agreeing that Parliament's own Ronnie Biggs can pay back just half of his looted instalments, will your sleazy deal with the member for Melton allow him to simply use his electoral allowance, the part B allowance, to pay back his rorted cash?

Mr ANDREWS (Premier) — As I have said publicly and I think in this place on many occasions, the right thing to do is to pay back the money. That is what the member for Melton is doing. The arrangements are a matter for him and a matter between the Parliament and the member. I am in no position to confirm any of those matters; I have no knowledge of those matters. I cannot confirm what I am unaware of.

Honourable members interjecting.

The SPEAKER — Order! Members will come to order.

Mr ANDREWS — If the Leader of the Opposition would like to have a full investigation of part B, that is an interesting policy position and one I would only be too happy to talk to him about. I am happy to talk about that if that is what he is putting forward, but I expect he is not, and he certainly would not have had too much of a conversation with his backbench about that. Angry and confused as always!

Ministers statements: Rinnai

Mr NOONAN (Minister for Industry and Employment) — Two weeks ago I had the great pleasure of joining the Premier and the members for Keysborough and Mordialloc at the opening of Rinnai's new manufacturing facility at Braeside. Of course Rinnai are a well-known household brand. They make energy efficient hot-water systems, air-conditioning units and renewable solar systems. The new manufacturing plant in every way demonstrates our

great capabilities in Victoria, and the confidence that global companies have to invest in Victoria.

Our government was very proud to support Rinnai through our investment attraction and assistance program. This investment will secure 372 existing jobs and add more than 155 new jobs at Rinnai.

These are highly skilled and valuable jobs, some of which, very pleasingly, are going to ex-auto workers.

Mr R. Smith interjected.

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

Mr NOONAN — This is a great outcome for our manufacturing sector, a sector that employs more than 300 000 Victorians. Rinnai of course joins a long list of companies investing and growing in Victoria, and growing jobs is what this government is all about. We are absolutely leading the nation in terms of growing jobs. Since we came to government 216 000 new jobs have been created in Victoria.

Mr T. Smith interjected.

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

Mr NOONAN — Last year alone, employment rose by 95 300 people. That is nearly double the number of jobs created throughout the rest of Australia. To put that into further context the number of additional jobs created in Victoria last year was about the same number that the previous government created in four years. That demonstrates how committed we are to creating jobs in Victoria.

Member conduct

Mr GUY (Leader of the Opposition) — My question is to the Premier. Premier, the Ocean Grove caravan park that the member for Melton claims to live in has a policy of having no permanent residents, and the owners state they have never ever seen him. Given it is clear that in stating he lived at this Ocean Grove caravan park the rorting member for Melton, your member for Melton, has lied on a statutory declaration to this Parliament, it is a clear-cut case of corruption. Premier, why have you not referred this man to the Independent Broad-based Anti-corruption Commission?

Mr ANDREWS (Premier) — I am delighted to wish those opposite a happy budget day. It is budget day, a day when the government gets to lay out its

commitments and you opposite get to celebrate your irrelevance to our plans for Victoria.

There are a number of investigations, and I do not propose to cut — —

Honourable members interjecting.

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

Mr Guy — On a point of order, Speaker, on relevance, I asked a very straightforward question: why after such evidence of rotting and lying will the Premier not refer the member for Melton to the anti-corruption commission? It is a simple question. Why will he not answer it?

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

Mr ANDREWS — Thank you, Speaker. There is no issue of relevance. It is budget day, and I am very happy that we are sitting on this side of the house and you are sitting over there. There are investigations underway, and I do not propose to cut across them. That might be the way the Leader of the Opposition operates, but not me and not this government.

Supplementary question

Mr GUY (Leader of the Opposition) — On the topic of rotting Labor MPs, after months of avoiding scrutiny, Premier, where is your rotting member for Tarneit, or has he skipped the country already?

Mr ANDREWS (Premier) — That is a complete nonsense question from the angry one here. The member for Tarneit — —

Honourable members interjecting.

The SPEAKER — Order! Members will come to order. I am struggling to hear the Premier's response to this question.

Mr Guy — On a point of order, by way of relevance, Speaker, attendance at Parliament is not nonsense. Attendance at Parliament is a member of Parliament's job. The member for Tarneit is not here. There is no excuse as to where he is. It is a simple question to the Premier: as Leader of the Labor Party, where is your member for Tarneit? Why is he not serving his constituents and being right here?

The SPEAKER — Order! The Premier was coming to answering the question, without assistance from government members.

Mr ANDREWS — Given that the Leader of the Opposition, even having reviewed a medical certificate, refused to grant leave, I think he knows the answer to this question. The member for Tarneit has a medical certificate, and he is absent subsequent to that medical certificate. If those opposite want to shout and laugh and jeer, it says more about them than it does about the member for Tarneit.

Ms Staley interjected.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Ripon

The SPEAKER — Order! The member for Ripon has been warned previously and continues to shout. I ask the member to leave the chamber for the period of half an hour.

Honourable member for Ripon withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Questions and statements resumed.

Ministers statements: major projects skills guarantee

Mr MERLINO (Minister for Education) — On this great day, this budget day, I rise to bring the house's attention to the opportunities for apprentices, trainees and engineering cadets as part of the Andrews government's regional rail package. Early estimates indicate that the project will create 140 opportunities for young apprentices, trainees and cadets. The Andrews government is using its unprecedented investment in infrastructure to provide young people with the opportunity to learn a trade and acquire new skills.

The regional rail package comes on top of more than 740 pathways for apprentices, trainees and cadets that have been created in just the first 12 months of the new major projects skills guarantee. This week's announcement complements the Andrews government's enduring commitment to training and higher education in our region. Through Skills First, the Andrews government is overhauling our training and TAFE system, guaranteeing funding to secure the future of TAFE, and making sure Victorians have the right skills for the jobs of today and of tomorrow.

Those opposite gutted TAFE. That is their record. They gutted TAFE and the jobs and skills pathway it provides. Our record is in stark contrast — funding new buildings, reopening closed campuses, rolling out the latest cutting-edge equipment and restoring quality to the system. In Gippsland, Federation Training gets \$6.5 million; in the south-west, South West TAFE gets \$3.5 million; Geelong gets \$6.6 million. Unlike those opposite, we are supporting our TAFE system, our apprentices, our trainees and our cadets.

Member for Melton

Mr GUY (Leader of the Opposition) — My question is to the Premier. Premier, your sleazy deal with the rorting member for Melton has forgiven him \$76 000 of his theft from the Victorian taxpayer, kept him in the Victorian Parliament instead of sacking him, and you have not even required him to apologise. Premier, can you tell all Victorians whether part of your deal with the member for Melton at least requires him to move back to his own seat?

Mr ANDREWS (Premier) — I reject each and every element of that ridiculous question — a question that took him five weeks to come up with. The member for Melton's arrangements are entirely a matter for him.

Supplementary question

Mr GUY (Leader of the Opposition) — Premier, is the reason you have excused more than \$76 000 of the member for Melton's \$174 000 fraud that you are doing all you can to avoid the wrath of the western suburbs voters in a possible Melton by-election?

Mr ANDREWS (Premier) — The answer to yet another ridiculous question from the Leader of the Opposition is no. N-O, no.

Ministers statements: Melbourne roads

Mr DONNELLAN (Minister for Roads and Road Safety) — I rise to update the house on the projects being undertaken by the Andrews government very much to improve Melbourne roads — and there are many, many of them, with funding mostly provided by the state government of course, as we know.

Recently we committed \$100 million to build that missing link in the north-east — to actually finish the Ring Road that has been so required for so long. That is something that the community very much welcomes, and the 5000 jobs which are associated with it, which we know is a big boom. Then we have got the Mordialloc bypass, which was in the *Herald Sun* this morning, and another missing link — and we know

how popular that was. Another \$330 million, and another project the Liberal Party said they would do but never got anywhere near doing.

Then we have to look at our duplications in the west — eight major upgrades, whether it be Dunnings Road, Palmers Road, Leakes Road and the like — which will deliver employment, opportunity and reliability for people getting home. When you are looking in the west you only have to look at the West Gate tunnel project. Another 6000 jobs, another major project which will deliver greater freight efficiency and deliver greater economic benefits in this economy.

As we know, we have the fastest growing economy in the country — 200 000 jobs. Then you think what could be the alternatives: you could grow at 0.8 per cent like the last lot did in 2013–14; you could turn the lights off, shut the shop and simply do nothing; or you could do what the shadow Treasurer, the member for Malvern, has said. What did he say today? He said he would not be wasting money on infrastructure business cases. We know why — because they did absolutely nothing. Or, if you like the alternative policy of the member for Hawthorn, it is the 'girly germs' policy where you do not have any girls on the front bench because they are a bit scary.

Ms Kealy — On a point of order, Speaker, I would ask the minister to withdraw. He made a comment about there being no women on the front bench on this side of the chamber. It is quite clear that we have a number of fantastic women representing our region. I would like the minister to withdraw those offensive comments.

Ms Allan — On the point of order, Speaker, as the manager of opposition business is fond of asking us to do — —

An honourable member — What is the point of order?

Ms Allan — I am just demonstrating the point that members opposite are a little bit uncomfortable with women in the room. The member did not use the appropriate forms of the house: under the standing orders you are required to take personal offence at a matter that is raised. She did not indicate that in her contribution, and she may wish to do so.

The SPEAKER — Order! The member for Lowan indicated she was offended by the remarks of the minister. I would ask him to withdraw those remarks.

Mr DONNELLAN — I am happy to withdraw.

CONSTITUENCY QUESTIONS

Evelyn electorate

Mrs FYFFE (Evelyn) — (12 522) My question is to the Minister for Housing, Disability and Ageing. My constituents are questioning why 12 Plaza Court, Lilydale, which is managed by the minister's department, has been left empty and unused. I have been told that no-one has lived there for almost three months and renovation rubbish and other rubbish has been left in the front yard. The rubbish out the front is an eyesore for local residents, and with so many desperate people on waiting lists for houses, constituents are asking why this house has not been used for those in need.

Essendon electorate

Mr PEARSON (Essendon) — (12 523) My constituency question is directed to the Minister for Police, and I ask: what is the latest information about increasing police numbers in the City of Moonee Valley?

Gippsland East electorate

Mr T. BULL (Gippsland East) — (12 524) My constituency question is to the Minister for Roads and Road Safety. The information I seek is whether he will consider the sealing of the shoulders of Maffra-Sale Road. My office has been contacted a number of times by constituents who are concerned about the road and the state of the shoulders in this section. The road is used frequently by many constituents from Maffra, Bundalagwah and surrounding areas, as well as by a number of visitors to the region. It is the main route between Sale and Maffra, and given the area is a farming district, the road is also used by heavy vehicles in the transportation of livestock. My constituents believe the current surface and condition of the shoulders is at an unacceptable standard and that sealing would greatly increase their level of safety. Despite cuts to both the road assets and operations budgets in the past two years, I would hope that this project can be completed.

Yuroke electorate

Ms SPENCE (Yuroke) — (12 525) My constituency question is for the Minister for Police. The Andrews Labor government's recent announcement of a \$2 billion investment in police resources has been welcomed across Victoria. The information I seek is how this investment will benefit communities in the Yuroke electorate. Last week the minister announced that 36 additional police will be deployed across the

Hume police region from this month, an announcement strongly welcomed by my constituents. With thousands of new police on the way, along with new resources and technology, I look forward to hearing from the minister about how this record investment will benefit Yuroke constituents.

Sandringham electorate

Mr THOMPSON (Sandringham) — (12 526) My constituency question is directed to the Minister for Roads and Road Safety. Kingston City Council have proposed the completion of the bay trail along Beach Road between Mentone and Mordialloc with a back-of-road solution that will involve the reduction of the width of Beach Road. I ask the minister whether he supports the current City of Kingston proposal, which will place cyclists closer to passing vehicles.

Broadmeadows electorate

Mr McGUIRE (Broadmeadows) — (12 527) My constituency question is to the Minister for Industry and Employment. The information I seek is an update on the success in finding jobs for automotive workers following the Ford Motor Company's closure of its passenger car manufacturing in Broadmeadows. As chair of the northern Automotive Transition Taskforce I want to acknowledge the work of the minister, his office, the Department of Economic Development, Jobs, Transport and Resources and the collaboration between key stakeholders, as well as the outstanding commitment from the Australian Manufacturing Workers Union representatives, including the tireless John Herbertson and Paul Difelice; the Ford Motor Company, which has been a good corporate citizen in trying to assist and find new jobs for its former employees; and Auto Skills Australia, headed by Vince Panozzo. I also acknowledge the collaboration between local councils, particularly the City of Hume; the Trades Hall Council, which provided oversight through Luke Hilakari and the former member for Yuroke, Liz Beattie; and advice from business as well, which has been highly appreciated, through the Australian Industry Group's Tim Piper's commitment.

Prahran electorate

Mr HIBBINS (Prahran) — (12 528) My question is for the Minister for Roads and Road Safety, and I ask: will the minister change the phasing of the traffic lights at the Chapel Street and Dandenong Road intersection to assist both pedestrians and vehicles doing a U-turn in the absence of the Hornby Street crossover? A number of people have listed this intersection as an issue on the Victoria Walks WalkSpot map. Some of the comments

are that the pedestrian crossing has a green man for too short a time to cross even halfway, that the light sequence is poor, that there is insufficient time to cross Dandenong Road and that unless you walk briskly or run, the lights do not allow for a full crossover of Dandenong Road along Chapel Street. The sequencing of lights is also a significant issue for drivers who need to do a U-turn to access Hornby Street following the closure of the Hornby Street crossover. They report traffic banking up, delays, people running red lights and a complete failure of VicRoads to meaningfully consult over this change.

Thomastown electorate

Ms HALFPENNY (Thomastown) — (12 529) My question is to the Minister for Education. A number of parents with children living with type 1 diabetes are very frustrated and upset that their children are struggling to fully participate in school activities. These parents have experienced a lack of care in some schools. Could the minister please provide information about how these concerns are being addressed?

Burwood electorate

Mr WATT (Burwood) — (12 530) My constituency question is to the Minister for Police. People should expect when they go to bed that it will be their alarm clock that will wake them in the morning, not somebody entering their bedroom with a machete or shots being fired in their street. It was concerning that recently in the streets of Chadstone it was the latter, with two men shot at 5.00 a.m. So I ask: given the government will today announce spending of more than \$60 billion, given the spate of drive-by shootings, carjackings and home invasions, and given the closure of local police stations, why will the government not provide the funds needed to keep the residents of Burwood safe?

Frankston electorate

Mr EDBROOKE (Frankston) — (12 531) My constituency question is to the Minister for Industry and Employment, and I ask the minister: how will the Jobs Victoria Employment Network program benefit communities experiencing high levels of unemployment, like the community of Frankston North in my electorate? Frankston North is a great place with a strong and proud community, but unfortunately it experiences high levels of unemployment, well above the state average. Employment is vital to social inclusion. It is empowering and it has positive health outcomes. However, many unemployed people face multiple and complex barriers to finding work. Such

challenges place these jobseekers at a disadvantage in the job market. They deserve assistance to find work because everyone deserves the opportunity to gain meaningful employment. To reiterate my question, how will this new program help disadvantaged jobseekers in areas of high unemployment, like Frankston North?

STATE TAXATION ACTS AMENDMENT BILL 2017

Introduction

Mr PALLAS (Treasurer) — I move:

That I have leave to bring in a bill for an act to make miscellaneous amendments to the Duties Act 2000, the First Home Owner Grant Act 2000, the Land Tax Act 2005, the Payroll Tax Act 2007, the Planning and Environment Act 1987, the Taxation Administration Act 1997, the Unclaimed Money Act 2008, the Valuation of Land Act 1960 and certain other acts as a consequence of the amendments made to the Valuation of Land Act 1960 and for other purposes.

House divided on motion:

Ayes, 45

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

Noes, 37

| | |
|---------------|----------------|
| Angus, Mr | Northe, Mr |
| Asher, Ms | O'Brien, Mr D. |
| Battin, Mr | Paynter, Mr |
| Blackwood, Mr | Pesutto, Mr |
| Britnell, Ms | Riordan, Mr |
| Bull, Mr T. | Ryall, Ms |
| Burgess, Mr | Ryan, Ms |
| Clark, Mr | Smith, Mr R. |
| Crisp, Mr | Smith, Mr T. |
| Dixon, Mr | Southwick, Mr |
| Fyffe, Mrs | Staley, Ms |
| Gidley, Mr | Thompson, Mr |

Guy, Mr
Hodgett, Mr
Katos, Mr
Kealy, Ms
McCurdy, Mr
McLeish, Ms
Morris, Mr

Tilley, Mr
Victoria, Ms
Wakeling, Mr
Walsh, Mr
Watt, Mr
Wells, Mr

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

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

Motion agreed to.

First reading

Mr PALLAS (Treasurer) — I move:

That this bill be now read a first time.

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

Mr PALLAS (Treasurer) — I thank the member for his question. The bill gives effect to a variety of initiatives that are incorporated within the state budget. It supports the government's strong financial management by implementing budget measures as well as other measures which will improve the operation of Victoria's taxation laws. In line with government policy, these amendments will help to maintain the integrity and sustainability of the taxation system.

House divided on motion:

Ayes, 45

Allan, Ms
Andrews, Mr
Blandthorn, Ms
Bull, Mr J.
Carbines, Mr
Couzens, Ms
D'Ambrosio, Ms
Dimopoulos, Mr
Donnellan, Mr
Edbrooke, Mr
Edwards, Ms
Eren, Mr
Foley, Mr
Garrett, Ms
Graley, Ms
Green, Ms
Halfpenny, Ms
Hennessy, Ms
Hibbins, Mr
Howard, Mr
Hutchins, Ms
Kairouz, Ms
Kilkenny, Ms

Knight, Ms
Lim, Mr
McGuire, Mr
Merlino, Mr
Neville, Ms
Noonan, Mr
Pakula, Mr
Pallas, Mr
Pearson, Mr
Perera, Mr
Richardson, Mr
Richardson, Ms
Scott, Mr
Sheed, Ms
Spence, Ms
Staikos, Mr
Suleyman, Ms
Thomas, Ms
Thomson, Ms
Ward, Ms
Williams, Ms
Wynne, Mr

Noes, 37

Angus, Mr
Asher, Ms
Battin, Mr
Blackwood, Mr
Britnell, Ms
Bull, Mr T.
Burgess, Mr

Northe, Mr
O'Brien, Mr D.
O'Brien, Mr M.
Paynter, Mr
Pesutto, Mr
Riordan, Mr
Ryall, Ms

Motion agreed to.

Read first time.

Mr PALLAS (Treasurer) — I move:

That this bill be read a second time on the next day of sitting.

Mr CLARK (Box Hill) — I move:

That the words 'on the next day of sitting' be omitted with a view of inserting in their place the words 'after consideration of the motion by the Leader of the Opposition to establish a select committee on the conduct of the former Speaker and Deputy Speaker has been completed'.

In speaking to that motion I reinforce to the house that there is one crucial matter that this house needs to be dealing with, and that is literally to put our house in order in terms of holding to account our former Speaker and former Deputy Speaker for the massive rorts that they have perpetuated on this house and on the people of Victoria. What the government needs to be doing is dealing with that matter forthwith, and if the government thinks that it can just ignore it, sweep it under the carpet and press on regardless as though nothing has happened, as though nothing needs to be done, then the government needs to think again, because this side of the house is not going to go along with that approach.

We have already provided the government at the commencement of business today with an opportunity to agree to establish a select committee that can get to the bottom of exactly what has gone on with this rorting by the member for Tarneit and the member for Melton, and the government has rejected that opportunity. With this motion we again want to provide the government now with an opportunity to bring on the motion, of which notice has been given by the Leader of the Opposition to deal with this. If the government is prepared to do that, then that process can be put in train. This house can do the right thing with a proper full select committee taking evidence from relevant officers and from the members for Melton and Tarneit, find out exactly what is going on and certainly, if the evidence that has emerged to date stacks up, hold those members to account, require them

to repay the money that they rorted and move to boot the malefactors out of this Parliament.

This is a matter that needs to be dealt with. The government, the Premier, cannot brush it off and cannot refuse to take action on it. It is an entirely different story from when the then Leader of the Opposition in the previous Parliament was strongly in support of the Parliament doing things in parallel with a police investigation. That of course was right, and that is what the former coalition government did. It referred issues for investigation by a committee of this Parliament while police matters were being looked at. But this has been an entirely different story, with the Premier now saying, 'No, no. There are other matters in train. We are not going to do anything to cut across those matters'. That just will not wash. It is absolutely wrong and inappropriate.

This Parliament needs to be dealing with this matter to put our house in order and to restore the credibility of this chamber with the people of Victoria. That is what needs to be given priority in this house. If the government is prepared to bring on the motion, to pass the motion and to get the select committee established and underway to get these matters investigated, then of course we can get on with other business until the select committee reports. But while the government is trying to cover up this racket, to cover up what appears to be a blatant fraud on the community of Victoria, to condone criminal conduct — while that is going on this house should be refusing to deal with other matters, insisting that the government bring this on as a matter of priority and ensuring that the reputation of this house can be restored, because as I said at the outset, this is not just an issue about an individual member doing the wrong thing.

We all recall exactly what the now Premier, then the Leader of the Opposition, had to say in the past on that subject in calling for action to be taken — action, I must say, that was taken under the previous government. But now it is the members for Tarneit and Melton involved it is an entirely different story. It looks as though the Premier has done a deal to let the member for Melton off with only a partial repayment of the money that he has rorted. There is no question about holding the member to account, no question about penalties, no question about booting him out of the Parliament and no question about referring him to IBAC.

This is an appalling attempt by the Premier to condone and cover up what has gone on. It is not something that this chamber should accept. We should be asserting our rights as a democratic institution and upholding the longstanding traditions of Westminster parliaments over centuries, which provide that we do take

responsibility for these matters, we do take responsibility for the conduct of our own affairs and we should be giving priority to that matter. Let us defer the second reading of this bill, bring on the motion for which notice has been given by the Leader of the Opposition to establish a select committee, pass that motion and get the select committee underway to ensure the members for Tarneit and Melton are held to account and uphold the standards of this house.

Ms ALLAN (Minister for Public Transport) — The government feels that it is appropriate that the first item and priority for today is to get to the budget. The State Taxation Acts Amendment Bill 2017, which is related to the budget, should appropriately be second read on the next day of sitting. I support the motion moved by the Treasurer.

Mr WALSH (Murray Plains) — I rise to support the amendment that the member for Box Hill has moved. The most important issue this house should be dealing with is the establishment of a select committee to review the rorting by the members for Melton and Tarneit. The reason that that should be a select committee is their rorting goes a lot further than the issues the Privileges Committee would normally deal with. It needs to be a select committee that can hear evidence and, more importantly, regain the credibility of this Parliament with Victorians. It needs that evidence to be heard in public and to be recorded, because the people of Victoria have lost patience with what happens around the issues of the Labor Party and the rorting that they do. So we do need a select committee that hears evidence in public to make sure that everyone knows what has gone on when it comes to the members for Melton and Tarneit.

As we have heard, the Premier has done some sleazy deal with the member for Melton whereby he does not have to repay all the money he has rorted out of the system. These are the sorts of things that should be examined by a select committee. Why has the Premier only demanded that approximately two-thirds of the money be repaid? Why is the member for Melton not paying a 25 per cent penalty on the money that he rorted from Victorian taxpayers? Why is he not paying penalty interest on the time payments for the small amount of money he has agreed to pay back? They are the sorts of things a select committee can hear evidence on and the Victorian people can know the facts and the Victorian people can start to gather some clear respect for this house again. Although it is the members for Melton and Tarneit who have done the rorting, it brings us all into some level of disrepute with the people of Victoria.

Speaker, when you were elected to the chair of this chamber you understood the responsibilities that that position holds. I would have thought the previous Speaker, the member for Tarneit, and the previous Deputy Speaker, the member for Melton, should have understood the responsibility they had in the high offices they held in this place. The fact that they did hold those high offices makes what they did even worse in my eyes. They should have known better. As we have heard, the caravan park at Ocean Grove does not accept permanent residents. The caravan park operator at Ocean Grove had never seen the member for Melton in all the time that he allegedly lived at that particular caravan park.

Those of us who come from the country know that we have to sign a statutory declaration of where we live and where our second residence is here in Melbourne. It is a very serious offence to sign a false stat dec, so the member for Melton has potentially exposed himself to a fine of up to \$250 000 or up to six months in jail for signing a false stat dec. This is a serious offence that the member for Melton has committed, let alone what the member for Tarneit may or may not have done with his alleged desire to move to Queenscliff to live even though it would appear now that he never moved to Queenscliff.

In the eyes of Victorians this needs to be dealt with in an appropriate way. Our view, as the Leader of the Opposition has moved in his motion, is this requires the establishment of a select committee that can hear evidence in public and, more importantly, can call witnesses under oath, because we know how good some of the people involved are at telling porkies. We need an inquiry that can call witnesses and have them give evidence under oath so the people of Victoria can regain some confidence that we are all here to do the things that we were elected to do — that is, govern on behalf of all Victorians — not just rort the system for our own personal benefit, as the members for Melton and Tarneit have done.

The Premier did not give any clear answers about what he was planning to do today about addressing these issues that we have raised, which just reinforces the need for the establishment of a select committee. This is the most important issue before the house today. The budget is important, but what is more important is the operation of the house and the confidence of Victorians now that hundreds of years of history in the Westminster system have been tarnished and dragged into ill repute by the members for Tarneit and Melton.

Ms THOMAS (Macedon) — Today is budget day. Today is about the livelihoods, the welfare and the

wellbeing of Victorians, who are all waiting to hear the Andrews Labor government's fantastic budget that is set down for this afternoon. The bluff and bluster, the sound and fury from those on the opposite side is nothing other than a cheap political stunt.

Mr M. O'BRIEN (Malvern) — The member for Macedon said that it is budget day. The last time I looked, a budget is when a government accounts to the public for where they spend money. Well, we are all about this government being accountable for the expenditure of public money, particularly the odd \$175 000 that was rorted by the Labor member for Melton. We are absolutely serious about being accountable for public money. Why are members of the government not equally concerned about it? That is why I support the member for Box Hill's contribution. His amendment to this motion is all about saying that this Parliament needs to get to the bottom of a disgraceful rort.

The empty seat over there where the member for Melton usually sits is testament to his guilt. He is not prepared to face the music, and I understand that. He should be embarrassed that after his lengthy career, after 20-odd years in this Parliament, the most he can hope for is to walk down the street and have nobody recognise him. After over two decades in this place he is known as one thing: a terrible rorter and a dishonest thief of public funds. If he was here he could have taken objection to that, but the coward did not have the ability or the guts to turn up on budget day.

So we are here saying that we need to be holding that rorting member for Melton accountable. We are saying that the government should be joining us in holding that member for Melton accountable for that rorting of public funds. So many faces on the other side were so indignant — and we said it — about the wrong behaviour of the former member for Frankston. Where are they now? Were they people of principle or were they simply about, as we always see, Labor first and honesty last? That is what it is all about — no principle, no integrity. It is all about protecting one of your rorting mates rather than looking after the taxpayers you have been elected to this place to represent.

That is why we are going to continue to prosecute this issue. We are not going to give up, because when I walk down the street of my electorate — where I live, can I say — this is what people actually are speaking to me about. People are angry about the actions of the member for Melton and the member for Tarneit and that rorting of public money. As the Leader of The Nationals pointed out, we elected those two men to esteemed positions in this house. They spoke for us; they literally spoke for us.

They were supposed to be the ones setting the standards — the standards of integrity and the standards of honesty. They were supposed to be the people setting the standard for this Parliament, but instead their greed, their avarice and their dishonesty led to them rorting money from the public.

They have not only disgraced themselves, trashed their own reputations and trashed their parliamentary careers, but also they have brought this house into disrepute. Anybody who has the great honour to be elected to this place, who took the oath, as we all did, should be concerned about the standards of this house and about the reputation which we collectively have with the people of Victoria. If members opposite had any care or concern for the dignity of this Parliament or respect for the people of Victoria who sent us here, they would be supporting the member for Box Hill's amendment, because we should be getting to the bottom of this rort. This is a stain on this Parliament, it is a stain on the Labor Party and it is a stain on the government, and that stain will not be cleaned up until we get to the bottom of this disgraceful rorting mess, and that is why this must take precedence over everything that the Labor Party wants to talk about today.

Mr HIBBINS (Prahran) — I am going to support the amendment by the opposition in this instance to debate the establishment of a select committee before moving to the budget. The Greens have put forward their preference for this matter to be sent to the Privileges Committee for further investigation and for it to propose a sanction that it can bring back to this house. I was not necessarily convinced that the select committee was the best way to go, but in the absence of a referral from the government I will be supporting this amendment because this is the proposal that is on the table. As I said last sitting week, it absolutely beggars belief that the government would allow this matter to continue over weeks during the break and now into budget day. If they wanted budget day to be focused on the budget and not on this matter, they should have acted on the matter in the previous sitting week. With no movement from the government on this issue and with no commitment from them to refer this matter to the Privileges Committee, I am going to support the opposition's amendment to deal with that motion before the budget is delivered.

Ms SHEED (Shepparton) — I said previously in this house that, similar to the honourable member for Prahran, I believe this matter should have been referred to the Privileges Committee. It is really a serious issue in that we have had a Speaker and a Deputy Speaker find themselves in this position, and it does reflect on the integrity of Parliament and on the reputation of Parliament, as have many other things that have occurred

in this Parliament in the last two years. It is a matter that needs to be dealt with.

I am inclined to support the motion to the extent that it is debated, because it does need to be debated. As to whether it goes to a select committee, ultimately I will reserve my position, because I maintain that it is a matter for the Privileges Committee. It was a matter for the Privileges Committee in the last Parliament when such a situation occurred. It is a matter that is currently with Victoria Police for investigation. If there are to be criminal charges brought, they will be dealt with in due course. The courts will ultimately be the arbiter of whether there has been any criminal activity, so in many ways it is premature to deal with this issue, but nevertheless it is warranted that it should be debated.

I have problems with the actual motion in that in its wording it prohibits an Independent member from being part of that committee. It requires that the committee be made up of members of the government, coalition and Greens only. There seems to be no room to consider that an Independent might be on the committee, and I take some umbrage at that. Nevertheless, for the purposes of this particular vote I will be supporting it.

The SPEAKER — Order! The question is:

That the words proposed to be omitted stand part of the question.

Members supporting the member for Box Hill's motion should vote no.

House divided on omission (members in favour vote no):

Ayes, 43

| | |
|----------------|----------------|
| Allan, Ms | Knight, Ms |
| Andrews, Mr | Lim, Mr |
| Blandthorn, Ms | McGuire, Mr |
| Bull, Mr J. | Merlino, Mr |
| Carbines, Mr | Neville, Ms |
| Couzens, Ms | Noonan, Mr |
| D'Ambrosio, Ms | Pakula, Mr |
| Dimopoulos, Mr | Pallas, Mr |
| Donnellan, Mr | Pearson, Mr |
| Edbrooke, Mr | Perera, Mr |
| Edwards, Ms | Richardson, Mr |
| Eren, Mr | Richardson, Ms |
| 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, 39

Angus, Mr
Asher, Ms
Battin, Mr
Blackwood, Mr
Britnell, Ms
Bull, Mr T.
Burgess, Mr
Clark, Mr
Crisp, Mr
Dixon, Mr
Fyffe, Mrs
Gidley, Mr
Guy, Mr
Hibbins, Mr
Hodgett, Mr
Katos, Mr
Kealy, Ms
McCurdy, Mr
McLeish, Ms
Morris, Mr

Northe, Mr
O'Brien, Mr D.
O'Brien, Mr M.
Paynter, Mr
Pesutto, Mr
Riordan, Mr
Ryall, Ms
Ryan, Ms
Sheed, Ms
Smith, Mr R.
Smith, Mr T.
Southwick, Mr
Thompson, Mr
Tilley, Mr
Victoria, Ms
Wakeling, Mr
Walsh, Mr
Watt, Mr
Wells, Mr

Burgess, Mr
Clark, Mr
Crisp, Mr
Dixon, Mr
Fyffe, Mrs
Gidley, Mr
Guy, Mr
Hibbins, Mr
Hodgett, Mr
Katos, Mr
Kealy, Ms
McCurdy, Mr
McLeish, Ms
Morris, Mr

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

Noes, 43

Allan, Ms
Andrews, Mr
Blandthorn, Ms
Bull, Mr J.
Carbines, Mr
Couzens, Ms
D'Ambrosio, Ms
Dimopoulos, Mr
Donnellan, Mr
Edbrooke, Mr
Edwards, Ms
Eren, Mr
Foley, Mr
Garrett, Ms
Graley, Ms
Green, Ms
Halfpenny, Ms
Hennessy, Ms
Howard, Mr
Hutchins, Ms
Kairouz, Ms
Kilkenny, Ms

Knight, Ms
Lim, Mr
McGuire, Mr
Merlino, Mr
Neville, Ms
Noonan, Mr
Pakula, Mr
Pallas, Mr
Pearson, Mr
Perera, Mr
Richardson, Mr
Richardson, Ms
Scott, Mr
Spence, Ms
Staikos, Mr
Suleyman, Ms
Thomas, Ms
Thomson, Ms
Ward, Ms
Williams, Ms
Wynne, Mr

Amendment defeated.

The SPEAKER — Order! The question is:

That this bill be read a second time on the next day of sitting.

Motion agreed to.

The SPEAKER — Order! Notices.

Mr Clark — On a point of order, Speaker, we were currently in the course of the introduction of bills, and the Leader of the Opposition was standing to continue the process of the introduction of bills.

**PARLIAMENTARY AND ELECTORAL
LEGISLATION AMENDMENT (ENDING
LABOR'S RORTS) BILL 2017**

Introduction

Mr GUY (Leader of the Opposition) — You move too quickly for me, Speaker. I move:

That I have leave to bring in a bill for an act to amend the Parliamentary Salaries and Superannuation (Allowances) Regulations 2013 and the Members of Parliament (Register of Interests) Act 1978 in relation to the second residence allowance and to amend the Electoral Act 2002 to require ballot papers for an Assembly election to specify the suburb or locality in which is located the address in respect of which a candidate is enrolled and for other purposes.

House divided on motion:

Ayes, 39

Angus, Mr
Asher, Ms
Battin, Mr
Blackwood, Mr
Britnell, Ms
Bull, Mr T.

Northe, Mr
O'Brien, Mr D.
O'Brien, Mr M.
Paynter, Mr
Pesutto, Mr
Riordan, Mr

Motion defeated.

PETITIONS

Following petitions presented to house:

Australian Sustainable Hardwoods

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house and requests that the Legislative Assembly of Victoria ensure the Andrews government acts immediately to secure hundreds of jobs of East Gippsland's timber workers, including those jobs which are directly under threat at Heyfield's Australian Sustainable Hardwoods mill.

We call on the Victorian government to direct VicForests to immediately review timber resource allocations to compensate for those areas that have been put into reserve in the past two years.

By Mr T. BULL (Gippsland East) (1423 signatures).

Murray Basin rail project

To the Legislative Assembly of Victoria:

The petition of residents in Victoria calls on the Legislative Assembly to note that the Murray Basin rail project will

reopen the Maryborough to Ararat railway line. This line has been closed for many years. Patterns of landholding, fire prevention and transport are well established. This region is well recognised as facing high fire danger. Access is needed for farmers and other landholders and emergency services. Proposed railway crossing closures will negatively impact all along this line if they proceed.

The petitioners therefore call on the members of the Legislative Assembly to note the urgent needs of the communities along this line and keep the current roads open by not removing level crossings.

By Ms STALEY (Ripon) (480 signatures).

Youth justice centres

To the Legislative Assembly of Victoria:

This petition of residents of the Wyndham region draws to the attention of the house the opposition to locate a proposed youth detention centre in Werribee South. Your petitioners object to this decision for the following reasons:

1. The state government's total failure to consult with the community and our local government representatives prior to making this decision.
2. The inappropriate location because it will:
 - be in close proximity to medical, tourism and educational facilities, as well as current and future housing estates;
 - be completely contradictory to the character and development of the area as designated under the planning scheme, the precinct structure plans and the Werribee East employment precinct;
 - constitute a risk to attracting investors to this growth area due to perceived and actual risks entailed in such a facility.
3. There are more appropriate and functional locations for a youth detention centre.

Your petitioners therefore urge the government to abandon its planning for a youth detention centre in Werribee South and meet with representatives from both the Wyndham City Council and from the Wyndham's Voice committee to establish a transparent and genuine consultation process where the needs of this community and the needs of Corrections Victoria can be discussed. We ask that the planning documentation and assessments already undertaken for the proposed facility, including reports of alternative sites and site criteria, be made publicly available.

By Mr PALLAS (Werribee) (24 636 signatures).

Tabled.

Ordered that petition presented by honourable member for Gippsland East be considered next day on motion of Mr T. BULL (Gippsland East).

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

AUDIT COMMITTEE

Review of members second residence allowance

The SPEAKER, by leave, presented PwC reports on phase 2 and phase 3.

Laid on table.

Ordered to be published.

Mr Clark — Speaker, on a point of order, I refer to your ruling on 23 March this year in relation to phase 1 of the Audit Committee report, when you informed the house that, and I quote:

I have sought advice from the clerks on this matter. I am advised there is no legislative process for the report to be tabled, and it is not the practice of this house that the Speaker tables documents.

As you will recall, I subsequently sought to move by leave that the report be tabled, and after that the Leader of the House moved that the report be tabled. Is the house to take it that you are now establishing the practice that the Speaker can and will in future, by leave, table documents in this house, as you are now proposing to do, or has something come to light that has invalidated your previous ruling?

The SPEAKER — Order! When the previous report, phase 1 of the members second residence allowance review, was released to the Parliament by the President in the other place I was not in possession of a copy of the report because I had absented myself from deliberative decisions of that committee at that point in time. I am in possession of copies of these two reports, and I am happy to make them available to the house.

UNIVERSITY OF DIVINITY

Report 2016

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

Tabled.

BUDGET PAPERS 2017–18

Mr PALLAS (Treasurer), by leave, presented budget paper 1, 'Treasurer's Speech'; budget paper 4, 'State Capital Program'; 'Overview'; budget information paper, 'Rural and Regional'; budget information paper, 'Suburban'; and budget

information paper, 'Gender Equality Budget Statement'.

Tabled.

ELECTORAL MATTERS COMMITTEE

Electronic voting

Ms ASHER (Brighton) presented report, together with appendices and transcripts of evidence.

Tabled.

Ordered that report and appendices be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 5

Ms BLANDTHORN (Pascoe Vale) presented *Alert Digest No. 5* of 2017 on:

Crimes Legislation Amendment (Public Order) Bill 2017

Drugs, Poisons and Controlled Substances Miscellaneous Amendment Bill 2017

Family Violence Protection Amendment (Information Sharing) Bill 2017

Land Legislation Amendment Bill 2017

Mineral Resources (Sustainable Development) Amendment (Lalor Valley Mine Rehabilitation Commissioner) Bill 2017

Worksafe Legislation Amendment Bill 2017

together with appendices.

Tabled.

Ordered to be published.

DOCUMENTS

Tabled by Clerk:

Bendigo Kangan Institute — Report 2016

Box Hill Institute of TAFE — Report 2016

Centre for Adult Education — Report 2016

Chisholm Institute — Report 2016

Deakin University — Report 2016

Federation University Australia — Report 2016

Financial Management Act 1994:

Budget Paper No 2 — Strategy and Outlook 2017–18

Budget Paper No 3 — Service Delivery 2017–18

Budget Paper No 5 — Statement of Finances 2017–18 incorporating Quarterly Financial Report No 3

Report from the Minister for Energy, Environment and Climate Change that she had not received the reports 2015–16 of the:

Falls Creek Alpine Resort Management Board, together with an explanation for the delay

Lake Mountain Alpine Resort Management Board, together with an explanation for the delay

Mount Baw Baw Alpine Resort Management Board, together with an explanation for the delay

Mount Buller and Mount Stirling Alpine Resort Management Board, together with an explanation for the delay

Gordon Institute of TAFE — Report 2016

Goulburn Ovens Institute of TAFE — Report 2016

Holmesglen Institute — Report 2016

Independent Broad-based Anti-corruption Commission — Operation Nepean: An investigation into the conduct of former employee of Dame Phyllis Frost Centre, Jeff Finlow — Ordered to be published

Interpretation of Legislation Act 1984:

Notice under s 32(3)(a)(iii) in relation to Statutory Rule 9 (*Gazette G13, 30 March 2017*)

Notice under s 32(4)(a)(iii) in relation to Waste Management Policy (Ships' Ballast Water) 2004 and Statutory Rule 59/2006 (*Gazette G14, 6 April 2017*)

La Trobe University — Report 2016

Melbourne Polytechnic — Report 2016

Melbourne University — Report 2016

Members of Parliament (Register of Interests) Act 1978 — Summary of Variations notified between 7 December 2016 and 28 April 2017 — Ordered to be published

Monash University — Report 2016

Mount Hotham Alpine Resort Management Board — Report 1 November 2015 to 31 December 2016

Ombudsman — Apologies — Ordered to be published

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

Ballarat — C200

Bass Coast — C148

Boroondara — C236, C239, C259

Cardinia — C224

Colac Otway — C91

| | |
|---|--|
| Frankston — C115 | <i>Subordinate Legislation Act 1994:</i> |
| Glen Eira — C147, C148 | Documents under s 15 in relation to Statutory Rules 9, 10, 11, 12, 13, 17, 18, 20 |
| Greater Shepparton — C112 | Documents under s 16B in relation to: |
| Macedon Ranges — C110 Part 1 | <i>Environment Protection Act 1970</i> — Variation to the Protocol for Environmental Management — Domestic Ballast Water Management in Victorian State Waters |
| Manningham — C111 | <i>Estate Agents Act 1980:</i> |
| Mildura — C82 | Determination of the Melbourne Metropolitan Area |
| Mitchell — C118 | Guidelines for Selecting Comparable Property Sales |
| Moreland — C158 | <i>Workplace Injury Rehabilitation and Compensation Act 2013</i> — Workers' Compensation (Corresponding Laws) Order |
| Northern Grampians — C54 | Sunraysia Institute of TAFE — Report 2016 |
| Port Phillip — C145 | Swinburne University of Technology — Report 2016 |
| Stonnington — C233 | Victoria University — Report 2016 |
| Strathbogie — C75 | <i>Wildlife Act 1975:</i> |
| Surf Coast — C106 | Wildlife (Prohibition of Game Hunting) Notice No 4/2017 (<i>Gazette S80, 21 March 2017</i>) |
| Swan Hill — C59 | Wildlife (Prohibition of Game Hunting) Notice Nos 8, 10/2017 (<i>Gazette S108, 3 April 2017</i>) |
| Victoria Planning Provisions — VC110, VC134, VC135, VC136 | William Angliss Institute of TAFE — Report 2016. |
| Wodonga — C124 | The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015: |
| Wyndham — C190 | <i>Building Legislation Amendment (Consumer Protection) Act 2016</i> — Sections 3, 6 to 13, 14(2), 15 and 59 to 68 — 26 April 2017 (<i>Gazette S94, 27 March 2017</i>) |
| Yarra — C198, C229 | <i>Food Amendment (Kilojoule Labelling Scheme and Other Matters) Act 2017</i> — Parts 2 and 3 — 1 May 2018 (<i>Gazette S111, 4 April 2017</i>) |
| <i>Professional Standards Act 2003:</i> | <i>National Domestic Violence Order Scheme Act 2016</i> — Parts 1 and 9 — 5 April 2017 (<i>Gazette S111, 4 April 2017</i>) |
| The Law Society of South Australia Professional Standards Scheme under s 14 (<i>Gazette G17, 27 April 2017</i>) | <i>Racing and Other Acts Amendment (Greyhound Racing and Welfare Reform) Act 2016</i> — Remaining provisions — 10 April 2017 (<i>Gazette S111, 4 April 2017</i>) |
| The South Australian Bar Association Inc Professional Standards Scheme under s 14 (<i>Gazette G17, 27 April 2017</i>) | <i>Transport Integration Amendment (Head, Transport for Victoria and Other Governance Reforms) Act 2017</i> — Whole Act (other than ss 1 and 2) — 12 April 2017 (<i>Gazette S117, 12 April 2017</i>) |
| <i>Racing Act 1958</i> — Notification of modification to the Constitution of Racing Victoria Ltd under s 3B | <i>Urban Renewal Authority Victoria Amendment (Development Victoria) Act 2017</i> — Whole Act — 1 April 2017 (<i>Gazette S94, 27 March 2017</i>) |
| RMIT University — Report 2016 | <i>Working with Children Amendment Act 2016</i> — Parts 1 and 3 — 1 May 2017 (<i>Gazette S111, 4 April 2017</i>). |
| South West Institute of TAFE — Report 2016 | |
| Statutory Rules under the following Acts: | |
| <i>Children, Youth and Families Act 2005</i> — SRs 19, 20 | |
| <i>Domestic Building Contracts Act 1995</i> — SR 18 | |
| <i>Drugs, Poisons and Controlled Substances Act 1981</i> — SR 13 | |
| <i>Fisheries Act 1995</i> — SRs 10, 11 | |
| <i>Gambling Regulation Act 2003</i> — SR 12 | |
| <i>National Parks Act 1975</i> — SR 16 | |
| <i>Powers of Attorney Act 2014</i> — SR 17 | |
| <i>Supreme Court Act 1986</i> — SRs 14, 15 | |

RESIGNATION OF LEGISLATIVE COUNCIL MEMBER

Mr Herbert

The SPEAKER — Order! I have received the following letter from the Governor:

The Governor transmits to the Legislative Assembly notification of the resignation of the Honourable Steve Herbert, member for Northern Victoria Region in the Legislative Council.

ROYAL ASSENT

Message read advising royal assent on 27 March to:

**Education and Care Services National Law
Amendment Bill 2017**
**Urban Renewal Authority Victoria Amendment
(Development Victoria) Bill 2016**
Victorian Planning Authority Bill 2016
**Wrongs Amendment (Organisational Child
Abuse) Bill 2016.**

APPROPRIATION MESSAGES

Message read recommending appropriations for:

**Mineral Resources (Sustainable Development)
Amendment (Latrobe Valley Mine
Rehabilitation Commissioner) Bill 2017**
Worksafe Legislation Amendment Bill 2017.

APPROPRIATION (2017–2018) BILL 2017

**Message read recommending appropriation and
transmitting estimates of expenditure for 2017–18.**

Estimates tabled.

Introduction and first reading

Mr PALLAS (Treasurer) — I move:

That I have leave to bring in a bill for an act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the government for the financial year 2017–2018 and for other purposes.

Mr M. O'BRIEN (Malvern) — I ask the Treasurer to provide the house with a brief explanation of the bill. In particular, does it provide mechanisms for the recompense — the recovery — of money rorted by Labor MPs?

Mr PALLAS (Treasurer) — This bill incorporates the budget of the state of Victoria, and it is a

demonstration of this government's capacity to fix up the mess that we inherited from those opposite.

Motion agreed to.

Read first time; under standing order 87, ordered to be read second time immediately.

Statement of compatibility

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

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (charter act), I make this statement of compatibility with respect to the Appropriation (2017–2018) Bill 2017.

In my opinion, the Appropriation (2017–2018) Bill 2017, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

Overview of bill

The Appropriation (2017–2018) Bill 2017 will provide appropriation 'authority' for payments from the Consolidated Fund for the ordinary annual services of government for the 2017–2018 financial year.

The amounts contained in schedule 1 to the Appropriation (2017–2018) Bill 2017 provide for the ongoing operations of departments, including new output and asset investment funded through annual appropriation.

Schedules 2 and 3 of the Appropriation (2017–2018) Bill 2017 contain details concerning payments from advances pursuant to section 35 of the Financial Management Act 1994 and payments from the advance to Treasurer in 2015–2016 respectively.

Human rights issues

- 1. Human rights protected by the charter act that are relevant to the bill**

The Appropriation (2017–2018) Bill 2017 does not raise any human rights issues.

- 2. Consideration of reasonable limitations — section 7(2)**

As the Appropriation (2017–2018) Bill 2017 does not raise any human rights issues, it does not limit any human rights and therefore it is not necessary to consider section 7(2) of the charter act.

Conclusion

I consider that the Appropriation (2017–2018) Bill 2017 is compatible with the charter act because it does not raise any human rights issues.

Tim Pallas, MP
Treasurer

Second reading

Mr PALLAS (Treasurer) — I move:

That this bill be now read a second time.

Speaker, budgets are more than economic blueprints. They're more than a set of numbers, more than a list of initiatives.

They're about people. They're about communities. They're about the type of society our grandchildren will inherit.

They show us where a government's heart lies.

They are, in essence, a test of not so much a government's priorities as its fundamental decency.

When the Andrews Labor government was elected in 2014, Victoria was in a state of flux. We had one of the highest unemployment rates on the mainland. Our roads had ground to a halt. The previous government had sent a wrecking ball through essential services, particularly in health and education.

The task before us was significant: to rally, to rebuild, to grow and to flourish.

We've laid the groundwork, we've made tough decisions and now Victoria is reaping the rewards.

Mr T. Smith interjected.

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

Mr PALLAS — Speaker, since we were elected, we've invested billions of dollars in the infrastructure and services the state needs, all the while maintaining a strong financial position.

The 2017–18 budget is about getting on with the job.

It's about remaining steadfast to the commitments and values that propelled us to government.

It addresses the issues familiar to any Victorian raising a family, studying, commuting or running a small business — the dignity of work, access to decent health care, getting home from work safely, and quickly and stable, affordable housing.

It's a budget that is unashamedly geared towards the most vulnerable in our community — those in danger of falling through the cracks and those in danger of not sharing in our economic prosperity.

Mr T. Smith interjected.

Debate interrupted.

SUSPENSION OF MEMBER

Member for Kew

The SPEAKER — Order! The member for Kew will leave the chamber for half an hour.

Honourable member for Kew withdrew from chamber.

APPROPRIATION (2017–2018) BILL 2017

Second reading

Debate resumed.

Mr PALLAS (Treasurer) — At its heart is an unprecedented, comprehensive, and long overdue \$1.9 billion package to address family violence.

It commits another \$1.3 billion to continue the revitalisation of our education system — a system that benefits all Victorian children, no matter where they live and no matter what their parents earn.

It builds on our record-breaking investments in the state's health system, with almost \$2.9 billion to ensure all Victorians, irrespective of their economic circumstances, receive world-class care.

It gets on with the job of shoring up our infrastructure pipeline, investing \$10.1 billion into the projects our cities, towns and communities need — more than double the average of \$4.9 billion a year that preceded this government.

It provides a record \$2 billion boost to Victoria Police, ensuring they have every resource they need to keep our streets safe, put victims first and hold perpetrators to account.

And it makes a record \$4 billion investment in regional Victoria, continuing the government's commitment to governing for all Victorians.

Speaker, all the social initiatives and infrastructure projects in the world count for nothing if they're not underpinned by strong economic management.

This government has kept its promises, met every challenge and maintained its AAA fiscal discipline.

The 2017–18 budget produces an operating surplus of \$1.2 billion, with surpluses averaging \$2.4 billion over the forward estimates.

After a lamentable period of inertia under the previous government, we have regained our status as the nation's economic engine room.

We've bucked the national trend when it comes to economic growth and jobs, with 216 000 jobs created on our watch — more than 130 000 of them being full time.

Net debt as a proportion of the economy has been maintained at below the levels we inherited and will remain at no more than 6 per cent of gross state product over the next four years.

We're one of only two Australian states with a AAA rating from both major credit rating agencies.

We've maintained growth in gross state product that is significantly higher than growth in national gross domestic product.

Business is booming. Productivity growth has surged from negative to positive territory.

And importantly, labour force participation is growing, which means more Victorians are taking the opportunity to contribute to our economy.

This is despite a Sydney-centric federal government that continues to deny us our fair share of infrastructure funding — that continues to short-change Victorians.

As a consequence, the commonwealth can lay no claim to Victoria's economic revitalisation, but just imagine what could be achieved if they were willing partners.

Speaker, by 2014, after four years of shoulder-shrugging by the previous government, our unemployment rate was nudging 7 per cent.

It was a blight on our state and one we haven't wasted a moment addressing.

With prudence and with foresight, we have turned this around, creating almost 250 jobs every day.

This government's record infrastructure spend alone is expected to generate more than 50 000 jobs.

Latest figures show Victorian employment grew by an annual average of 3.4 per cent, the strongest of all states, while the rest of Australia averaged only 0.6 per cent.

Put another way, more jobs were created in Victoria in the past year than the rest of the nation combined.

We are particularly proud of the jobs growth in regional Victoria, with the rate of employment growing at more than double the national rate.

This budget will stimulate statewide employment growth and drive private sector investment. It will secure today's jobs and create tomorrow's.

It's especially important that we invest in our small businesses, whose numbers grew by an additional 15 000 last year.

This is a government that values its relationship with business.

We want to reduce impediments to their growth so they can develop their operations, expand into new markets and create new jobs.

The government is therefore bringing forward previously announced increases to the payroll tax-free threshold.

This will benefit around 38 000 businesses with a payroll tax liability. It also means that in two years time 1600 Victorian enterprises will have stopped paying any payroll tax.

In addition, we're reducing the payroll tax rate by 25 per cent for all businesses operating substantially in regional Victoria — an Australian first that directly reduces costs for around 4000 businesses.

It will mean Victoria's regional employers will have the lowest payroll tax rate in the nation.

This will support employers to grow their businesses, encourage job creation and ensure our regional communities share the benefits of economic growth.

Speaker, when we talk of leaving no Victorian behind, that includes the workers — and their communities — that have been the backbone of Victorian manufacturing for so long.

This government is creating jobs, but we're also focused on protecting jobs.

Whether they're former employees of Ford, Toyota, GM Holden or the Hazelwood power plant, we'll capitalise on their remarkable range of skills, and work to lessen the pain for their families and their local communities.

We'll expand the Local Industry Fund for Transition program, supporting those affected by the decline of the automotive industry with retraining and career advice.

Working with industry, we'll expand the timber plantation estate in Gippsland to support the long-term sustainability of Victoria's timber harvesting industry.

We'll keep the Portland smelter operating, which will secure more than 1600 jobs and continue to inject more than \$120 million into the local region every year.

We'll establish a program for manufacturers exposed to high energy prices, especially in the gas market, and help protect jobs.

And we'll improve digital access across the state, to ensure rural communities, schools and businesses are not left behind.

Our government is working to ensure every part of our state can grow and prosper. But that also means keeping Victorians safe.

Speaker, today I announce historic actions on family violence, a national emergency that destroys too many lives, that has been underfunded for far too long.

As former Australian of the Year Rosie Batty said: 'Family violence may happen behind closed doors but it needs to be brought out from these shadows and into broad daylight'.

We recognise her loss and pain, together with the tens of thousands of Victorians who are victims of family violence every year.

It's an issue where everyone has a role to play, but where government must lead.

In 2015, we established Australia's first Royal Commission into Family Violence.

We committed to implementing every one of its 227 recommendations over a 10-year period.

We listened to victim survivors, to police, to frontline service providers — and we acted.

The unprecedented breadth and scope of our package reflects the gravity and complexity of the issue.

This budget allocates \$1.9 billion to protect victim survivors, hold perpetrators to account and help change community attitudes.

It's funding that will help establish a network of support and safety hubs — crucial points of contact for women and children experiencing family violence, and other vulnerable families to get the services they need.

It will fund after-hours crisis support, financial counselling and therapeutic support, including for children and Aboriginal victims.

It will help build long-term public housing and modernise and expand crisis accommodation to ensure

victim survivors' safety and allow them to begin a new life.

It will also help fully implement specialist family violence courts at Ballarat, Frankston, Shepparton, Moorabbin and Heidelberg Magistrates Courts — facilities that will help ensure the perpetrators of family violence are held to account.

It will provide support in areas where there are diverse or complex needs, including for LGBTI, migrant, multicultural and Aboriginal communities, as well as people with disabilities and elderly women.

And crucially, it will provide \$132 million to protect vulnerable children, many of whom have experienced or witnessed family violence.

Speaker, this government won't turn its back on these victim survivors.

We'll give those who have experienced family violence a chance — a chance to overcome physical, financial and emotional trauma. A chance to start anew.

Speaker, this budget will make our communities safer. As we've demonstrated with our family violence package, this government doesn't believe in quick fixes for complex problems.

What's needed is a long-term approach — evidence-based solutions that will make the state safer.

Speaker, the 2017–18 budget invests \$2.4 billion in community safety measures, including new police recruits, new police stations, the strengthening of youth justice precincts and improved public transport safety.

At its core is the largest single investment in the history of the Victorian police force.

More than 2700 new police officers will be sworn in and we're replacing 10 police stations across the state.

Together with the 446 police officers we've already funded, Victorians will enjoy the safety and protection of more than 3000 extra police.

It's a stark contrast to the previous government, which was quick to trot out its 'tough on crime' rhetoric but failed to back it up.

This funding will give our police greater powers, connect them better with their local communities, and ensure they have what they need to hold offenders to account.

This record investment is part of a broader overhaul of the justice system that focuses on early detection and

prevention, as well as punishing serious crime in a way that is commensurate with community expectations.

\$361 million will strengthen the youth justice precincts in Parkville and Malmsbury, as well as building a new fit-for-purpose youth justice centre at Cherry Creek.

We are delivering on our community safety statement, funding 100 new protective services officers, providing support for legal aid and community legal centres and expanding the Werribee and Bendigo courts.

This budget is providing the right investments and the resources police need to protect Victorians, keep them safe and reduce harm.

Speaker, this government is committed to the task of enriching the lives of young Victorians and giving them the best education possible.

After all, education shouldn't promote privilege or perpetuate inequality. It should drive hope and opportunity.

That's why we're getting on with what's been the single biggest education investment in Victoria's history.

Brick by brick, school by school, student by student, we are building the Education State.

The previous government gutted our education system. There were too many boarded-up schools, too many classrooms in a state of disrepair, and too many children left behind. Too many opportunities lost.

To date, we've funded more than 1000 projects across the state, including 43 new schools.

This budget commits \$1.3 billion to continue the revitalisation of our education system.

It directly funds the construction of another nine new schools, and acquires land for a further 11 schools. And it funds further upgrades for 108 schools across the state.

Six of those will be special needs schools.

Fifty-nine of them will be in regional and rural Victoria.

And we're investing in much-needed relocatable buildings and early childhood facilities.

Speaker, we believe in the transformative power of education for all of our children, regardless of disability or circumstances beyond their control.

That's why we're investing \$138 million in specialist programs for children from disadvantaged backgrounds, children with a disability, children who — for whatever reasons — may not be getting the attention they deserve.

Like the provision of a good education, quality health care will always be a fundamental priority for this government.

Speaker, we're a government that believes patients aren't mere statistics.

They're not clients or consumers.

They're our loved ones who deserve the best possible care.

They're our parents and our grandparents; our sons and our daughters. They're Victorians who should get the health care they need, not just the health care they can afford.

That's why we've already invested more than \$5 billion in the state's health care system.

And that's why this budget gets on with the job, with nearly \$2.9 billion to ensure all Victorians receive world-class care.

That means more beds, more nurses, more surgeries and more resources, closer to home.

It will mean our emergency departments, intensive care units, mental health practitioners, maternity admissions, palliative care facilities and ambulance services will all get the funding they need and were missing under the former government.

This budget invests \$498 million in our hospital infrastructure, including \$163 million for stage two of the Northern Hospital redevelopment, together with funding for the Monash Medical Centre emergency department and essential upgrades at the Royal Melbourne Hospital and the Austin Hospital.

It also provides \$8.3 million to establish a new mental health facility in Ballarat.

It upgrades patient data systems, boosts medical research, and invests \$14 million to deliver Victoria's Cancer Plan, which will provide around 45 000 additional breast, bowel and oral cancer screens.

Speaker, our investments in critical infrastructure were the cornerstones of our previous two budgets.

Prior to handing down our first budget, infrastructure investment had been averaging around \$4.9 billion per year for the preceding 10 years.

Since then, we've seen the average spend jump to \$8.4 billion per year, with this budget taking it to an annual average of \$9.6 billion over the next four years.

We've already started construction on the \$11 billion Metro Tunnel, the biggest overhaul of our train network since the construction of the City Loop and a huge boost for local jobs.

As promised, the proceeds from the record lease of the Port of Melbourne — 10 per cent of which are being invested in regional and rural infrastructure projects — have been paid into the Victorian Transport Fund, allowing us to remove 50 of the state's most dangerous and congested level crossings.

This landmark project will make our roads safer and more reliable and create thousands of jobs. To date we've removed 10 level crossings, with a further 27 either under construction or out to tender.

Likewise, the \$5.5 billion West Gate tunnel project will create more than 6000 new jobs. It will mean 500 apprenticeships, 150 jobs for former automotive workers and up to 400 new jobs in our burgeoning western suburbs.

And it will take trucks off the streets of the inner west.

The tunnel will change our state; the jobs will change people's lives.

This budget gets on with the job of strengthening our road system with an investment of almost \$2 billion that will help reduce congestion and keep Victorians safe behind the wheel.

It will mean more roads, better roads and safer roads.

The M80 Ring Road will be widened and enhanced with cutting-edge traffic management, ensuring smoother and safer journeys for the more than 160 000 Victorians who use the freeway every day.

We've also allocated \$300 million for the construction of the Mordialloc bypass, which will significantly reduce congestion in the south-east.

And we'll upgrade the Great Ocean Road, the Henty Highway and the South Gippsland Highway, as part of a \$531 million commitment for regional roads.

This includes an extensive program of resealing, resurfacing and rehabilitation works across the state,

work that will free up key freight routes, reduce the risk of crashes, relieve bottlenecks and improve traffic flow.

Speaker, as important as our roads are, a modern, easily accessible public transport system is critical.

It reduces the number of cars on the road, positions us as a world-class tourist destination and gets Victorians home quickly and safely.

This is especially true in regional Victoria.

Our regional rail revival builds on the \$1.3 billion we invested in last year's budget to upgrade every major line in regional Victoria.

The centrepiece of this is a \$435 million commitment to upgrade key Gippsland rail infrastructure — including track duplications, additional platforms and crossing loops.

We'll upgrade the Warrnambool and North East lines and deliver Surf Coast rail stage 1 to prepare for a new rail link to Torquay — provided the commonwealth is willing to work with us in partnership to deliver for regional Victoria.

We'll also provide \$316 million for enhanced maintenance, in addition to more trains, better bus services, new connections and upgraded stations.

It will mean additional services to Melbourne. It will mean more punctual and targeted services. It will mean safer and more comfortable journeys.

This budget gets on with the job of overhauling our metropolitan public transport system with \$880 million invested in new trams, safety measures, and train and station upgrades across Melbourne.

From a \$187 million investment in a long-term stabling solution for the Frankston line to the permanent rollout of the weekend Night Network, we'll continue to invest in a public transport system that befits the world's most livable city.

We'll also direct \$10 million from our entitlement under the federal government's asset recycling initiative into planning for the Melbourne Airport rail link.

We're calling on the commonwealth to partner with us on this project — so it progresses properly, integrates into our rail network and ensures Melbourne remains a world-class city for decades to come.

Speaker, this budget further establishes Victoria as both a prime tourist destination and an enviable place to

live — a state renowned for its arts and culture, its sporting events, and its natural wonders.

It's a budget that commits to increasing the supply of decent, affordable and stable housing for those who need it most.

It does so in a number of ways, including abolishing stamp duty for first-time buyers purchasing homes for up to \$600 000, and doubling the first home owner grant in regional Victoria.

It frees up land and simplifies planning rules, with the aim of maintaining housing approvals at more than 50 000 new homes a year and adding more than \$3.7 billion to the Victorian economy.

And perhaps most importantly, it supports those at risk of becoming homeless, with a raft of measures designed to provide more modern, safe and secure social housing.

Maintaining Victoria's natural resources and cultural gems is also paramount. This budget provides more than \$798 million to care for our environment and manage our water resources.

This is a government that believes in a fact-based approach to public policy.

We recognise climate change is a genuine threat, which is why we're investing a further \$25 million in our response to climate change.

We're also allocating additional funding to biodiversity programs, Victoria's parks, and the Environment Protection Authority.

The budget allocates \$25 million for Visit Victoria to attract tourists, driving jobs growth in our visitor economy while showcasing the best of Victoria to the world.

It cements our status as the nation's creative capital, with funding of \$106 million for our creative industries, including exhibitions at the National Gallery of Victoria, upgrades to our iconic arts centre and redevelopments of the Australian Centre for the Moving Image and the state library.

Sport is central to our way of life, and the Australian Open tennis is one of our many premium international offerings.

This budget provides \$272 million for the final stage of the Melbourne Park redevelopment, an investment that will secure the tournament until 2036.

We won't neglect grassroots sporting clubs either — so often the bedrock of our suburbs and towns — with funding to upgrade facilities, especially for women and girls.

Speaker, budgets are ultimately about people and communities.

This is a budget that delivers choice, control and vocational and educational opportunities for Victorians with a permanent disability, as well as support for their families and carers.

This is a budget that funds vital work with Aboriginal Victorians — more than \$68 million to build the foundations for self-determination, to empower communities, to create jobs and to support cultural links.

The Andrews Labor government is listening to Aboriginal communities. We believe genuine change can only occur when Aboriginal Victorians have control over the decisions that affect their lives.

As former Prime Minister Paul Keating said in his Redfern speech nearly a quarter of a century ago, we should endeavour 'to bring the dispossessed out of the shadows, to recognise that they are part of us'.

It's this commitment that perhaps best defines us, shows us who we are and what we value.

Speaker, when we were elected in 2014, we were upfront about what we stood for.

This budget reaffirms those values.

It's a responsible budget, a fair budget, a budget for all Victorians.

I believe the greatest failure in public life is a failure of effort. We will never fall short by that measure.

There is no virtue like necessity, and the Andrews Labor government is resolutely focused on the things that really matter — the things that must be done to enhance our great state and the welfare of every one of its citizens.

That's why we're getting on with the job.

I commend the bill to the house.

Debate adjourned on motion of Mr M. O'BRIEN (Malvern).

Debate adjourned until next day of sitting.

**APPROPRIATION
(PARLIAMENT 2017–2018)
BILL 2017**

Message read recommending appropriation and transmitting estimates of expenditure for 2017–18.

Estimates tabled.

Introduction and first reading

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

That I have leave to bring in a bill for an act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2017–2018 and for other purposes.

Mr CLARK (Box Hill) — I ask the Leader of the House for a brief explanation of the bill and in particular whether it contains any provision for recovery of amounts rorted by the members for Tarneit or Melton.

Ms ALLAN (Minister for Public Transport) — The manager of opposition business knows full well that this is a bill that always accompanies the appropriation bill, which the Treasurer has just gloriously presented to the chamber this afternoon. It contains matters to do with the appropriations for the operation of the Parliament, and in a few short moments the bill will be second read and available to the member for his further information.

Read first time; under standing order 87, ordered to be read second time immediately.

Statement of compatibility

Ms ALLAN (Minister for Public Transport) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (charter act), I make this statement of compatibility with respect to the Appropriation (Parliament 2017–2018) Bill 2017.

In my opinion, the Appropriation (Parliament 2017–2018) Bill 2017, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

Overview of bill

The purpose of the Appropriation (Parliament 2017–2018) Bill 2017 is to provide appropriation authority for payments from the Consolidated Fund to the Parliament in respect of the 2017–2018 financial year.

Human rights issues

1. Human rights protected by the charter act that are relevant to the bill

The Appropriation (Parliament 2017–2018) Bill 2017 does not raise any human rights issues.

2. Consideration of reasonable limitations — section 7(2)

As the Appropriation (Parliament 2017–2018) Bill 2017 does not raise any human rights issues, it does not limit any human rights, and therefore it is not necessary to consider section 7(2) of the charter act.

Conclusion

I consider that the Appropriation (Parliament 2017–2018) Bill 2017 is compatible with the charter act because it does not raise any human rights issues.

Tim Pallas, MP
Treasurer

Second reading

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

That this bill be now read a second time.

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

The Appropriation (Parliament 2017–2018) Bill 2017 provides appropriation authority for payments from the Consolidated Fund to the Parliament in respect of the 2017–2018 financial year including ongoing liabilities incurred by the Parliament such as employee entitlements that may be realised in the future.

Honourable members will be aware that other funds are appropriated for parliamentary purposes by way of special appropriations contained in other legislation. In addition, unapplied appropriations under the Appropriation (Parliament 2016–2017) Act 2016 have been estimated and included in the budget papers. Prior to 30 June actual unapplied appropriation will be finalised and the 2017–2018 appropriations adjusted by the approved carryover amounts pursuant to the provisions of section 32 of the Financial Management Act 1994.

In line with the wishes of the Presiding Officers, appropriations in the Appropriation (Parliament 2017–2018) Bill 2017 are made to the departments of the Parliament.

The total appropriation authority sought in this Appropriation (Parliament 2017–2018) Bill 2017 is \$146 286 000 (clause 3 of the bill) for Parliament in respect of the 2017–2018 financial year.

I commend the bill to the house.

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

Debate adjourned until next day of sitting.

BUSINESS OF THE HOUSE

Adjournment

Ms ALLAN (Minister for Public Transport) — At the risk of attracting the attention of the manager of opposition business, I move:

That the house, at its rising, adjourns until Tuesday, 9 May 2017.

Mr CLARK (Box Hill) — My attention has certainly been attracted to this motion. The opposition opposes this motion for two reasons: first of all, the continuing disgrace of the government refusing to have the guts to allow the Parliament to continue to sit during the week in which it tables the budget but instead to convene the Parliament for just a single day and then scuttle away afraid of its own budget, refusing to be accountable, refusing to allow this chamber to be the place for scrutiny of the budget, ducking any form of accountability and trying to suppress any opportunity for other members to have their say on the budget, in particular trying to impede and deny the opposition a fair and longstanding opportunity to reply to the budget. This is something that no government in the past has done. This is yet another sneaky and underhand way in which the Labor Party shows its contempt for democracy, and it is something that this side of the house strongly opposes.

If the government had any guts at all, if it had any confidence at all in its budget, it would schedule a full sitting week of the Parliament, as has always happened in the past, to provide an opportunity for the opposition to put a point of view on the budget, both in terms of a formal opposition response and through questions to ministers during question time. It is not only debate on the budget, but if the Parliament had continued to sit there would be opportunities for members to ask questions in question time to hold the whole gamut of ministers to account for what is in and what is not in the budget. But, no, the government is not prepared to face up to the democratic process and not prepared to be accountable for its budget. Instead it wants to scuttle away and hope that it will be quickly gone and forgotten and hope that with the coming of the federal budget and national attention turning to the federal budget, everybody will forget about the state budget and it can cover over its flaws and inadequacies. The opposition strongly believes for that reason alone that this house should continue to sit.

The second reason we believe the house should continue to sit is of course that we still need to deal with the issue of the rotting by the members for Tarneit and Melton, the former Speaker and the former Deputy

Speaker. As I made clear in this house today and on many previous occasions, as have many of my colleagues, this is something that needs to be acted on and the government should not be running away from it. We on this side of the house have given the government opportunity after opportunity to bring on this matter to establish a select committee, as the Leader of the Opposition has proposed, and if they did not like that, to come back with some alternative proposal. The member for Shepparton has said, ‘Why have a select committee rather than refer the matter to the Privileges Committee?’. We believe it should be a select committee because this goes beyond the misconduct of individual members of this house; it goes to the conduct of our former Presiding Officers. It needs to be an open parliamentary inquiry, not only into their own rotting and misconduct but into how the entire system has been able to fail and let the community down, and how these people who were charged with responsibility for upholding the standards of the Parliament were able instead to themselves abuse those standards. That is why we believe it is appropriate that the matter should be referred to a special select committee rather than to the Privileges Committee.

I make the point that the Privileges Committee is itself a form of select committee, as the motion to establish it will show if honourable members wish to look back to the motion the Leader of the House moved to establish the Privileges Committee. But we believe this should be a separate select committee, established under the terms put forward by the Leader of the Opposition. If the member for Shepparton or others believe there should be variations, by all means let them put forward those alternatives. But whatever the process and whatever the procedure adopted, the matter needs to be dealt with, and the government should not be running away from it, should not be trying to sweep it under the carpet, should not let the rotting and fraud by these members go undealt with by this house and not let them off with only, in one case, a partial repayment with no penalty, no requirement to pay interest and no move to boot them out of the house for their misconduct. This matter needs to be dealt with, and unless and until it is dealt with we believe this house should continue to sit. We therefore oppose the motion.

Mr WALSH (Murray Plains) — I rise to oppose the motion moved by the Leader of the House. This house has important business to carry on with. We should be sitting for the rest of this week. The government has refused to deal with the motion from the Leader of the Opposition about the establishment of a select committee to look into the rotting by the member for Melton and the member for Tarneit, and I believe this

house should continue sitting. We should not be adjourning until next week.

Mr McGuire (Broadmeadows) — The government's motion should be supported, because what we are talking about here is the sitting of the house. The proposal is exactly what happened last year. That is the first point to be established, and that is the precedent.

We have had an argument from the manager of opposition business, the member for Box Hill, about question time. Well, let us just put on the record that the shadow Treasurer, the member for Malvern, has not asked one question of the Treasurer about the budget in the entire time since last year. So that is a furphy. Let us just put that off to one side; that does not count.

As far as other platforms are concerned and all the rest of it, I recall I did hear the shadow Treasurer on the radio this morning even pre-empt the budget, so let us get on with the business. We have just had the Treasurer announce a fantastic budget and a big-picture vision. That is what this government does, and it actually gets on with it. We have a government business program motion about to be debated as well, so with these comments I just want to say: let us get on with delivering. That is what this government does. This motion is just about the sitting of the house. Let us get on with delivering and take a vote as soon as we can.

Mr Hibbins (Prahran) — I rise to speak in support of the opposition on this matter because of the two arguments that they have raised. One, we should not be having just a single sitting day in a week to have the budget, then all pack up for the week and come back next week to deal with the budget reply and further questions that members may have on the budget. It would seem to me that the standard way of going about it is to have the budget on Tuesday and then the budget reply during that sitting week. I do recall it was proposed some years ago that perhaps the state budget should actually go after the federal budget, given that much of a state budget quite often can be contingent on funds in a federal budget, but I think we now know why that has not occurred.

The other issue is that we should continue to sit to deal with the member for Melton and the member for Tarneit. The opposition has got a motion to refer them to a select committee. As I have said, the Greens feel that matter should go to the Privileges Committee. If we are going to come here for just one day to deal with the budget, I feel we can also be here to deal with that particular matter, so I am going to be supporting the opposition in this instance.

Ms Staley (Ripon) — I rise to oppose the motion moved in the name of the Leader of the House to adjourn today. I think we should continue to sit this week for the reasons that the manager of opposition business, the member for Box Hill, has given.

In particular I wanted to add to this debate that I think what the Leader of the House is doing here with the idea that we should only have today for the Treasurer's speech and then go on, if her motions are passed, to do other bills is in contempt of the democratic traditions, and the Leader of the House has form on this. She persistently uses all of the tools at her disposal to shut down scrutiny in many, many ways. Whenever the Leader of the House is put under any pressure what we see is a nasty, vindictive and personal attack, particularly against those in opposition, but she is certainly not above extending those attacks to the members of the Greens party either. To me this is just another attempt by the Leader of the House to say that the only thing that matters is that the government gets to give its speech, nobody else gets to reply to the budget tomorrow and nobody else gets to have question time tomorrow on the budget.

Ms Allan interjected.

Ms Staley — The Leader of the House is now — I can hear something in the background faintly — perhaps taking some exception to my remarks. Well, perhaps she should reflect on her behaviour. This is not new. It seems that every week we have some new cutesy way for the Leader of the House to shut down debate or to belittle particularly, might I say, the female members on this side of the house.

Ms Allan — On a point of order, Speaker, I take great offence to the remark just made by the member for Ripon. She has in her contribution on this motion, which is a procedural motion, strayed far and wide from the substance of the motion. It has been littered with lies and inaccuracies, but on this one — I have got a pretty thick skin — she has gone far too far. She looks pretty pleased with herself over there. She knows she has gone far too far, but it is not the Labor Party that has a problem with supporting women and with hearing from women. We have seen how the Liberal Party has that problem. I ask that the member for Ripon withdraw that offensive remark against me and come back to addressing the substance of the motion.

The Speaker — Order! I ask the member for Ripon to withdraw.

Ms Staley — I withdraw. Continuing on, the other reason I believe we should continue to sit this

week is of course to deal with the motion standing in the name of the Leader of the Opposition to create a select committee to look into the enormous, epic rorting of the member for Tarneit and the member for Melton. We have not addressed these issues in this place because at every opportunity and every time the opposition has attempted to either bring on debate on this motion or consider other proposals by perhaps the member for Shepparton or the Greens as to how this could be addressed, the Leader of the House has made sure that we have not had those debates and has led the attack on any chance we have had to get on to debating these incredibly important issues.

So we therefore have the member for Tarneit's and the member for Melton's rorting — rorting on a scale we have not seen before — not able to be addressed by this chamber, because largely the Leader of the House shuts it down at every opportunity. This is what she is doing with this motion today: proposing to sit only today and not sit for the entire week. We should be sitting for the entire week. That is the historical practice of the house.

Ms Asher interjected.

Ms STALEY — I thank the member for Brighton. It is the practice of the house, and we should maintain that practice. There are traditions that have democratic bases that are worth something, and one of those is giving the right of reply to the opposition on the budget in a timely manner. But of course for the Leader of the House anything we might add obviously has no importance whatsoever. So she would prefer, and in fact is proposing through her motion, that we only sit today and have no chance to debate the budget.

Motion agreed to.

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 7.00 p.m. today:

Crimes Legislation Amendment (Public Order) Bill 2017

Statute Law Revision Bill 2017.

If I can make a few observations on the government business program, as was indicated in notification to other parties and Independent members of this place on Thursday of last week, there are two bills that we would like to see concluded before the end of today's sitting. Also I signalled that if time permits we would like to

start debate on the Family Violence Protection Amendment (Information Sharing) Bill 2017. However, I ask that members note that this is not being proposed on the government business program. It is there for commencing. I am just flagging it for members to be ready to commence that bill should time permit.

On the question of time permitting, those opposite are keen to get to debating the bills. I would suggest they have taken up a fair bit of time today with opposition budget day stunts and the like. That is their call and they are the decisions they have taken on this budget day. But do you know what? It has not stopped the delivery of a fantastic Labor budget by the Treasurer a few short moments ago. It is a budget that is full of funding for schools, for hospitals, for roads and for public transport, and most critically, it creates jobs.

There was a big component for family violence as well, which should be applauded. It is on that point that I just make the observation that I think this is the 18th budget I have seen delivered in this chamber, Speaker, and not once in those 18 years can I recall a member of Parliament being asked to leave the chamber during the budget speech, as you had to ask the member for Kew to do. What made it even more appalling was that the opposition's interjections were occurring during the very moment that the Treasurer was talking about support for family violence. He was quoting Rosie Batty and talking about the need for additional support, and those opposite could only bark and criticise in response. It was just an astonishing performance from the leaderless, directionless, undignified rabble that are those opposite. I have never seen anything like it.

We want to get on with debating these bills. I am happy not to take the full time allotted to me to speak on the government business program because we do want to get through these issues and start the family violence bill, which is an important bill, particularly given the significant funding boost that has been given in today's budget. I commend the government business program motion to the house.

Mr CLARK (Box Hill) — The opposition opposes this motion because yet again the government is running away from one of the most important issues that this house has to deal with at the present date, and that is of course the rorting, the fraud, the misconduct, of the members for Tarneit and Melton. As we on this side of the house have made clear over and over again, this is a matter that needs to be dealt with. For the Labor Party to continue to cover up, to condone, to let off, to excuse and to fail to act on this rorting is just simply undermining public confidence primarily in it and in the Premier but also in parliamentary democracy

more generally. This house ought to be dealing with that matter. It is unprecedented that conduct of this sort by a former Speaker and a former Deputy Speaker of this chamber should go unremedied.

We have had in another context the government assert that the Assembly has the exclusive right to deal with issues relating to rorting. Having asserted that exclusive right in one context — and as I have said before, this side of the house does not accept that there is any exclusivity in the sense that the government argues and in the sense of precluding action by the Ombudsman or by police or by other authorities — that the Assembly has the responsibility to deal with rorts, the government is then refusing every opportunity to deal with the rorting by the members for Tarneit and Melton.

It should be dealt with, as I said just a few moments ago in relation to the debate on the sitting of the house. We should be establishing a select committee or other process to deal with this rorting. It should be referred to a parliamentary committee to inquire into it, to find out exactly what the full facts are, to take further the work of the Audit Committee of the Parliament, but in particular to apply to our own members — the members of this chamber — the standards that ought to be applied to them. If the outcome of that bears up what all the evidence points to to date — rorting and fraud — the select committee should report back to the house and allow the house to impose appropriate sanctions.

That is certainly what has happened in the past. That is what happened in the previous Parliament. I commend to those opposite who have not done so to read the report of the Privileges Committee on the conduct of the former member for Frankston and then to read what the then Leader of the Opposition, now Premier, and other Labor frontbenchers had to say about that. They should apply to the current context the tests that were applied not only by the minority of the Privileges Committee, the Labor members of the committee, but by the majority of the Privileges Committee in relation to the former member for Frankston and ask themselves exactly how that lines up in terms of assessing the conduct of the members for Melton and Tarneit.

If they did so, they would see that there are very grave matters indeed that need to be dealt with by a select committee or by the Privileges Committee, and then by this house, because if we do not act on that, if we allow the Premier and other members of the government to continue to try to brush this off, to try to let the member for Melton off with a partial repayment of the money that he has rorted with no penalty, with no requirement to pay interest and with no consideration of expelling him from the house, it is an affront to democracy. It

certainly appears to be the sanction that he deserves on what is known so far. For the house to allow the government and the Premier to continue in that way is an affront to democracy. It lets down the standards that have been established for Westminster parliaments over centuries, and it will be an ongoing blot on the reputation of this house, as well as in particular on the reputation of the government.

The taxpayers have been ripped off. The taxpayers have been duded. This house needs to act on it. There is nothing on this government business program to deal with that matter, and unless and until the government is prepared to ensure that this issue is properly dealt with, we on the side of the house will continue to oppose the attempts by the government to sweep it under the carpet and carry on as though nothing has happened. This motion should be defeated. We should establish a select committee. We should hold those two rorting members to account.

Mr DIMOPOULOS (Oakleigh) — It gives me great pleasure to speak in support of the government business program. It is budget week — don't we love it? Budget week on this side of the house is very, very exciting because we are delivering on the commitments we made to the Victorian people. It is a hive of activity. I was not here in the Baillieu-Napthine years, but I can imagine that on their side of the house there was an eerie silence around budget time when they were scouring their documents to see if there was anything for their electorates, and they were told by ministers, 'No, no, maybe next year'. Well, that year never came.

On this side of the house, though, budget week is a busy week, but it does not mean that we cannot get on with the rest of the government business program. As the Leader of the House said, we have very important bills. We have got the Crimes Legislation Amendment (Public Order) Bill 2017 and we have got the Family Violence Protection Amendment (Information Sharing) Bill 2017. These are very, very vital bills in two areas of public policy where we have made a marked difference to the situations that prevailed before we came to office.

I will take my cue from the Leader of the House, who said that she would keep her contribution short to enable the house to get on with the government business program. However, I need to pick up the member for Box Hill on a comment, which I think was something like, 'These matters' — referring to the members for Tarneit and Melton — 'cannot go unattended to'. I do not know where the member for Box Hill has been in the last few weeks. I think they have been very well attended to. The entire Parliament

has focused on them. The Speaker and the President have, as they should in their capacities as Presiding Officers, protected the integrity of the Parliament. They have dealt with these matters, and the Premier has responded appropriately. So for the member for Box Hill to say that they have not been attended to is a fig leaf for him wanting to get back onto the front pages of the newspapers.

In my community's voice, in my office and on the streets in the last few weeks what people have actually cared about, I say to the member for Box Hill, is the stuff that is in the budget documents. It is the \$60 billion of investment in the quality of the Victorian peoples' lives. On that basis, and on the basis of keeping it short, I commend the government business program to the house.

Mr CRISP (Mildura) — I rise to oppose the government business program on behalf of The Nationals. I support what the manager of opposition business, the member for Box Hill, had to say. The government cannot run away forever from the difficulties we have. It is starting to smell like a cover-up or the worst case of mates rates that any of us have ever seen, and only a select committee will sort that out. Until that occurs, and echoing what the Leader of The Nationals said earlier, there will be a cloud that hangs over us all.

This sitting week, being a one-day wonder, has taken away a timely right of reply for the opposition. The budget has been presented, but the people of Victoria and the people of my electorate and other electorates want to work out what the budget means to them, and that requires a timely response from the shadow Treasurer, the member for Malvern, and a timely response from members. Delaying this for one week takes away the opportunity for a timely response, and it is a response that people want to hear. It should be presented in this place by those people who represent their communities and their electorates.

We have a problem here, and I think it will distort budgets into the future, because it sets a precedent for effectively gagging any sort of reasonable debate and analysis of what the budget contains for each of our electorates; a precedent that I think damages the whole budget process. Next week the commonwealth will be presenting its budget and much of people's minds will have moved on and so many things will be left unanswered.

The bills this week include the Crimes Legislation Amendment (Public Order) Bill 2017, which is about moving people on and keeping our communities safe. I

expect some fairly rigorous debate about the law and order agenda that this government has and the insecurity that people feel about their lives. The Statute Law Revision Bill 2017 is our annual tidy-up bill, and there are some interesting parts to that. I have already had a bit of a read and I see that we are using our time to remove a duplicated full stop and deal with a number of other minor things through this bill. However, this gives an opportunity for a number of issues to be raised and debated during this time.

The budget was raised by the member for Oakleigh. From my first look at the budget, there is not much for the electorate of Mildura.

Mr Dimopoulos interjected.

Mr CRISP — The member for Oakleigh interjects, and I will take up that interjection because when looking at some of those figures, particularly in the north, regional Victoria goes beyond Bendigo. When we eventually get back here to debate the budget there will be a number of issues that we will need to reply to. As they look through it I think people will be disappointed in what there is to support the community, particularly at a time when energy prices are out of control in so many of our areas. They are threatening jobs in the electorate of Mildura, and that is a huge concern. Gas prices have skyrocketed in the last six months.

Value adding to agricultural and horticultural production is a valuable part of the Mildura electorate's economy, but when you want to value add with something you inevitably have to add energy in one way, shape or form, whether it be to dry the wax on citrus to be exported, cool grapes to ensure quality or evaporate orange juice to make orange juice concentrate. All are big users of energy, and that is beginning to impact very strongly on both the economics of operating a business in a regional area and on employment. The lack of that being addressed in the budget is certainly a concern. The member for Oakleigh, who introduced the budget to this conversation, certainly heralded how wonderful it is, but it may not be for all.

With that, The Nationals are going to oppose this business program. There are better things we can do than a tidy-up of the statute books. We could have got on with debating the budget. We could have sat tomorrow to allow a timely response by the shadow Treasurer, but instead we will be back next week.

Mr PEARSON (Essendon) — I congratulate the member for Oakleigh on his premature elevation by the member for Mildura.

I am delighted to support the Leader of the House's motion. Today is a great day — budget day. It is a wonderful day to be sitting on this side of the house and to be a member of a government that is getting on with doing the things we have come here to do. It is a very, very special day and a very sweet day to be sitting on the Treasury bench.

I would like to take up the comments of the manager of opposition business, the member for Box Hill, who talked about urgency, his opposition to the government business program and the establishment of a select committee. He said that not doing so is an affront to democracy and that somehow by not doing it we are sweeping the matters involving the members for Tarneit and Melton under the carpet. My understanding is that these matters are the subject of investigations currently, investigations which I assume are being carried out by seasoned practitioners, people who might have some specific experience to examine these matters carefully, people who I suspect are probably more adept, more qualified and more well versed in conducting an investigation than most members of this place. I think it is an appropriate course of action for those matters to be investigated. When those investigations are concluded and reported to this place then this place can determine at that point in time what action to take. That would seem to be the appropriate way you go about these things rather than having myriad investigations running concurrently and having people who may not be particularly well versed or experienced being charged to do these tasks.

I support the Leader of the House's motion. I am very pleased with the member for Oakleigh's promotion by the member for Mildura, and I commend the government business program.

Mr HIBBINS (Pahran) — I rise to oppose the government business program in this instance. There is no need for a government business program for just one day of sitting. We should be having a full week of sitting. If there is business that needs to be dealt with, it should be the issues regarding the members for Melton and Tarneit. I think those need to be the issues that are dealt with. It is ridiculous that the government has let these issues drag on for so long.

I also note that I have a motion on the notice paper to restart the inquiry into the independent parliamentary standards commissioner. That inquiry came from a recommendation of a previous Privileges Committee

investigation into the former member for Frankston. I would suggest that that inquiry needs to be restarted as well. So in this instance I will be opposing the government business program.

House divided on motion:

Ayes, 43

| | |
|----------------|----------------|
| Allan, Ms | Knight, Ms |
| Andrews, Mr | Lim, Mr |
| Blandthorn, Ms | McGuire, Mr |
| Bull, Mr J. | Merlino, Mr |
| Carbines, Mr | Neville, Ms |
| Couzens, Ms | Noonan, Mr |
| D'Ambrosio, Ms | Pakula, Mr |
| Dimopoulos, Mr | Pallas, Mr |
| Donnellan, Mr | Pearson, Mr |
| Edbrooke, Mr | Perera, Mr |
| Edwards, Ms | Richardson, Mr |
| Eren, Mr | Richardson, Ms |
| 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, 39

| | |
|---------------|----------------|
| Angus, Mr | Northe, Mr |
| Asher, Ms | O'Brien, Mr D. |
| Battin, Mr | O'Brien, Mr M. |
| Blackwood, Mr | Paynter, Mr |
| Britnell, Ms | Pesutto, Mr |
| Bull, Mr T. | Riordan, 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 | Wells, Mr |
| Morris, Mr | |

Motion agreed to.

MEMBERS STATEMENTS

Police numbers

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — I am delighted to inform the house of recent developments arising from the *Community Safety Statement* in my electorate of Mill Park. Thanks to today's state budget, a total of

3135 new police will be recruited and deployed across Victoria over the next five years, and recently 300 new frontline police officers have started work in our communities across Victoria.

I am proud that the Andrews Labor government will deliver an additional 45 new police officers, helping to deliver a safe community for Mill Park. This boost will ensure more proactive patrols and deliver more resources to stop crime from happening. The *Community Safety Statement* sets out five priorities, including improving Victoria Police capability, culture and technology; reducing harm; increasing connection to the community; putting victims first; and holding offenders to account. This is a vitally important approach, and it is backed up by frontline police.

Since we came to government, an extra 390 police have joined the force, with 13 525 full-time equivalent police officers now employed across Victoria. These figures show the dishonest and misleading claims of those opposite, who did not fund one additional frontline police officer when they were in government, and my community needs these frontline officers. Melbourne's north is booming, and my parliamentary friends the members for Thomastown and Yan Yean will attest to how we are delivering for them. As the member for Mill Park, I am proud to be part of a government that is getting on with the job and delivering a safe Victoria.

Heyfield timber mill

Mr T. BULL (Gippsland East) — The promised review into the Leadbeater's possum reserves and impacts on timber harvesting was not released by April, as the minister promised many months ago. It is disappointing that it took so long for this review to take place in the first place, but now the government has missed its own generous deadline, and we have not heard a word from the minister.

There are now over 600 confirmed colonies, and the review was meant to be established at the trigger point of 200 colonies being located. It is just another case of this government dragging its feet and creating more uncertainty on issues that are related to the timber industry, particularly in and around the Heyfield area. Its timber industry task force deliberated for almost two years and was unable to reach a consensus on the key points it was meant to review. Then the minister's replacement task force achieved no outcomes in its four-week time frame, and now this report is past its deadline.

The ongoing uncertainty is a disgrace and is exacerbated by the fact the Premier refuses to visit the

town, despite promising to do so. The Premier has been to the Latrobe Valley on a number of occasions, but cannot find the extra time — the 30 minutes — to go down the road to Heyfield and meet workers and their families, yet he is always keen to stand up and say he cares about jobs.

It is time for action, not weasel words, Mr Premier. Get your backside to Heyfield and bring some good news with you.

East Gippsland Field Days

Mr T. BULL — I quickly wish to acknowledge the East Gippsland Field Days committee for the great work they did over the weekend.

Mohammed Janif

Mr DONNELLAN (Minister for Roads and Road Safety) — Today I wish to acknowledge an important community member, Mohammed Janif, who is on the committee of management of the local Hallam mosque. Every time there has been a very unfortunate attack overseas, whether it be the Paris attack in November 2015, the Brussels bombing or more recently the attacks in Westminster, the first person I have heard from and the first person who has sent me an email and left me a message has been Mohammed Janif. In many ways what Mohammed has indicated to me each time is how disappointed he is that people have misused his religion, specifically Islam, for violent and murderous purposes. He is a strong and capable leader who is very much a part of the outreach to engage others to reduce fear and misunderstanding in our community. His daughter is also very capable and is doing similarly. She has recently been working locally with people like Matt Harry to ensure that we bring people together, that we do not isolate people at these times and very much create an unhealthy environment in our community.

I really just wanted to say how important it is that people like Mohammed are sending the message to the community that they are horrified. They are very angry that people who, for argument's sake, have been welcomed into France misuse —

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

Caulfield justices of the peace

Mr SOUTHWICK (Caulfield) — With crime out of control in Victoria, we must do everything to assist our hardworking Victoria Police officers. I would particularly like to thank Caulfield honorary justices of the peace, led by Les Wigg, who has established a

document-signing service at the Caulfield police station to free up resources for our officers so they are able to do more frontline police work. In the past 12 months 260 sessions have been conducted at the station and 12 400 documents have been signed. This is very impressive and has helped the level of frontline service in our community.

I would also like to recognise the incredible voluntary work of the Caulfield team. The justices of the peace signing service has recorded a total of 460 years of voluntary service to the Victorian community. The following justices of the peace have been recognised in presentations for their service with 10 and 25-year certificates: Haydn Williams, David Ash, Peter Yiannoudes, Campbell Reid, Laurette MacWhirter, Marion Lau, Laurie Webb, John Turner, Allen Wigg, Geoff Szwarcbard, Sandy Anderson, Kathy Foley, Alain Grossbard, Alan Samuel, Rhonda Nirens, Limor Grinberg and Ivan Kalbstein. I thank them for their service to the community.

Private Gregory Sher Memorial Award

Mr SOUTHWICK — I would also like to place on record my congratulations to the following student leaders in my electorate, who received the Private Gregory Sher Memorial Award: Doba Raskin and Aliza Werdiger from Beth Rivkah Ladies College; Cara Davis and Tania Szwarcberg from Bialik College; Benji Kalkopf and Aimee Raitman from Leibler Yaveneh College; Nathan Faiman and Gabriella Katz from Mount Scopus Memorial College; Mikhayla Burstin and Milo Freidan from Sholem Aleichem College; Ellie Figdor and Aaron Segal from The King David School; Zoitsa Diakoumis and Reuben Stein-Fooks from the United Jewish Education Board; and Ilan Janet and Efraim Raskin from Yeshiva College.

Private Greg Sher was killed in action in Afghanistan in 2009, and these awards for leadership presented by the Victorian Association of Jewish Ex and Servicemen and Women every Anzac Day are appropriately named after him. Lest we forget.

Monash Children's Hospital

Mr DIMOPOULOS (Oakleigh) — You know you have a Labor government when you almost cannot keep up with all the work going on in health and hospitals. The Monash Children's Hospital is now open, complete with helipad, early in life mental health services and a new school, which is coming so kids can keep learning. I was also present for the announcement that \$63.2 million will go to creating 34 more beds for emergency, separate treatment areas for kids and much

better access for ambulances. I commend the government for the commitment to health care in my community and across Victoria.

Indian community

Mr DIMOPOULOS — I would like to thank the Minister for Multicultural Affairs for announcing \$50 000 for a study into the native Indian cultural centre in my community. The Indian community is growing in Victoria. We have got the largest Indian community in Australia, and the Indian population in the Monash region doubled between 2001 and 2011. As I said at the time of this important announcement, this is a first step in identifying opportunities that will give Indian people — Indian Australians — a greater sense of belonging and contribution.

Grange–Oakleigh roads, Carnegie and Ormond

Mr DIMOPOULOS — I would also like to thank the Minister for Roads and Road Safety for again visiting the scene of many serious accidents in my community, the intersection of Grange and Oakleigh roads in Carnegie and Ormond. The minister showed great diligence and care in visiting the site in 2015 and seeing the problem first hand and providing funding for a fix last year. We have now got traffic lights, a great benefit for our community which will reduce the number of accidents and, I have no doubt, save lives.

Residential planning zones

Mr CLARK (Box Hill) — On behalf of the residents of the Box Hill electorate I call on the Andrews government to abandon the unfair, unnecessary and destructive changes that it is making to residential planning zones. These changes will allow three-storey developments to be the norm in residential streets in established suburbs across Melbourne, destroying character and amenity, pushing more cars into on-street parking and making streets even more difficult to drive down.

The changes will gut the neighbourhood residential zone, scrapping the previous two dwellings per block limit and allowing as many dwellings as can be squeezed onto each block. All this is on top of the government pushing for more medium and high-density development around activity centres such as Box Hill. The government's much-trumpeted garden area requirement is a sham that will make no difference in many council areas because it actually requires less than existing rules do for permeable areas, private open space and/or maximum site coverage.

Hundreds of local residents have joined the call for these changes to be scrapped. Residents have written to me saying: ‘A limit on two dwellings per block with the current height restriction is more than enough’; ‘These changes will ruin the character of the area’; ‘These planning changes for Melbourne are disgraceful’; ‘We need open public spaces, and trees’; ‘It is so short-sighted to be doing what the government are planning to do. What will our kids and their kids have in the future? Just housing developments — no trees, no gardens, no wildlife in our suburbs anymore’; ‘When will this madness stop?’; and ‘Melburnians are sick and tired of the government just doing what they want’.

The government needs to listen to what the community is saying and abandon these unnecessary, unfair and destructive changes.

A. G. Gillon Oval

Ms GARRETT (Brunswick) — I rise today to celebrate yet another election commitment that has been delivered in the Brunswick community. It was an absolute pleasure to attend on 19 April the opening of the A. G. Gillon Oval refurbishment, which was provided by funds from the state Labor government and Moreland City Council. It was very exciting not just for the Brunswick Football Club, for which Gillon oval is a much-loved home, but also for women and girls right across our beautiful electorate. Teams such as the Brunswick Dragons junior girls and the Brunswick Renegades women’s football teams will now kickstart 2017 in comfort thanks to these outstanding refurbishments.

These renovations have adjusted what were woeful toilets, showers and change facilities and will encourage more women and girls to participate in sports. This government understands that it is not acceptable for girls to be changing in the back of cars or being burdened with wearing their sporting gear under their casual clothes because there are no appropriate facilities for them to use. I am proud to say that in Brunswick, as is happening across this state thanks to the hard work of the Minister for Sport, we are fixing that issue. Women and girls are joining local football teams in droves, inspired by the AFL Women’s league. What better time to create a female-friendly environment for our local women and girls and support women getting more involved in sports?

I want to thank Moreland City Council for their contribution and hard work in delivering this upgrade, as well as the Brunswick Community Sports Club for pushing for better facilities.

Sandringham homelessness forum

Mr THOMPSON (Sandringham) — I wish to acknowledge the members of the Bayside and Kingston communities who attended a forum on homelessness in Sandringham last night. Attendees included foster carers, people impacted by mental health wellbeing challenges, service clubs, local churches and service providers. The issues canvassed were issues confronted by complex, painful and difficult life journey circumstances and people who had had to confront domestic violence, trauma and addiction. I pay tribute to Jacques and Linda Mellon and also the guest speakers, Major Brendan Nottle from the Salvation Army and Reverend Bruce Corben, who spoke and facilitated a dialogue on a range of complex challenges.

The Soldiers XI

Mr THOMPSON — I pay tribute to soldier H, who convened at the Shrine of Remembrance an exhibition called *The Soldiers XI*, under the heading of ‘Humour, humanity and the psychology of modern combat’, illustrating the role of sport in theatres of war.

Liz Carr

Mr THOMPSON — I pay tribute to Liz Carr, a British actor, for her contribution to a Melbourne musical called *Assisted Suicide: The Musical* and for her challenge in relation to euthanasia: when does the right to die become the duty to die?

Violence against women

Ms KILKENNY (Carrum) — The Seaford community was united last Saturday night in a show of love, concern, compassion and support for a brave young woman who was sexually assaulted on her walk home from Seaford railway station on 1 April. Hundreds of us gathered at Seaford railway station before we made the short walk along Railway Parade. Thank you to the local community for wanting to show this young woman that she is not alone, that she is not to blame and that she is supported by her local community. Thank you in particular to Emmaline Eysers and Lana Nicholson, two amazing women who are making a real difference.

We know that to end violence against women we must end gender inequality, and we need to do this together as a community and across Victoria. Gender inequality is everywhere. It can be very subtle. Indeed even on the day of the rally I spoke to people who were shocked and outraged by the assault, but instead of asking, ‘Why was this man near the station, waiting to assault and

rape this young woman?', they asked, 'What was the young woman doing walking alone at that hour of the night?'. It is this subtle yet very pervasive and insidious culture that shifts responsibility away from perpetrators and onto victims. We know, following Victoria's Royal Commission into Family Violence, that attitudes about violence against women are grounded in attitudes towards women, gender and sexuality.

This must change. As our own Minister for the Prevention of Family Violence has said, violence against women is gender inequality and misogyny at its ugliest. At the heart of this year's state budget is a historic and life-changing investment in family violence because we know that ending gender inequality and ending violence against women are some of the most important things we can do as a community.

Anzac Day

Mr KATOS (South Barwon) — I am taking the place of the member for Melton today, who has decided to not turn up. It should be his call, and if he were here representing his constituency, he would have this call. But anyway, he might be out there doing some maintenance on his caravan down at Ocean Grove — who knows?

Mr Richardson interjected.

Mr KATOS — It is no laughing matter, member for Mordialloc. I would like to talk about Anzac Day. I attended five services over two days. At Grovedale College last Monday the year 12s organised an excellent service, so credit to them and principal Janet Matthews. Then I attended the Barwon Health service, where doctors' and nurses' efforts in war and peacekeeping were certainly very well recognised.

Then I commenced Anzac Day itself with a lovely service at Torquay, at Point Danger. I give great credit to the Torquay RSL president, Ian Gilbank, on a lovely service down there despite the inclement weather and rain. Then I went off to the Geelong RSL — again, a lovely service there, in Barwon Heads Road in Belmont. Last but by no means least, I went to the Geelong Football League Anzac Day game between St Joseph's and South Barwon. Unfortunately South Barwon was not successful on the day, but I would like to give credit to St Joseph's president Todd Devine and South Barwon president Roger Blacksell on organising a terrific Anzac service.

Mordialloc bypass

Mr RICHARDSON (Mordialloc) — On this momentous occasion, the third budget of the Andrews

Labor government, we have a fantastic commitment to build the Mordialloc bypass in my community, a project that was earmarked in the road reserve 48 years ago. It predates the establishment of green wedges in our community. It is a project that has been promised by all but has not seen the light of day.

That changes now. That changes today, with the Premier announcing \$300 million to build this road and get on with the job. There will be extensive community consultation over the coming months, and I look forward to engaging my community on how we deal with the challenges of congestion in our region.

City of Kingston infrastructure

Mr RICHARDSON — We have 15 per cent growth in the City of Kingston over the coming 10 years, and we will address those needs of our community, along with the removal of dangerous and congested level crossings and the building of the Melbourne Metro rail tunnel. Other highlights include the Chelsea State Emergency Service (SES) unit, which had its premises half compromised by fire recently. We will rebuild Chelsea SES and give them a brand-new station, and of course the wonderful Yarrabah School, a specialist developmental school, will get a \$20 million full rebuild. It has grown by over 800 per cent in student numbers, and its time has come to get the school building it needs for the future and to give those fantastic students every opportunity.

Mildura electorate Easter celebrations

Mr CRISP (Mildura) — So many great things have happened in Mildura since Parliament last sat. Easter is special, particularly in Mildura, where people's passions are prominent.

Motorsport is huge in Mildura at Easter, and the show and shine was at Mildura City Heart, where it all comes together. Huge crowds attended, and this set the tone for Easter. Well done to Mildura City Heart and the enthusiasts for putting their passions on display. The Mildura Vintage Vehicles Club have also been active for nearly 50 years, and it was my pleasure to officiate at their 22nd biennial vineyard rally. For those who do not have a taste for motorsports, Sunraysia's farmers market satisfied their culinary taste with local fresh produce, which was snapped up by visitors.

Relay for Life

Mr CRISP — Relay for Life raised valuable research dollars and awareness for cancer. It was my pleasure to join the Nutty Doctors and 54 other teams

who participated. I set a personal best for the slowest lap — of over 2 hours — this year.

Anzac Day

Mr CRISP — Overnight rain did not dampen the attendances at Anzac Day in Mildura. Although the number of veterans is thinning, the crowds are growing and demonstrating that Australians continue to reflect on the sacrifices that have been made to give us the country today.

Special Olympics torch run

Mr CRISP — The Special Olympics passed through Mildura with a torch parade and a torch lighting on the Mildura riverfront. There were sporting challenges for those who are very special in our community. This is a fantastic event, and tribute should be paid to the police officers and others who work hard to make our community inclusive.

Anzac Day

Ms WARD (Eltham) — Robert Winther at the Heidelberg Repatriation Hospital again led a friendly, welcoming and personal Anzac Day service. The history of the Repat is remembered. Along with those who have been patients, we remember former staff who served, as well as those who have provided health care for returned servicemen and servicewomen at the Repat. Importantly, not only do many of our ex-service members receive excellent care from the caring community at the Repat but also members of our fire services, our paramedics and our police members. Thank you to all involved. It was a lovely morning.

Eltham High School (EHS) again held a moving Anzac Day service at this great school, including laying wreaths at the base of the Lone Pine that stands proudly at the front of the school. Thanks to the terrific work by EHS Victorian certificate of applied learning students, the wonderful blokes from Eltham Men's Shed and the kind donation from the Montmorency-Eltham RSL, this important memorial, grown from a seed from the original Lone Pine, is surrounded by a lovely garden and path. Eltham High is a wonderful school, with strong values and community. I thank everyone involved in the excellent service, including the year 12 students who led the service, Hannah Glynatsis and Jack Dimech.

Despite the rain, Eltham residents came out in their hundreds to show their respect and support at the dawn service at the Eltham cenotaph. Again the wonderful Rotary Club of Eltham and the Montmorency-Eltham

RSL organised a moving and beautiful service. Thankyou to Eltham Rotary members Rob Kilcullen, Ken Paynter and Frank Lynch. Thankyou also to Bill McKenna and Alan Field; Glen Ferrarotto for his moving speech; Eltham College speaker Will Lewis and the Eltham College choir; Eltham East Primary School students Madison, Genevieve, Ceyda, Frank, Mia, Devlin, Mackenzy and Cooper, who placed flags for every fallen local World War I soldier; Catholic Ladies College readers of the Anzac Requiem, Georgie, Abby and Adele; St Margaret's Reverend Keren Terpstra; and Sean Donehue for his beautiful singing of the New Zealand and Australian national anthems. Hearing Eltham High School's Maddie Vincent Gilmartin play her bugle as the sky lightened was very moving.

The Anzac Day service and march at Montmorency was again not only extremely well attended but also beautiful. The involvement of so many local schools and their students in the service is extremely important to our veterans, and I thank the RSL and our schools for their dedication and involvement in this service.

Burwood Village Autumn Fiesta

Mr WATT (Burwood) — On Saturday, 29 April, I attended the Burwood Village Autumn Fiesta. I would like to thank all those traders and community and sporting groups that participated. I would also like to thank the organisers, the Burwood Village Traders Association, for a successful day. For the record, I won the pie eating competition.

East Malvern RSL Anzac Day Cup

Mr WATT — Congratulations to the Ashy Redbacks for their wins in both the boys and girls competitions for the East Malvern RSL Anzac Day Cup. Both teams went through undefeated. I also want to pay tribute to the other teams that participated: the Camberwell Sharks, the Glen Iris Gladiators, the East Malvern Knights and the Prahran Blues. It was a pleasure to watch them on the day.

Markham Avenue, Ashburton, redevelopment

Mr WATT — On Saturday, 25 March, I attended the community protest against the Andrews Labor government's seven-storey Markham estate development, along with the shadow Minister for Planning. It was great to see such a big turnout, but it was also disappointing that the Minister for Planning did not respond to my invitation to attend and actually consult with residents who are concerned about the development. While the minister refuses to meet with locals, on Wednesday, 19 April, the Leader of the

Opposition toured the Markham estate site with local residents from the Ashburton Residents Action Group. I thank him for taking the time to hear firsthand the locals' concerns about the destruction of a residential amenity, a duty that sadly is not being performed by government ministers.

St Paul's Cricket Club

Mr WATT — On Friday, 7 April, I attended the St Paul's Cricket Club presentation. The night was a success and I congratulate the president, Chris Harding, and the club members on having such a successful season. Congratulations to Jacob Atwood, who, as coach and captain of the first eleven, took out a number of awards, including the first eleven's batting award, bowling award and most valuable player, as well as being awarded the club champion and life membership.

Budget

Mr J. BULL (Sunbury) — This government is getting on with the job, as evidenced by today's outstanding budget handed down by the Treasurer. I welcome the continuation of the Growing Suburbs Fund for the Northern Hospital upgrade of \$162 million, planning money for the Bulla bypass, the Calder Freeway and the vital Melbourne Airport link.

Diggers Rest Primary School

Mr J. BULL — The Andrews Labor government promised to make Victoria the education state and it is doing exactly that by building and upgrading a record number of schools so that every child has a chance to succeed. I am so very proud that as part of the 2017–18 state budget Diggers Rest Primary School will receive an additional \$151 000 to upgrade and modernise classrooms and facilities. Whilst visiting this great school over the past couple of years I have learned that there were a number of classrooms and school facilities that were in need of repair and undertook to help where I could. It was fantastic to visit the school last Friday to discuss with the principal, Rachele Hedger, how this funding will make such a difference to this terrific school.

Sunbury Downs College

Mr J. BULL — In other great news today, I am thrilled that Sunbury Downs College will receive \$3.92 million to upgrade and modernise the school. This is great news for a school that my brother and sister went to, a school that my mum taught at and a school that I taught at for a very short period of time. This money, as I have mentioned, will provide vital

upgrades to classroom facilities which, after multiple visits, I know are certainly well needed. This is not just an upgrade; this is an investment in our kids and their future. It is outstanding news, and I want to take the opportunity to thank school principal Maria Oddo, the school council, parents and students of the school who have written to me and discussed the vital need for an upgrade. I am thrilled that we are able to deliver it.

Mount Waverley Cricket Club

Mr GIDLEY (Mount Waverley) — I rise to congratulate the Mount Waverley Cricket Club, which was recently awarded the Inner South East Cricket junior club of the year. This prestigious award recognises the club's on-field success as well as the scale and quality of programs offered by the Mount Waverley Cricket Club. I congratulate the club's committee, members, volunteers, players and all involved on winning this prestigious award.

Mount Waverley Football & Netball Club

Mr GIDLEY — The Mount Waverley Football & Netball Club provides an important avenue for local residents to participate in all aspects of club football and netball. The club has a strong culture, dedicated players and supporters and a good committee. Unfortunately the home ground facilities for the club and tenants are woefully inadequate, resulting in players needing to access completely inappropriate changing rooms and clubrooms or, worse still, having no access to clubrooms at all. Appropriate lighting and quality net facilities are also sorely needed all year round. It is time the Monash City Council and the Andrews Labor government stumped up and provided the necessary funding to ensure the appropriate provision of club changing rooms, lighting and net facilities for these clubs.

Anzac Day

Mr GIDLEY — Today in the Parliament I acknowledge the Rotary Club of Monash for organising its annual schools Anzac commemoration service at the World War I cenotaph in Glen Waverley to recognise the sacrifice and service of Australians and allied forces during times of war. The Rotary club's Anzac service provided a unique opportunity for schools throughout Monash to be involved in the ceremony, through the laying of wreaths and participating in other aspects of the service. I want to thank the Rotary Club of Monash, including the club committee and president, for its ongoing efforts in organising and undertaking this special event.

Government performance

Mr GIDLEY — The cuts to Mount Waverley district by the Andrews Labor government have continued in this state budget. Our schools have been cut and our police numbers have been cut, and yet again this government just does not understand its priority to protect the citizens of Mount Waverley.

Stephen Wigney

Ms GRALEY (Narre Warren South) — I rise today to speak about two extraordinary individuals. The first is Stephen Wigney, the former principal of Fountain Gate and Berwick Fields primary schools. After 23 years of educating young people in our community Stephen has embarked on his next great adventure: retirement. As the founding principal of Berwick Fields Primary School he created a great school from day one. He oversaw the introduction of the student waste program, the student animal care program, the Stephanie Alexander kitchen garden and the flourishing Berwick Fields wetlands. Berwick Fields Primary School also holds the Guinness world record for the world's largest energy efficiency lesson and won the Waste Smart school of the year in 2007. His leadership has resulted in Berwick Fields Primary School becoming a school of choice in the local community. It has been an honour to work with Stephen, a tireless advocate for not only his students and staff but also for public education.

Robert Murphy

Ms GRALEY — Then of course there is Our Bob, the one and only Robert Murphy, wearing number 2, who is again back where he belongs, on the field with his fellow Doggies. After debuting almost 17 years ago he is now only the seventh Western Bulldogs player to reach the 300-game milestone. What a career he has had and how proud his lovely parents must be. Monica and John live in my electorate, and there are few who are as likeable or as kind. They have done an outstanding job raising Bob, who shares their kindness, decency and commitment to social justice. He is a great man, a true and loyal Bulldog and inspirational captain. Congratulations on 300 games, and thank you, Bob, for all that you do both on and off the field. May you be blessed with many victories in all fields of life. Go Dogs.

Victorian Health Promotion Foundation

Mr ANGUS (Forest Hill) — I recently had the pleasure of attending the 30th anniversary celebrations of the Victorian Health Promotion Foundation (VicHealth). Looking back over that time, VicHealth

has done some remarkable and very successful work, especially in the anti-smoking area over many years. As a former VicHealth board member I congratulate the board, staff and management of VicHealth, ably led by CEO Jerril Rechter, on this great milestone.

East Burwood Cricket Club

Mr ANGUS — I congratulate the players, committee members and other volunteers at the East Burwood Cricket Club on winning the premiership in the Box Hill District Reporter Cricket Association first division, the Ray McIntosh Shield. It was a pleasure to attend the club's presentation night last week and celebrate the great individual, team and volunteer achievements during the season. Special congratulations go to club president Jason May and first's captain-coach Rob Bartlett on a fantastic season.

Anzac Day

Mr ANGUS — I was honoured to attend many Anzac Day commemoration ceremonies in the lead-up to and on Anzac Day. I congratulate the Waverley RSL, the Blackburn RSL, the Rotary clubs of Monash and Whitehorse, and the residents of Highvale retirement village on organising a range of outstanding Anzac events. The dawn service at Blackburn was again very well attended, despite the early morning showers. Well done to everyone involved in these very important local events.

Member conduct

Mr ANGUS — The Premier's response to his rotting colleagues, the members for Tarneit and Melton, is to propose wideranging changes to the MPs' remuneration regime, including the second residence allowance. Rather than changes to the current system, what is actually required is for Labor members to act honestly and not steal from Victorian taxpayers. Changes to the black-letter law will never stop dishonest Labor members from seeking ways to rip off Victorians. The weak leadership of the Premier during this saga shows that he values the tainted votes of his rotting members above the principle of honest behaviour. However, Victorians should not be surprised, given that the Premier oversaw the wholesale Labor party rotting of electorate office staffing for political purposes before the 2014 election. If he was serious about this latest rotting, he would have moved — —

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

Budget

Ms COUZENS (Geelong) — It is budget day, and for the people of Geelong it is a real Labor budget. It is a budget that continues to focus on what matters in my electorate — education, jobs, transport, health, revitalising our CBD, plus a lot more. I look forward to speaking further on this fantastic budget for Geelong in the coming weeks.

Anzac Day

Ms COUZENS — As the member for Geelong it is always an honour to represent the people of Geelong at the many Anzac Day services throughout the Geelong electorate. I recently had the privilege of being appointed by the Minister for Veterans to join 22 amazing year 9 and 10 students from across Victoria who won the opportunity to attend the Premier's Spirit of Anzac study tour, which visited Darwin and Singapore. These students should be very proud, not only for winning the study tour prize but also for their great representation of Victoria. Also on the tour were veterans Dal Crocker, Lieutenant Colonel Nathan Crowley and teachers Ian Francis, Laura Robertson and Rose Hill.

The aim of the study tour is to help year 9 and 10 students better understand and keep alive the memory of the Anzacs and their contribution to modern Australia; to understand and consider the realities of war and peace in our history and our world today; and to bring back the knowledge and experiences and share them with their family, school and community so that they also benefit from this experience.

Along with visiting many significant sites, we held a commemorative service at the Adelaide River War Cemetery in Darwin, laying a wreath at the Cross of Sacrifice.

Ararat to Maryborough rail line

Ms STALEY (Ripon) — Today I rise to support my communities along the Ararat to Maryborough rail line who face the closure of multiple roads. The Ararat to Maryborough rail line was standardised by the Kennett Liberal government in 1996, primarily for freight, but was closed by the Bracks Labor government in 2005. There are over 100 level crossings along the currently disused rail line. Initial plans by Public Transport Victoria indicate that over half of these are slated for closure.

Today I lodged a petition to the house calling for these roads to remain open. Four hundred and eighty locals

along the line, from Amphitheatre, Avoca, Bung Bong, Elmhurst, Eversley, Wareek and more, signed the petition. These roads are vital for firefighting, stock movement and simple property access. Many other parts of Victoria manage country rail crossings with give-way signs, stop signs, rumble strips, individual property gates and, where needed, flashing lights and bells, yet closure is the only solution being offered here.

The Andrews Labor government is spending billions of dollars in Melbourne to separate rail lines and roads. A tiny fraction of that money could upgrade all the crossings along the Ararat to Maryborough rail line and keep these local roads open. I call on the government to do so.

CRIMES LEGISLATION AMENDMENT (PUBLIC ORDER) BILL 2017

Second reading

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

Mr PESUTTO (Hawthorn) — I am pleased this afternoon to be able to make a contribution on the Crimes Legislation Amendment (Public Order) Bill 2017. In many respects I do so with some regret, because this bill should never really have been necessary. In 2014 the previous coalition government responded to the emergence of a number of very violent protests. People have the right to protest in our country and in Victoria — of course they do; no-one cavils with that proposition — but everybody equally and conversely should be united in the proposition that anyone who exercises their democratic right must do so subject to the rights of others to go about their own business peacefully. Whatever the platform for your democratic action, whether it be motivated by industrial considerations, legitimate though they may be; whether it be motivated by political considerations, legitimate though they may be; whether it be motivated by social considerations, legitimate as they may be, nobody, whatever their cause and no matter what animates their protest, has the right to impede others unlawfully by way of violence, intimidation or vilification. That is the problem we have observed with a number of protests over recent years.

For the previous coalition government the motivation consisted of a number of protests that went off the rails as far as the protesters were concerned. They included the Grocon dispute, which basically brought much of the Melbourne CBD to a standstill. The Construction, Forestry, Mining and Energy Union (CFMEU) in that case engaged in some of the most despicable behaviour

that Victorians have ever been forced to observe. No-one can justify abuse towards bystanders, police and workers who just wanted to go to work in circumstances where it was not genuinely an industrial dispute. The Grocon blockade was driven by a power struggle by the CFMEU against a legitimate company simply so the CFMEU could dictate to Grocon who it should employ. That was not an industrial matter; that was a matter of brute force. So the CFMEU brought much of the Melbourne CBD to a standstill. It did so unlawfully, and we saw the decision of the Supreme Court, in a landmark case, finding the CFMEU in contempt and imposing significant penalties on them.

But it is not only the CFMEU that is at the heart of this. We saw with the despicable boycott, divestment and sanctions campaign the targeting of a lawful business with anti-Semitic protests against Max Brenner cafes in the CBD and elsewhere. We also saw the Occupy Melbourne protests, which equally imposed upon law-abiding and respectable Victorians who just wanted to go about their business.

The previous government responded to those protests and some others with a number of provisions that amended the Summary Offences Act 1966. What those provisions aimed to do was to confer on Victoria Police some additional powers. At the moment police have powers to manage protests, but in order to maintain control where there is defiance they have to arrest people. That is often a very difficult thing to do, and police do not necessarily want to go to that extreme when they are trying to manage a situation. They are confident that if they have some additional powers, they can manage these confrontations which get out of hand. So the previous coalition government amended the Summary Offences Act to give police the powers to move people on.

It was not a power that police could exercise without a proper foundation. The law was very clear: police had to be satisfied of certain matters before they could ever exercise a move-on power, and they could only ever do so if they were satisfied that certain matters existed. For example, they could only exercise move-on powers if a person was causing or was likely to cause an undue obstruction.

People in the course of exercising their democratic rights do not have the right to obstruct other people. There seems to be some view — and I think some members of the government adhere to this view — that in the course of your protest you have the right to unduly obstruct people. You do not. I do not know anybody who would seriously countenance that view.

There were other grounds — for example, where people were satisfied that a person was impeding or attempting to impede another person from lawfully entering or leaving a premises or part of a premises. What part of our democracy guarantees a protester the right to physically impede somebody from going about their business? That is what protesters often ignore. They think that in the course of advocating their cause, which may be perfectly legitimate in substance, they are free to impede other people. I do not know where that view is supposed to gain the currency that its advocates maintain. They simply do not have that right.

Also, police were given powers under those move-on laws if they were satisfied that a person was causing a reasonable apprehension of violence in another person, so it was not as if a person was protesting and police did not like what they were protesting about and they therefore directed them to move on. Police had to be satisfied in a way that could be challenged on judicial review that the person who was protesting was causing a reasonable apprehension of violence in another person, so a person was put in fear — a perfectly reasonable power.

Move-on powers were added to a number of existing grounds in the Summary Offences Act, such as where a person was breaching or was likely to breach the peace, a person was endangering or was likely to endanger the safety of another person or where a person's behaviour was likely to cause injury to a person or damage to property or was otherwise a risk to public safety. So there were substantive grounds couched amongst a number of safeguards which meant that police could never exercise move-on powers lightly; they did have to be satisfied of some very serious prerequisites before ever exercising such powers.

The then opposition and now government opposed those changes and said at the time that it would repeal them, and it did that in 2015, and we saw the result of that. We have seen ever since a series of very violent protests in Melbourne CBD and in some surrounding suburbs, and these are protesters who could not care less about the welfare of others — of innocent bystanders and people who just want to go about their business. People are as free to go about their business as people are free to protest peacefully. Just because somebody is protesting in aid of a political, social or industrial cause does not mean they are therefore equipped, by virtue of that, with the ability to exert themselves over and above the rights and welfare of others.

Despite our opposition in 2015, the government persisted and it repealed those move-on laws, and, as I said, we saw a number of very violent protests, and

those have continued. We had — about six or more weeks ago, I cannot quite recall — a very confrontational, intimidatory protest at the Melbourne Magistrates Court. I actually went up and witnessed that. It was very interesting to not only observe the line of police and the massive deployment of police on that occasion but just to watch very closely the faces of people who were going about their business and going to work. This was early on a Monday morning from memory and people were walking with looks of fear on their faces as they had to run the gauntlet of this protest.

I was wondering, 'What right do those protesters have to intimidate people who are going about their business?'. Thankfully there was not an outbreak of violence on that occasion, but there could easily have been. Police were without any powers to move on those people in those circumstances. Although they did, in my view, constitute an undue obstruction, which was a ground for the exercising of move-on powers under the laws the previous coalition government introduced, the police were without those powers because they have been repealed and the move-on laws scaled back to the three grounds I mentioned a moment ago.

Nearly two years after the repeal the government has finally realised that they need to do something about it. However, their response is, I have to say with all due respect, rather pathetic. It is pathetic because, whilst we will not oppose it — it is better than nothing — it is far from satisfactory. I will explain why. I understand the government has a philosophical objection. I think that basis is misplaced because the move-on laws we introduced were geared towards violent behaviour or behaviour which gave rise to a very reasonable apprehension of violence. They were never designed or intended or available for use simply to shut down legitimate political debate, but what the government has gone for is a convoluted model which any half-decent lawyer or even layperson who reads through the regime proposed in this bill could easily circumvent. That is the problem. These people who engage in violent protests and who are committed to the staging of these conflagrations on our streets will be able to work through this regime and drive a bus through it, if I can use a colloquialism.

The bill before us consists of a number of key parts. I am not going to talk about all of the parts, but parts 2, 3 and 4 are obviously where the substantive provisions are. Part 2 deals with amendments to the Summary Offences Act. I will touch very quickly on this. It is hard to understand what this is actually trying to do. It proposes that councils must consult with Victoria Police before granting applications for permits for the use of council land, road closures and like matters to

facilitate public protests. In imposing this new right of consultation on councils the bill makes it clear that the minister will have the power to publish guidelines as to what constitutes consultation and how and when that consultation is to take place. It sounds like a lot of window-dressing and it is not quite clear what it intends to achieve, because at the end of the day if a council does not satisfy any of the conditions in part 2, the permit it grants will not be invalid.

It is really almost a guideline, and I am wondering why it is in the bill because it carries no legislative force other than to say the council shall consult and the manner and place of that consultation will be prescribed by the minister. But if it does not happen, so what? The permit will still stand. So I have got a big question mark over how that is going to deal with the problem on which this bill is focused.

Turning to part 3 of the bill, where we get into some of the more substantive difficulties, it proposes to add to the existing scheme of designations some additional terms. To go back a step, in relation to the Control of Weapons Act 1990, which is the vehicle the government is using for its so-called crackdown on violent protests, the bill is slightly expanding on some of the obligations of the Chief Commissioner of Police in relation to planned and unplanned designations. The way the scheme works at the moment is that the chief commissioner can make a planned designation of an area where Victoria Police is concerned that there have previously been violent protests involving the use of weapons.

The important point I want to note here, without getting into the weeds, is that by using the Control of Weapons Act the regime is predicated on a reasonable basis for the chief commissioner to conclude that weapons may be used in a protest or gathering. That may be a problem because, as I said before, protesters can avoid that. They can say that they are going to hold a protest without the use of weapons. Even if there has been no previous incidence of the use of weapons at an event such as a protest and the protesters are making it clear that there will be no weapons — and weapons are broadly defined under the regime and regulations — because the regime is modelled and predicated on the Control of Weapons Act, you have to go through the Control of Weapons Act to have a designation which then allows Victoria Police to exercise their powers.

That is a problem because in the move-on regime that was in place before there were no such preconditions. Police could simply in any circumstances — so long as they were satisfied that there was a reasonable apprehension of violence — exercise these powers. But under the Control of Weapons Act there are a number

of prescriptive steps that the chief commissioner has to go through.

I mentioned a moment ago what the chief commissioner has to do in relation to a planned designation, but of course there are times when there may not be time for a planned designation and the chief commissioner may be under pressure to act more quickly. The current regime deals with that in section 10E of the Control of Weapons Act, which provides for unplanned designations. Even though this does not require any considerable lead time, because it is dealing with unplanned circumstances, the chief commissioner still has to be satisfied that there is a likelihood — not an overwhelming likelihood, but a likelihood — that violence or disorder will involve weapons and occur in the area to be designated and that it is necessary to designate the area for the purposes of enabling police to exercise search powers and so on and so forth. So whether it is planned designations or unplanned designations, there has to be the satisfaction that there is a likelihood of violence or disorder and that it will involve weapons.

Now if there has been no previous use of weapons, or the protesters take steps to state publicly that there will be no weapons involved, as obvious as that sounds and as self-serving as that might sound, it would then be more difficult for the chief commissioner to maintain that he or she is satisfied that there is a likelihood that violence will ensue with the use of weapons. It does not seem clear to me and my colleagues why you should need that. Why do we need to focus on whether or not weapons are going to be there? If a protest is going to be violent, if people who are innocent bystanders are wishing to negotiate a thoroughfare that is a public place, why should it matter whether the chief commissioner is satisfied that weapons will be involved? Violence can occur with or without weapons, and that is the problem with the regime that is being proposed, so we have a real problem with that. What part 3 does is confirm that these powers are going to be exercised through that.

In relation to the removal of face coverings, again that is subject to a designation. For example, if you have a violent protest and it occurs within a designated area and protesters are not approached while they are in the designated area but they leave the designated area and are still engaging in violence, the chief commissioner or a police officer, if I understand this correctly, cannot exercise the direction that they remove their face coverings unless there is some other lawful basis for doing that. Again, why do you want to prescribe the regime in this way? If somebody is engaging in violence and they are concealing their identity by virtue

of a mask, for example, which is what this is really about, why do we want to focus on whether it occurs within a designated area or not?

The bill also says that a police officer will be able to direct a person to leave a designated area if the police officer reasonably believes that the person intends to engage in conduct that will constitute an offence of affray or violent disorder, and I will come to those in a moment. Again the power to issue a direction is intrinsically tied to the designation which, as I said, carries with it all of these other prescriptive considerations. And really, if somebody in Victoria Police reasonably believes that a person intends to engage in conduct that would constitute violent disorder or affray, as this bill will enact, why should it matter whether it occurs in the context of a designated area? That is unfortunate. It is better having those provisions than not having them under our current law, but it is very limited and people will be able to work around this. That is my concern: that people will be able to circumvent this.

The bill does provide that somebody who does not comply with a direction will face a penalty of five penalty units, which I think from memory is just a little under \$800. I am not going to argue too much over the penalty, but again without reasonable excuse and in light of the considerations I mentioned a moment ago in relation to designation, I am not sure that you will see too many of these offences occurring. That may be a good thing if people are not engaging in violent protest altogether, but I do worry that this regime is going to need to be relaxed at some point or some other approach is going to be required to deal with it.

I just want to turn now to part 4 of the bill, which talks about the offences against public order. At a conceptual level it is not clear what gains are really being made here. Again we are not going to oppose what is being proposed in the bill, but these are, if you like, transposing from the common-law parts, but not in their entirety, of existing common-law offences of affray, riot and rout. That may be okay if you are arguing that they simplify the law. I am not sure that those gains, if they are there, outweigh what I think are some aspects which appear to weaken the current laws, and I will touch on those in a moment.

But I do note that the bill proposes to enact in codified form the offence of affray. It talks about, consistent I understand with the common-law jurisprudence on affray:

A person who uses or threatens unlawful violence and whose conduct would cause a person of reasonable firmness present at the scene to be terrified commits an offence ...

I am not sure in this day and age whether we need all of those qualifiers — whether you need the qualifier that it threatens unlawful violence. Violence is violence I would have thought.

The offence requires a person of reasonable firmness present at the scene to be terrified — let us say, a young mum with two kids in the pram walking with her sister up Bourke Street and there is a violent protest, elderly couples, a man walking to work who is just on his own. What does 'reasonable firmness' mean? What kind of standard are we looking for there? A man who is just walking down the street — do we not have an age-old principle of eggshell where you take your victim as you find them? The government proposes to insert into the new offence the requirement that a person be terrified. Do we really want to subject people to that high standard before we will take action?

What we are trying to do here is to strike a balance between people understanding that you can protest in our country and in our state — everybody supports your right to protest — but you cannot do it in a way which interferes with the lawful interests of others. I think this threshold is too high, frankly. It is too high when you are looking at unlawful violence, reasonable firmness and that a person has to be terrified. I am not sure that is a modern-day approach to the balance that we want. Children, women, men all have the right to go about their business lawfully and not be intimidated.

In terms of violent disorder, I note that it is proposed to require that six or more persons are present and together use or threaten unlawful violence with a common goal or intention and the conduct of them taken together causes injury to another person or causes damage to property. That, compared with the existing offence, seems to be a higher threshold. At the moment, as I understand it, a riot under the common law is a disturbance of the peace by three or more persons assembled and acting as a group with a common purpose in executing a lawful or unlawful enterprise in a forceful and alarming manner and it carries a 10-year penalty. A violent disorder under the bill requires that it is six or more persons, not three, with a common goal or intention to use or threaten unlawful violence causing injury to another person or damage to property, and it carries 10 years imprisonment or 15 years if the person is wearing a face covering.

Compared with the current common-law offences, it seems that these two new offences, which consolidate the three existing offences, will actually mean that it might be harder to prosecute these matters in the courts. Again I am not sure this is where the Victorian people want the government to go here; they just want violent

protests to stop. The thresholds that are being proposed in this bill may be better than having nothing, but they are certainly not going to deal with violent protest.

What that means is when protest groups — and they are out there; we have seen them, whether it is Say No to Racism or Reclaim Australia and their affiliates and offshoots — are preparing these things, they will be very meticulous in how they prepare. I think it will be quite easy for them to, if not circumvent the law altogether and avoid the application of the offences, make matters more complicated for Victoria Police, particularly in relation to the designation of areas. Moving the location of protests from one place to another at short notice might be one way that they can evade the application of the law and make it harder for authorities to maintain law and order on our streets.

As I said, it would have been better had the previous laws been left in place or at least been left in place for a decent period of time to see how they worked, because the government did come in and in one of its first bills before this house it proposed that the laws be repealed, but they had not been in operation for very long at all. They had, from memory, been in operation probably for around a year, maybe less, but it was not a long period by any measure.

The final thing I will just note is that the bill does not reinstate exclusion orders, which were available under the regime that the government repealed. What the previous regime had, which contained the wider move-on grounds, was a set of provisions that gave the Magistrates Court the ability to impose exclusion orders. Exclusion orders could operate for up to 12 months, and they applied to somebody who, a certain number of times within a certain period, had breached move-on directions. It was a way of ensuring that you could basically exclude somebody from given areas.

This bill does not propose to reinstate that or anything like that, which is a shame, because those exclusion orders were subject to court approval. They could not be imposed by Victoria Police. A court on evidence had to be satisfied that there had been reoffending, in effect, by a protester and that it was necessary for reasons of public safety to exclude that person from a given area. It seemed like a pretty reasonable dimension to the regime, even if you did not like the wider move-on powers, which were subject to police discretion and judgement.

But the exclusion orders were not. They were subject to court oversight and approval, and they do not appear in any part of this bill, which is a shame, because it means that you can deal with one protest, but then you have to

go out and deal with it again. Every time it comes up, you deal with it and that is unfortunate because you could have had a system which allowed people to be excluded without that.

On that note, as I indicated at the start, and I will just confirm again, we are not opposing the bill because having it is better than not under the current law. But the government has really missed an opportunity to crack down on, frankly, the mess it created by removing the move-on laws and triggering a form of behaviour of a number of protest groups that has frankly disgusted Victorians in the types of violence and behaviour we have seen in our community. With that, I conclude.

Mr McGuire (Broadmeadows) — The Andrews Labor government is committed to community safety, and there is no greater proof than in the policy defined in this bill and also the record funding detailed by the Treasurer earlier today. This goes to the heart of the matter. The Victorian government has already created the new offences of home invasion and carjacking, restricted the use of community correction orders for serious offences, committed to a new standard sentencing scheme and sought advice on changes to strengthen the bail system. The Andrews government is taking critical action and making the investment that counts most, and that is why we have introduced stronger laws to deal with people who are violent and who threaten the safety of the community at public events. This has become an issue of state concern, and this is the direct response from the Andrews government to deal with it.

Victorians deserve to feel safe at public events, and the proposition is clear: violence will not be tolerated. The Crimes Legislation Amendment (Public Order) Bill 2017 provides police with additional powers to use against violent and masked troublemakers in protests and at other public events. The bill includes stronger police powers and harsher penalties for those who try to hide behind face masks while engaging in public protests. So you will not be able to get away with that anymore.

The need for these laws has been highlighted by recent unacceptable disturbances at events in Victoria, including at the Summersault Festival in February, riots at the Moomba festival and clashes between violent protesters at demonstrations. These amendments will ensure that violent troublemakers can be removed and other members of the public can continue engaging in their right to peaceful protest or enjoying events like the Moomba festival. Unlike the repealed move-on powers, these powers will only be available within areas and

events designated due to a likelihood of violence or disorder involving weapons occurring there at the relevant time. Everyone has the right to peaceful protest in Victoria, but there is no place for violent cowards who wear face masks to hide from the law. So they will be brought undone by this legislation.

The Crimes Legislation Amendment (Public Order) Bill 2017 contains a number of measures to assist Victoria Police to prevent and respond to incidents of violence at public events. I will just run through a couple of the critical propositions here. They include providing police with additional powers for use within areas designated under the Control of Weapons Act 1990, repealing common-law public order offences and replacing them with new statutory offences of affray and violent disorder, and requiring local government to consult with Victoria Police when considering a request for a protest-related permit. This is, I think, another important pre-emptive measure that will prove significant. To arrive at this policy suite the government worked closely with Victoria Police on these changes to deal with violent protesters.

Ms Ryall — I draw your attention to the state of the house.

Quorum formed.

Mr McGuire — The opposition say they do not oppose this bill, but they do not want to listen to the detail because it is addressing the critical points in policy, backing it up with funding, putting more police on the streets and getting on with delivering. It is not about spoiling tactics, and it is not about just trying to chip away at the edge and the boundary line of life. It is about actually making it happen, and that is what this government has done.

An opposition member interrupted me at the point where I was talking about the consultation that has gone into this bill. The government has worked closely with Victoria Police on these changes to deal with violent protesters, especially those who wear face masks to conceal their identity. This is the proposition. The government is working well with the agencies to actually come up with practical solutions. The bill delivers on the public order reform commitments made by the government following that violent protest in Coburg in May 2016. This is it; this how we actually get the consultation right, come up with the strategies, do it with the experts who are involved and then actually provide funding to make it work and to give the community a greater sense of safety and security.

Just to go into a little bit more detail, under the Control of Weapons Act 1990 the Chief Commissioner of Police can already make planned or unplanned designations of an area for the purpose of enabling weapon searches to take place. These designations can be made where there is a likelihood that violence or disorder involving weapons will occur in the relevant area. Once an area is designated under the Control of Weapons Act, police have the power to search any person or vehicle within the area. The maximum time limit for designated areas under the act is 12 hours. Importantly this power has been used recently in relation to protests where violence was anticipated.

The bill allows for additional non-search-related powers to be used by police in designated areas to prevent and control outbreaks of public disorder. Within a designated area police will be able to require a person to remove a face covering or to leave the area where a police officer reasonably believes the person is wearing a face covering to disguise their identity or shield themselves from the effects of capsicum spray — the other motive that is in play here. Police can require a person to leave the area when a police officer reasonably believes the person intends to engage in conduct that would constitute one of the new offences of affray or violent disorder. Failure to comply with these powers will be an offence. This bill provides the power to ask a person to remove a face covering only as it applies to face coverings worn for the primary purpose of concealing the wearer's identity or of shielding the person from capsicum spray. That is the critical proposition there. Protesters who wear coverings for legitimate religious or other purposes will not be affected by this new power.

Where an officer reasonably believes that a protester is engaging or intends to engage in conduct that will constitute one or more of the new public order offences created by this bill, they may direct a protester to leave the area. When assessing the conduct of a person in a designated area, it may be taken together with the conduct of other persons present. The test of a reasonable belief has been applied to the use of this power. The higher threshold has been deliberately applied to the power as a safeguard to ensure officers use it only when they have a greater level of certainty about the dangerous nature of the conduct.

In line with other Australian jurisdictions the bill will abolish the common-law offences of affray, rout and riot. There is a significant increase in the penalties provided for here. For example, for those who commit violent disorder while wearing a face covering, a maximum penalty of 15 years will apply. So the government is sending the message as strongly as it

can. The new offence of violent disorder is a serious offence which will be punishable by a maximum penalty of 10 years imprisonment. The law is there; the message could not be stronger.

Then to back it up we just have to have a look at what happened today. We had a record \$2 billion investment in police, and 3135 additional officers will be trained over the next five years. It is the biggest recruitment drive in the state's history. So they are the themes. This is the action that this government is taking. Here is the legislative power. Here is the enforcement strategy that can do it. Here are the police officers on the beat to provide the security that people want and to deliver what the Victorian public need.

Mr D. O'BRIEN (Gippsland South) — I am pleased to rise to speak on the Crimes Legislation Amendment (Public Order) Bill 2017. Despite what we just heard from the member for Broadmeadows, this is a weak attempt to cover up for the failures of the government that it has so far been responsible for with respect to public safety and law and order. As the member for Hawthorn outlined, the Liberals and The Nationals will not be opposing this bill because, as he said, it is better than nothing, but it is still far less effective than the reforms — the move-on laws — that were introduced by the previous coalition government. This is part of the belated catch-up that the Labor government is playing with respect to law and order, but in this particular case it has not gone far enough to reinstate the move-on laws that would have been much more successfully used by police in a number of areas.

The bill, under clause 3, requires councils to consult with police before granting applications on public protests. Clause 6 gives police the power to direct a person wearing a face covering that they refuse to remove or a person they suspect intends to engage in affray or violent disorder to leave a designated area. Those two terms, 'affray' and 'violent disorder', are introduced under clause 8 to abolish some existing common-law offences of affray, rout and riot. Clause 7 makes it an offence punishable by a fine of up to five penalty units not to comply with a direction given under these powers.

That is all well and good, but this bill does not replace the move-on powers that the government scrapped almost immediately on coming to government, and it is one of the many areas where the government has dropped the ball on law and order. It is no surprise now that we have crime running out of control. We have a gross disrespect for authority that is breeding in our suburbs in particular but also in our towns and regional

cities, and much of that comes from the actions of this government with respect to law and order.

The extra move-on powers that were in the previous act included that:

the person is or persons are causing, or likely to cause, an undue obstruction to another person or persons or traffic;

the person is or persons are present for the purpose of unlawfully procuring or supplying, or intending to unlawfully procure or supply, a drug of dependence; or

the person is or persons are impeding or attempting to impede another person from lawfully entering or leaving premises or part of premises.

Of course this is the bit that the Labor Party wanted to get rid of out of the old move-on laws because it stops their union mates from acting illegally:

... the conduct of the person or persons is causing a reasonable apprehension of violence in another person ...

These are the issues that the government could have perhaps brought back in but has decided not to in this bill because it really has no idea how to control crime.

Of course issues of riots are fairly foreign to my electorate of Gippsland South. We do not have too many protests that get out of control or significant riots, although the way the Labor government is going, particularly with respect to some issues such as the Country Fire Authority and roads, I suspect that riots may well brew. But in general crime is causing great concern to my constituents. In my electorate we saw in the last statistics that came out that the crime spree that has been blighting Melbourne in the last couple of years is now spreading to Gippsland, with the latest figures showing an increase in crime in the South Gippsland shire of 16.6 per cent in the past 12 months and 7.8 per cent in the Wellington shire in the past 12 months. More particularly, in the last two and a half years since the Labor government came to power, crime in South Gippsland has risen 29 per cent. These are not my figures. These are the figures from the independent Crime Statistics Agency Victoria. In the Wellington shire crime is up almost 22 per cent. These are very alarming figures.

This piece of legislation, although an attempt to address that in the usual spin-doctoring way of the Labor government, does not actually deliver that. It does not go as far as it needs to with respect to the issues that are facing people right throughout the state. We have seen not just the riots that have occurred that could have been tackled by the previous move-on powers. We have seen crime generally — and the Apex gang and other gangs and individuals — running out of control, and of

course we have seen the crisis in our juvenile justice system with riot upon riot at Malmsbury and Parkville and the government lurching from one crisis to another in that area. That indeed is also of significant concern. However, as I said at the outset, we are not opposing this legislation because it is at least a step in the right direction, if not the full reintroduction of the move-on powers that we believe are generally necessary.

Ms BLANDTHORN (Pascoe Vale) — There was a description of events at the Coburg race rally in the *Age* the day after the rally. They were described as follows:

Punches were thrown, kicks landed and flags were used as weapons on Saturday as left-wing demonstrators and right-wing supporters brawled on the Bell Street bitumen, in front of a primary school.

The fight involved a significant number of people and lasted about half a minute before police could intervene. Police fired capsicum spray to disperse the brawlers.

One person said he saw a man 'getting stomped on', as he lay on the road.

Fighting also occurred over the fence, on the lawn of the Coburg Primary School senior campus. Men kicked, punched and grappled with one another on the ground before police arrived and separated them.

Protesters from the left-wing and the right-wing groups appeared to have been injured in the fighting. Police detained people in the school grounds, including a man who at one point claimed he couldn't breathe.

Some of the injured people looked very unsteady on their feet, and appeared to have suffered either facial injuries or discomfort from capsicum spray.

Police confirmed that seven people had been arrested after the day's shocking events, which disrupted local traders. At 12.45 p.m., one upset trader said he had taken just \$2.40 from customers, who had stayed away.

Commander Cowden blasted protesters who engaged in violence, and said the behaviour of some people was 'cowardly'.

Five people were arrested as a result of the 'violent clashes in the streets', and two were arrested after weapons searches, she said.

That was on 28 May 2016. Rival groups — anti-immigration versus anti-racism groups — converged on a corner of the Sydney Road–Bell Street intersection, a place that is home to the Coburg football oval where the Coburg Football Club plays. The senior and junior campuses of Coburg Primary School straddle Bell Street.

One of the things I love most about the district I represent is that people come from every corner of the globe to call our part of Melbourne home. But whatever your perspective, violent protests in our home in

Coburg are unacceptable, and on that day in May hundreds of people converged on that Sydney Road–Bell Street precinct looking for a fight. On a usual Saturday morning in that precinct in Coburg many, many people are sitting in the cafes enjoying brunch — their avocado on toast. There are many people shopping in the various markets, from the farmers markets at local schools in the area through to the Lebanese fruit and vegetable market. There are people who are going to the epic bakeries and delis and buying their Greek cakes, their Lebanese pastries or their Turkish pides. At that time of year there are people who are there to cheer on the Coburg Football Club, and there are people who are going to the leisure centre.

But that Saturday morning in May turned to chaos right in between the two campuses of Coburg Primary School. Hundreds of police had to form a line between the two opposing groups while mounted police patrolled the crowd. Indeed there were distressing images of people even attacking the police horses. But there were obviously a large number of assaults, including of police. There were several weapons offences, many committed by people who wore masks, who cowardly sought to engage in this kind of behaviour but who refused to own it.

Indeed the leader of the United Patriots Front, Blair Cottrell, said the rally was an ‘initial success’ but then ‘the police happened’. ‘They prevented us from doing what we wanted to do, which was to move up that street to counter the opposition’, he said. He said he wanted to counter the opposing group ‘in the same way that they do, with force and terror’. Well, force and terror in Coburg or anywhere is not acceptable.

Following the Coburg riots the opposition called for a reinstatement of the move-on laws. The government, as we have said, will not be doing this. The government will not be reinstating the move-on laws because clearly the move-on laws were not about stopping violence and terror but a Draconian way in which to try and stop industrial action primarily, as I think was exposed in the comments of the shadow Attorney-General, the member for Hawthorn, earlier today.

Under the previous Liberal government move-on laws were introduced to the Victorian Parliament. The Andrews Labor government successfully repealed those laws because we were well aware of what the real intent of the Liberal Party was. They did not wish to end violent protests such as that which happened in Coburg on 28 May last year. What they sought to do was ideologically driven. It was a desire to halt and silence the voice of Victorians who are involved in peaceful protests, including peaceful industrial action.

They were laws which posed a hindrance to the ability to peacefully protest and which resulted in a diminished prospect of democracy for Victorians.

We know in a democracy that protest is an essential form of offering Victorians — Australians — the right to voice views and values, to put forward a position in a peaceful way and to assist lawmakers in developing laws that reflect the people they represent. Indeed the right to peacefully protest is upheld and protected in the Victorian Charter of Human Rights and Responsibilities Act 2006 — the right to gather together and take part in a peaceful demonstration or protest and to join groups such as political, sporting or union groups.

The previous government was setting out to dissolve this right through their restrictive move-on laws. But as the current Attorney-General said at the time, ‘Victoria doesn’t need Bjelke-Petersen-style laws designed to silence dissent and outlaw peaceful protests’. The Liberals tried to punish nurses who stood up for their patients and they tried to silence farmers who were concerned about coal seam gas. But this government will not stand for it. This government will introduce laws which will ensure that people have the right to peacefully protest, but violent disorder is obviously not going to be tolerated.

It was John F. Kennedy who, on the first anniversary of the Alliance for Progress, said:

Those who make peaceful revolution impossible will make violent revolution inevitable.

Violent revolution is really what we were seeing trying to be played out in Coburg last May.

Following those protests in Coburg in May, almost a year ago today, the government immediately committed to stronger penalties for violent protests, and what we have here is a bill that is centred on several measures that will be applied in order to assist with the prevention of serious and potentially violent disturbances to the public order. The bill has a central focus on preventing and dealing with violent disturbances in public places such as at demonstrations, protests and at public events and festivals such as Moomba, where we also have seen previously some violent disturbances. This legislation comes about also as an important response to the disgraceful violence and riots that we have seen in other demonstrations and other public events, not only the Coburg riots and Moomba but also around other events in Melbourne.

Victoria Police have provided a commendable response to these types of events and disturbances. However, it is

important that we learn from these events and enact better prevention activities to stop violent attacks in the future. It is also essential that the police have adequate powers to deal with new cowardly tactics used at these events to hide identity and to disown the activity that people are undertaking.

The bill has three key parts. It provides additional powers for police in designated areas, it provides new offences and it provides new requirements for local government to work cooperatively with police in order to identify where there may in the future be a violent disturbance. Recent happenings have proved that the potential for serious harm and public disturbance at particular protests, demonstrations and public events is there, and given this recent history it is important that we provide the police force with the ability to further pre-empt and respond to offences at future events.

The Victorian Labor government is aware, arguably more than any other party, of the value of peaceful protest, and peaceful protest is used by the public to convey messages of advocacy and support for changes in laws and regulations. Protests and demonstrations such as those we have seen in the past from union and industry groups for better work and salary conditions have shown how the peaceful expression of ideas and advocacy can make a real impact on government policy directions, and perhaps that is exactly what those opposite are afraid of. Perhaps they have learned a lesson from WorkChoices, for example.

However, it is also important that these protests are intended to be peaceful and are conducted peacefully, because not only does public violence and disorder harm the projected message for change but it will also potentially harm not only property but also obviously people. Like protests and demonstrations, Victorian public events should always be safe. People should be able to enjoy these events in a safe and peaceful space.

This law will ensure that public events and their attendees are not disturbed and tarnished by violence or disorder. Victoria Police members have an important role in monitoring and facilitating peaceful conduct at protests and events, but it is essential that their roles are complemented by the essential powers and requirements which keep up with recent events and the existence of new tactics — cowardly tactics — and violent activity of current and potential offenders. These laws are particularly relevant to my district where people have long memories of what happened in Coburg.

Mr HIBBINS (Pahran) — I rise to speak on behalf of the Greens on the Crimes Legislation Amendment (Public Order) Bill 2017. This bill gives the police

powers to direct people wearing masks in certain circumstances to leave a designated area; introduces new public order offences to replace the existing common-law and public-order offences with increased maximum sentences; and requires local government to consult with Victoria Police when considering applications for permits that relate to proposed protests.

The Greens understand the need for community safety and ensuring that Victoria Police have sufficient powers to keep the peace and enforce the law at protests, but we have a number of concerns regarding this bill, particularly that it could infringe on freedom of expression and would allow police to direct any person wearing a mask to leave a protest. In the anti-mask provisions, there is a need to balance the right to freedom of expression and privacy, the rights of community safety and the right to protest peacefully — and to wear masks is a form of expression that is an important one.

There are a range of legitimate reasons why people may wear face coverings at a protest, such as to not be identified in the media or in other forms when voicing views that are anti-government or challenging to some people, and which may affect their personal lives or employment. People may wear anonymous masks or masks of political figures by way of expression or, of course, wear face coverings for cultural or religious purposes. Police do need to be able to identify people who commit unlawful acts during a protest and to have in place laws that prevent a person intending to commit an unlawful act from wearing a mask.

This bill arose after a violent brawl that erupted in a demonstration in Coburg in May last year when police were forced to intervene against violent protesters who were wearing masks. It was difficult for them to identify between some right-wing protesters and anti-fascist groups involved in the fight. The government is saying that we need these laws as more protesters are wearing balaclavas, other face coverings and masks. It is saying that if the mask was worn for religious, cultural or medical reasons, it will not have to be removed and that police will receive training and guidelines on the appropriate use of this power.

However, there are no guidelines in the bill provided for police to know if a mask is to conceal a person's identity. In fact the reality is that any face covering can be worn to conceal an identity, and the police already do have the power to identify people. The police already search people and ask for their identity in a designated area. If necessary, the new law should only be permitted where police form a view that a mask is worn to conceal identity to commit an illegal act.

In the Summary Offences Act 1966, it already says:

A person must not with unlawful intent—

- (a) be disguised or have a blackened face; or
- (b) have an article of disguise in his or her custody or possession.

The penalty for that is two years maximum imprisonment. It is already against the law.

There are serious concerns from activists who feel this law will inhibit freedom of political expression. What is a permitted or not permitted face covering is unclear, and what will be allowed or not allowed is unclear. There are people who may wish to protect their identity at a protest or who may wish to wear a mask but not have the intent to commit an offence.

The use of capsicum spray is referenced in this bill and, of course, the increased use of capsicum spray has resulted in people wearing masks at protests. Those people are not necessarily there to commit an offence — they are just there to protest — but they do not want to suffer the effects of capsicum spray used against people that may be causing an offence.

In terms of the new public order offences, this bill has increased maximum penalties for people wearing a mask for those offences, but it is unclear why wearing a mask for unlawful purposes could not just be made an aggregating factor in the sentencing of that particular offence. The penalties in this bill are such that offences at public protests would now be more serious than, for example, family violence committed in the home.

The third part of this bill requiring local government to consult with Victoria Police and considering applications for permits that relate to proposed protests seems like a reasonable amendment and is something we will support, but we do have concerns that this bill will infringe on legitimate political expression. The safeguards against misuse by the police are not included in this legislation. The police already have the powers to identify someone in a designated area, and to have a disguise with unlawful intent is already an offence. If there is need for legislation in this area why not, as Liberty Victoria have suggested, require the police to form the view that the person is concealing their identity with intent to offend?

This is, in our view, an ill-thought out bill at this stage, and it is clearly designed — as are many of the law and order bills that are coming before us from the government — to serve the *Herald Sun* along with the Liberal Party, who are really setting the government's law and order agenda. So the Greens cannot support

this bill in its current form and will be reserving the right to seek amendments in the upper house.

Mr PEARSON (Essendon) — I am delighted to make a contribution in relation to the Crimes Legislation Amendment (Public Order) Bill 2017. It is disappointing that whenever this government seeks to try to ensure that we live in a safer community, you can be guaranteed that the representatives of the Greens, in particular their cheerleader-in-chief in this place, the member for Prahran, will be steadfastly opposing us every single step of the way. It does not matter whether you are talking about trying to increase penalties for convicted drug traffickers, it does not matter whether you are trying to make sure that convicted cop killers get locked up for life and it does not matter whether you are talking about people who are deliberately covering their faces in order to threaten and intimidate members of our community going about their lawful business — you can be guaranteed their number one advocate in this place will be the member for Prahran. It is disgraceful.

I would have thought that the member for Prahran might have actually bothered to listen to the very eloquent contribution made by my good friend the member for Pascoe Vale who talked in very clear terms about the impact that the riot in Coburg had upon her community. It is the wonderful thing about this place, because you have the opportunity to listen to those opposite and to understand the position that the opposition or the crossbench might take and to respond to that position. While often there will be times when we will not agree, you can at least see a kernel of truth in what those opposite might say. You can understand, for example, why they might be of a particular persuasion or have a particular perspective on life. But because the member for Prahran is never here, because he spends no time in this chamber, because he refuses to engage in debate and because he refuses to listen to the contributions of others, he comes in, he is incapable of speaking for his allotted time, and he leaves. No sooner has he finished his speech than he is rushing out the door to go back and hide in his office. It is lamentable.

I will be brief. In preparing for today's debate I was reminded of the great contribution that Alexander Hamilton made to US discourse in his capacity as one of the founding fathers of the United States of America and his role as the first Treasury secretary under the administration of George Washington. Hamilton was a very interesting case in point because although he was very active as Washington's chief of staff and then subsequently took a field position to fight for the revolution, after the conflict had ended he played a pivotal role in defending Tory sympathisers in New

York who were being victimised by the new administration.

Hamilton was really clear. He made a number of statements, such as ‘Real liberty is neither found in despotism or the extremes of democracy, but in modern governments’. Further, he said, ‘In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself’.

A bill like this is very important because it goes to what Hamilton was trying to do in his role as one of the early administrators of the United States of America, which was to get the balance right. You must find a way in which people can lawfully express their views and opinions if they feel quite strongly about an issue. But at the same time you must of course ensure that you do not have mob violence and that you do not have uncontrollable rage, with people victimised as a consequence. I think this bill before the house today strikes that balance correctly, because it is looking at trying to draw a distinction between affray and violent disorder.

Interestingly — and I know this will appeal to you, Acting Speaker Kilkenny — I discovered that ‘affray’, like many words used in a legal context that have been incorporated into the English language, was actually derived from the old French *esfreer*. This was a consequence of the introduction of Norman linguistics — Norman language — into Middle English. There is a very good article, which I must share with you sometime, Acting Speaker, which talks about the difference between the way in which words from Old French permeated very high professional classes in mediaeval England whereas the more Germanic words, which were often spoken and which would be very familiar to many of us because they perpetuate today, seem to operate more amongst the artisans and the working poor. Thank you, Acting Speaker, for that brief moment of indulgence.

This is a very good piece of legislation. I think where there are opportunities to work collaboratively and constructively with local government, that is a very good thing. It is an important piece of legislation because it gets the balance right, and I commend the bill to the house.

Mr GIDLEY (Mount Waverley) — I rise to make a contribution to the Crimes Legislation Amendment (Public Order) Bill 2017. I listened with great interest to the eloquent address by the member for Hawthorn, the shadow Attorney-General, who has already outlined to

the house the very technical reasons why, whilst this bill is not being opposed by the Liberal-Nationals opposition, it is not where it should be. That concerns me because it is a missed opportunity to take the right steps forward to improve public safety. Nonetheless, because this bill is better than nothing, we will not be opposing it.

Regardless of the technical aspects of the bill, I come to the debate from the perspective that if we do not have the type of police service that the community expects and that we need in Victoria, many of the things in this bill will not be able to be enacted. They will not be able to be put in place. If Victoria Police continue to have their police numbers cut and are not properly resourced, they will not be able to use the powers that have been put forward in this bill. This is where I think it is very important to put the facts on the record.

I note that in a recent Public Accounts and Estimates Committee hearing Victoria’s top police officer, the Chief Commissioner of Police, Mr Graham Ashton, confirmed that during 2015–16 the number of police per capita was cut — not increased, not kept where it was, but cut. I will say that again because it is important that the facts are put on the table: Victoria’s top police officer, the chief commissioner, confirmed that in the 2015–16 financial year the number of police per capita was cut. That is not a view that was put forward by this side of politics on that day, it was put forward by the most senior police officer in Victoria. It shows the inaccuracies at best and the lies at worst of the government saying something different to that.

If you look at what the government inherited, they inherited a very strong police force — 1700 police officers were recruited, trained and deployed under the Liberal-Nationals, there were in excess of 940 protective services officers, there was a \$27.8 million upgrade to the Glen Waverley police academy and stronger bail laws were put in place. The heavy lifting was done, if you like. So much of the heavy lifting was done, and that is why it has been so disappointing that unfortunately our state and our city have become the lawless state and the lawless city under this government. It is no surprise: when you cut police numbers, when you weaken bail laws, when you undermine safety and security, and when you cut and gut Neighbourhood Watch, these are the outcomes.

When we are looking at what police powers may be in this bill — and we are not opposing this bill, but we are saying it is another missed opportunity when it comes to public safety — many of them do not matter, because if police do not have the resources to be able to do what they need to do, those powers are irrelevant.

That is where I am also very concerned by the announcement by very senior people in the Labor Party in the last fortnight regarding what they plan to do to our police services in Monash. After all of the work that was done to build those services, the announcement in the last fortnight is nothing short of a disgrace. Senior Labor Party figures have put on the record very clearly that they want to close not one, not two, not three, but four police stations in Monash. They want to close Clayton, they want to close Mount Waverley, they want to close Oakleigh and they want to close Glen Waverley. That is what has been put on the public record by senior Labor Party figures in and outside of council meetings. Go on the record and have a look at that.

The view that was put on the record was that that is the best way to ensure that police resources are put forward. It is on the website for anybody who was not at a council meeting. They can go and have a look. The words are very clear: four police stations in Monash to be closed, with the support and advocacy of senior members of the Labor Party.

When I look at this bill and at the opportunities Victoria Police should have to make our state safer, I am highly concerned. We have a government that has cut police numbers, a government that has gutted Neighbourhood Watch, a government that has weakened bail laws. This is compared to a Liberal-Nationals government that left our state safer. Now we have got the Labor Party campaigning to close four police stations in Monash. It is of enormous concern to me. I will stand up and fight against them, as will other Liberal members in Monash. We will not be opposing this bill.

Mr DIMOPOULOS (Oakleigh) — It gives me great pleasure to speak on the Crimes Legislation Amendment (Public Order) Bill 2017. In case I run out of time I am going to just quickly address some of the comments made by the member for Mount Waverley —

Mr Staikos — Lies.

Mr DIMOPOULOS — and they are lies, as the member for Bentleigh says. I am committed to the local council activities — —

Mr Gidley — On a point of order, Acting Speaker, I deem that as a reflection on me, and I note that there have been rulings from the Chair in relation to that word. I would ask that you examine the record of this debate, and if unparliamentary language has been utilised in this debate, not only should it be withdrawn, it should be struck from the record of any interjection and from the speech of the member for Oakleigh.

The ACTING SPEAKER (Ms Kilkenny) — Order! I might ask the member to withdraw that comment.

Mr DIMOPOULOS — I withdraw the word ‘lies’; I did not call the member for Mount Waverley a liar, so I withdraw the word ‘lies’ — although, I have to say, the member for Mount Waverley is being mendacious, and I am advised that is a term that is not unparliamentary. I was actually going to give him some kudos for attending citizenship ceremonies and doing activities around Monash, including the Monash Rotary schools wreath laying that I attended with him as well the other day. But he must be in a parallel universe, because that is about the extent of the mutual understanding we have about Monash council and Monash council meetings. Monash council does not run Victoria Police, and there was no comment or suggestion by people on the council, whether Labor Party members or not, who have no constitutional right over police. Even if they did have that, they have made no comment in relation to the closure of four stations. If I may remind the member for Mount Waverley — —

Mr Gidley — On a point of order, Acting Speaker, I would ask you to draw the attention of the member for Oakleigh to the seriousness of misleading the house. The member for Oakleigh just made some very specific comments about what senior Labor Party figures did or did not say. I would ask you to inform him and remind him of that seriousness and ask him to be very cautious in what he is saying.

Ms Hennessy — On the point of order, Acting Speaker, if the member for Mount Waverley wishes to either caution or make a substantive comment about any contribution made by the member for Oakleigh, he would or should know that he must do that by way of substantive motion. It is not appropriate for, and is not the proper role of, the Chair to engage or guide on the substance of any issue that may in fact be a factual debate between people with different views.

The ACTING SPEAKER (Ms Kilkenny) — Order! There is no point of order.

Mr DIMOPOULOS — As much as I tried not to actually make the agenda of my contribution the member for Mount Waverley’s agenda, I just have to correct the record for the next 30 seconds. Then I will get on to the good things we are doing. There was no suggestion that this government will be closing four stations in Monash. That is an outrageous comment to make. It is untrue and deliberately designed to mislead.

I just happen to have this handy — and you may say this is either providence or coincidence or something: when I was a candidate for the state seat of Oakleigh in the last election there was absolutely a live plan by Victoria Police, under auspice of the then Liberal Party government, to close all Monash police stations and open one next to or opposite Bunnings on Ferntree Gully Road. That was a live proposal — so live that the then Chief Commissioner of Police was on 3AW discussing it openly.

Mr Gidley — On a point of order, Acting Speaker, the member for Oakleigh is clearly misleading the house. The facts were very clear. That was Ms Morand's plan and the Labor Party's plan for a super-station, not the Liberal-Nationals' plan, and we fought against that.

Ms Hennessy — On the point of order, Acting Speaker, I reiterate my contribution on the previous point of order. It is in fact the case that the member for Mount Waverley has had his opportunity to put his argument and his views on the floor of this house. It is now the opportunity of the member for Oakleigh, and if there is anything that the member for Mount Waverley wishes to take up, then the appropriate mechanism for doing that would be by way of substantive motion.

The ACTING SPEAKER (Ms Kilkenny) — Order! There is no point of order.

Mr DIMOPOULOS — I think the credibility that I have in this place stands in stark contrast, and I will leave it at that.

Just in terms of this bill, it is a very important bill, and it also continues the commitments we have made to the Victorian community on very important matters about community safety and strengthening the ability of police to do their job to protect us. Because I only want to take up about a minute or so, I just want to make a specific comment in relation to two significant things that will happen with this bill. We are strengthening police powers in relation to certain circumstances in designated areas, but we are also clearing up the current position where some offences exist in common law but not in statute. We are cleaning that up and creating two new offences, as has been described by the Attorney-General in his second-reading speech.

I just want to say in my very small contribution on the bill that I think the bill is: something the police have asked for; a commitment we have made; and a mechanism that will make a tangible difference in the police's ability to more quickly discern who is a troublemaker, and more quickly remove them from the

scene to allow the public and the community to enjoy whatever activity they may be doing in that particular area. It also strengthens the ability to then prosecute those people who are subsequently arrested because we have clear offences under statute. That is primarily, in my words, the purpose of this bill, and I commend the Attorney-General for his intelligence, sensitivity and acumen in handling this bill, because it can be taken by some quarters into territory that we think is not appropriate — and some of those comments have been made in the media in relation to head coverings and other things. This is a bill that is absolutely warranted and absolutely does the right thing. It protects the community but also protects civil liberties, and I commend the bill to the house.

Mr ANGUS (Forest Hill) — I rise to make a brief contribution in relation to the Crimes Legislation Amendment (Public Order) Bill 2017. I note the purpose the bill, being to amend the Control of Weapons Act 1990 to give police the power to direct a person to leave a designated area and to amend the Crimes Act 1958 to replace the common-law offences of affray, rout and riot with statutory offences of affray and violent disorder.

Basically what we can see here in relation to this bill is that it is an attempt by the government to fix up the mess that the government itself has created, and that was principally because it repealed the move-on laws that were so successfully implemented by the previous coalition government in Victoria. The fact that they are having to go back now, in order to sort out the mess that they have created, is why we have this bill before us today.

One thing that is absolutely undeniable is the fact that Victoria is in the middle of a crime crisis. Wherever you go, whoever you speak to in relation to what is going on in particular areas, and certainly in my local area, people are extremely concerned about these matters and about the lawlessness that is going on in the broader community. We can see that under the current Premier Victoria is the undisputed crime capital of Australia. It is interesting, if we look at the crime rates for the year 2016, to see that the crime rate in Victoria increased by 10.2 per cent. One might think that this perhaps is a nationwide trend, but if you look at New South Wales the crime rate increased by just 0.41 per cent. You can see straightaway that it is not a nationwide trend at all.

Under two years of the current Premier in Victoria, we can see that crime in Victoria is up an almost unbelievable 20.17 per cent, and again in New South Wales it is up by 5.8 per cent. We can see that there are

consequences to weakening the sentencing laws, weakening the bail laws, enabling police numbers to decline and closing police stations. There are consequences to those things in the broader community, and that is what we are seeing. We are seeing the fruit of a government that has been weak on law and order and that has made decisions that have totally adversely affected the safety of our community. Now they come along and introduce this bill to modify certain other acts again, to try to catch up rather than leaving the previous move-on laws, which they in fact repealed, as they were to protect the community.

There is no doubt that Forest Hill electorate community members are telling me on a regular basis that they are very concerned about the level of lawlessness in the community. Particularly in the broader community many of them no longer feel safe coming into the city, and why would they when you see some of the outrageous behaviour that has gone on in town in relation to riots, youth gangs and other lawless incidents? We can all hark back to the Moomba riots that were such an exhibition of lawlessness that most people in Victoria had never seen before. It is an extraordinary situation that we have ended up with here in Victoria.

I am regularly talking to my constituents and business owners in my area. Every time I go to one service station to purchase my fuel I have a chat with the owner about what is happening in the law and order area for him. I have arrived there numerous times to see his front doors smashed after he has been the victim of a gang of youths smashing the front doors and coming in to steal money and cigarettes. It has happened to him numerous times so he has had to, at his own expense, install a range of additional security measures to protect his business. There is a cost in terms of not only the trauma suffered by his staff as a result of being on the scene when those outrageous armed robberies took place, but also a cost to replace the doors, to put in extra security systems and so on. Those costs all have to be borne by someone. Of course ultimately that cost is borne by him and then has to be recovered through other means by being passed on to his customers. It is a terrible situation. It has got to a stage now where the police are basically regularly attending his service station for a range of offences, whether that be for armed robberies — although with the new security devices he has implemented hopefully there will not be any more of those — for petrol drive-offs or for other offences using stolen credit cards. He has regularly got the police coming down for all sorts of things.

I say all of that because that is just symptomatic of what is going on in the broader community. It is certainly

what is happening in my electorate of Forest Hill. It is happening because of the attitude of the current government to law and order. They have been weak. They have cut police numbers per head of population. We can see that because since the Labor government has come in Victoria's population has grown by over 300 000 people and the crime rate has increased by over 20 per cent, but there has been only a very small increment in police numbers. There are consequences to all of that sort of behaviour. As the member for Hawthorn has eloquently outlined the coalition's position I will not be going over that again, but, suffice it to say, we will not be opposing the bill.

Ms RYALL (Ringwood) — I rise to speak to the Crimes Legislation Amendment (Public Order) Bill 2017. What we have here is a weak bill — a weak bill that has been concocted to try and address the government's reckless repeal of the move-on laws. It is an unnecessary bill because police actually had the powers to deal with the very reason this government is now bringing this bill into being. The government repealed the act that provided those powers and took away the ability of the police to actually deal with the very reason this bill now finds its way back into the house.

We have got a government that is more about spin than substance, one that has lost control of the law and order debate, lost control of the streets, lost control of the jails even. In terms of cuts to police per capita, it is absolutely extraordinary that we find ourselves in a state, in Victoria, with a booming population and significant growth, yet the number of police has not kept pace with that.

In fact we find ourselves with less police per capita than when this government came to office. In my electorate of Ringwood, certainly in the Maroondah component of that, we see Maroondah's crime rate up from 2015 to 2016 to 18.8 per cent, yet we are down 14 police in Maroondah based on when this government came to office. Those numbers are from the end of 2014. It is just extraordinary that we find ourselves in the midst of escalating and terrifying crime, in a state where people are scared — they are fearful — and we actually have less police per capita than when this government came to office.

In terms of where we find ourselves in relation to this, we have had weakened bail laws, we have had weakened sentencing, we have had Neighbourhood Watch funding cut and we have had a Premier who will not admit there is even a problem. I heard that the Nunawading police station closed even though apparently no police station has closed. It has closed to

the public. In fact it still has great big signs out the front that tell people it is a police station. It is not. There is no service to the public there.

Just last week I held a crime, law and order forum. Members of my community came together, and they are scared. In the Malmsbury youth detention breakout three youths found their way to a Mitcham house. There was a violent home invasion with a machete and a baseball bat while the children inside were asleep. This is the sort of fear that people are dealing with — the carjackings, the aggravated burglaries, the aggravated home invasions and the smashing of jewellers shops. I have spoken to jewellers recently, and they are fearful. People in their houses are saying, ‘What else do I need to add? Do I need CCTV? What sort of extra security do I need to have?’. That is an absolute downright shame, especially when we look at New South Wales and see crime in significant areas there actually decreasing.

I will keep my contribution short; the member for Hawthorn has certainly done an excellent job in outlining what our concerns are with the bill. But I think it is worth saying that the Moomba riots created a turning point in the minds of Victorians. Those photographs at the time of the Moomba riots just stuck in the minds of Victorians. Since that time we have seen a huge amount of street violence; we have seen the terror that people have suffered, both children and adults, at the hands of violent youth offenders and violent offenders across the board.

This government might say they cannot afford to deal with this crisis of crime across the state, but we cannot afford not to. The minds, the psyches and the psychological aspects of Victorians; the impact on children forever; and the impact on people who are victims of these crimes, their health, physical, mental, all components — —

Mr Angus — Emotional.

Ms RYALL — Absolutely emotional, member for Forest Hill. In all aspects we cannot afford to not deal with this crisis.

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

Debate adjourned until later this day.

STATUTE LAW REVISION BILL 2017

Second reading

Debate resumed from 9 February; motion of Mr PAKULA (Attorney-General).

Mr PESUTTO (Hawthorn) — I am pleased to be able to speak this afternoon on the Statute Law Revision Bill 2017. The Statute Law Revision Bill is part of an important function of the legislative program of any government to make sure that corrections are made where there are errors or where it is necessary because of the repeal or passage of other legislation to make changes. It is a normal and regular part of the legislative program, but it also affords each member of this house the opportunity to review the acts which appear in the schedules to the bill and to make reflections on some of those bills.

I want to touch on just a few of the acts which are dealt with in this bill and make some general comments on the importance of changes to those acts and the circumstances in which we find ourselves. I certainly will not be discussing each act that is referred to in the schedules, but there is certainly a handful that I want to address.

The first matter I want to touch upon is the Audit Act 1994. This is obviously an act which has a function of scrutinising and evaluating the disbursement of public moneys and the practices associated around that. Acting Speaker Pearson, you would be well aware that we are very concerned about the use of public moneys at this point in time. The Audit Act is an important piece of legislation in the regime which is intended in this state to make sure that public moneys are deployed only for the purposes for which they are allocated and that public officials — from bureaucrats to broader public sector employees and of course members of this Parliament — use their funds appropriately.

It was put in this house just a moment ago — you might have heard, Acting Speaker — that we have had an incident of rorting by two members of this house in recent times. We are very concerned about that because we are looking for a process by which we on behalf of the people can scrutinise how those two members — the members for Melton and Tarneit — used their positions to obtain public funds in circumstances where we would argue there are serious questions about whether those entitlements existed. We know from the PwC report into those two members of Parliament that there are very serious questions about that.

In relation to the rorting member for Melton, who has engaged in some of the most egregious forms of rorting that this house and this state have ever seen, he was, according to the PwC authors, deliberately arranging his affairs so that he could obtain the second residence allowance. These are extraordinary circumstances where a person could represent the seat of Melton and not just live outside the electorate but deliberately take steps to live outside the electorate. It is an extraordinary situation. Not only that but we do not know at this point whether the member for Melton's documentation was in accordance with the law in other respects. For example, were any materials he submitted to the State Revenue Office or the Australian Taxation Office consistent with him actually living at the address?

We are concerned, given investigations undertaken by a number of media organisations, that he either ever actually lived or could have lived permanently at the Ocean Grove caravan park where he claims to have lived in recent times. We know at least one organisation, the *Australian* newspaper, sent a journalist out and they could not find any record of this. They were told by park operators that it is not possible for a person to live there on a permanent or even a semi-permanent basis. We also know that the *Herald Sun* undertook similar investigations and arrived at the same conclusions. So in terms of auditing we do not know the answers to some very serious questions about that.

We know from the PwC report that the member for Tarneit had not even moved into the residence he claimed for the purposes of his second residence allowance. It was his intention to move to Queenscliff. We do not know on the basis of those limited remarks in the PwC report whether he ever actually lived there or whether he only ever had an aspiration to live in Queenscliff. So for two senior members of this house — one the chief presiding officer and the second his deputy — to have engaged in the most serious form of rorting this state has ever seen highlights the importance of the changes to the Audit Act 1994.

It is not just that. I note that the Electoral Act 2002 is also part of schedule 1. We have, in the context of our electoral laws, raised the claims by the member for Melton and the member for Tarneit with the Victorian Electoral Commission because we are concerned that the records they submitted may not have been consistent with where they actually lived. If it were the case that either the rorting member for Melton or for Tarneit was claiming a residence for the purposes of the Electoral Act where he did not in fact live, then that would carry serious consequences. So for us the changes to the Audit Act and the Electoral Act in relation to the former Presiding Officer and the former

Deputy Speaker of this house raise questions of the utmost seriousness for us. We certainly support those changes to those two acts.

I also want to note, moving to schedule 2 of the bill, that it refers to the Bail Act 1977, and we have been calling for major changes to the Bail Act. In fact our concern about this bill is that it does not go far enough in terms of changes to the Bail Act. We are absolutely committed to overhauling our bail laws. We have been warning the government for the better part of two years that our bail laws need to be changed because they allow very violent defendants, many with very disturbing histories of violence and sexual offending, to come before the courts and be granted bail.

We know that last year, for example, a magistrate granted bail to a man who had been on bail four times and breached it, and he was given bail by that magistrate for a fifth time. That person went out and allegedly shot someone on that fifth occasion, and that is just unacceptable. In light of the Bourke Street tragedy we announced that we would overhaul bail laws completely and introduce a presumption of remand for violence offences. We would introduce a one-strike-and-you-are-out policy where, if you breach your bail, you do not get it in future. We would also reverse the changes that the government recklessly made to legalise the breaching of bail conditions by people under 16.

So the changes to the Bail Act are very important. I understand that the Attorney-General will be releasing the Coghlan report next week with the government's response. We will be looking to see how extensively the government is going to amend our bail laws. We are also concerned about the time frame. At any one time there are thousands of people out on bail, and at any one time, of those thousands of people out on bail, many of them will have very violent histories. There will be question marks over whether they should have been granted bail at any one time. Nobody really has a read on this, and in the briefings I have had from public sector officials — I will not identify who — there is no way that the current system can monitor who is out on bail and who are the most high-risk defendants out on bail. So the changes to the Bail Act we are looking for had better be extensive, and we will be trying to hold the government to account on that.

The Victorian people are fed up with instance after instance of a violent offender being given bail, only to go out and breach it again. We have to understand that what might have worked in the past with certain presumptions and principles needs to be conditioned for an environment where we have seen an explosion in the

number of bail breaches and the kinds of severity of offences in our community. Next week we will be looking closely at the government's response. We want them to adopt what we have proposed ourselves, but we doubt very much that will be the case.

I want to talk about a couple of other acts that are mentioned in schedule 2. The Crime Statistics Act 2014: I did want to note that because the changes there are very important. We have seen skyrocketing increases in our crime stats; they are bigger increases than the combination of recent years put together. When you break down the crime stats, although there is a general statewide increase of 10.2 per cent, according to the most recent figures, you actually have to break them down according to each category. When you break them down into categories like armed robbery or aggravated burglary, among other violence-type offences, you see that the increases are actually a lot greater than the average.

What brings the average down is the range of offences which are non-violent but which are not the immediate concern of Victorians at this point in time — for example, the administration of justice offences are serious but, given the concerns of the Victorian people with offences like aggravated burglaries, violence offences and the like, it is those former offences that are bringing the average down. But it is a matter of great concern that for serious violence offences the crime stats are significantly higher than they are for the average overall. So we support the changes to the Crime Statistics Act which are referred to in this bill.

I only have one more to refer to. I want to talk about the Sentencing Act 1991, which is also part of schedule 2 of the bill. This is a matter of great concern for us because in December 2014 the Court of Appeal brought down its decision on Boulton, which opened the floodgates to the use of community corrections orders for a range of very serious offences both violent and sexual in nature. We have been calling on the government for changes to the Sentencing Act ever since then. Late last year the government did amend the Sentencing Act to provide for mandatory sentencing — actual mandatory sentencing — in relation to a number of offences for which community corrections orders had increasingly been imposed instead of a custodial sentence.

It is interesting that in relation to mandatory sentencing, Acting Speaker, the Leader of the Opposition and I a few weeks ago announced a very strong policy on mandatory sentencing for violent re-offenders, the most serious effort to crack down on violent re-offending our state has ever seen. It drew the predictable critics including, for example, the International Commission of Jurists. It was

just very interesting because they issued a statement in response to our policy on mandatory sentencing for violent re-offenders but were absolutely silent, if I am not mistaken, on the mandatory sentencing changes that the government made late last year in respect of community corrections orders.

We said at the time of the government's proposed changes that we would not oppose them because we believed it was important to attach a custodial outcome to these violent offences — the Victorian public will not wear non-custodial sentences for very serious sexual and violent offences. Our problem with the approach that the government took on those offences was that it introduced a mandatory custodial sentence without a minimum. So all that means is that you will get outcomes that, in our view, are very light on in terms of custodial sentences and which may mean that, because a custodial sentence is attached to that offending, the offender concerned will actually spend less time overall serving the sentence than he or she would have had the law been unchanged.

So you might get a six-month custodial sentence, whereas that person might have served a two-year community corrections order. The problem with that is we wanted a custodial sentence attached to these but not without a minimum. We are concerned that you will end up with very minimum sentences, so in relation to community corrections orders the government's response was, in our view, totally inadequate and missed the point.

I want to turn to the issue of baseline sentencing, which has been a running issue between the government and us in the opposition. I have said previously in this house that we strongly disagreed with the Court of Appeal's decision in Walters in 2015. The opposition in 2010 went to the Victorian election with a specific policy of baseline sentencing and, for that specific policy, which was released, the then Baillieu government had secured an electoral mandate for that change. I do not think you can argue otherwise; it was out there, it was explicit and it was endorsed by the people.

The changes were enacted. The Court of Appeal clearly did not like it, and I have touched upon that previously. We believe, with all due respect to the court, that there was no doctrinal basis for the court's effective striking down of baseline sentencing and that the body of jurisprudence points to courts applying laws even if they are difficult. What has happened since is that the government has been considering, I understand, a very hefty report from last year from the Sentencing Advisory Council, which advised on baseline, I should

add, which recommended reluctantly a standard sentencing regime.

I just want to say something about the Sentencing Advisory Council, which I hope it will take note of. When you are a government agency, and I will put partisan politics aside for a moment, and you are seized of public resources — staffing and financial resources — to undertake work on behalf of governments and you are asked to report, you should make recommendations that you are prepared to stand by. I want to put on record that I was very disappointed with the Sentencing Advisory Council's report on the baseline sentencing regime. It produced a very voluminous report — several hundred pages long — which made recommendations on a standard sentencing regime and then dropped those recommendations like a hot potato. In other words, it made recommendations it is not prepared to stand by. Its effective position, and I am paraphrasing, is that it recommends a standard sentencing regime as a replacement to baseline, but then says it will not work or it risks not working.

I said before that I would put politics to one side, because if I were the Attorney-General and I received a report from any agency doing that, I would send it back and say to them, 'If you are going to make recommendations, make recommendations you are prepared to stand by. If you are going to make recommendations you are not prepared to stand by, don't dress them up as recommendations'.

The problem with the Sentencing Advisory Council's report is that, yes, it sort of half-heartedly recommends standard sentencing, which is baseline but is a weaker form of baseline. The Sentencing Advisory Council tried to dress it up as something different, but it is not. All that the standard sentencing regime does in two key respects to differ from baseline is to basically do away with the transition from the current sentencing practice to what the baseline would have been. The council has just plucked a figure — 40 per cent, the standard sentence — and in addition it has weakened the standard sentencing guideline for judges.

One is completely self-serving — the arbitrary selection of 40 per cent. It reasons its way to 40 per cent, but all it is doing is bypassing the process of transition and just saying it is going to be 40 per cent. Secondly, by weakening the standard sentence as a guideline, what are you actually doing? The point about baseline was that it did preserve judicial discretion. Courts were free to impose sentences that were greater or less than the baseline. There was no question about that. What the Sentencing Advisory Council is arguing, and it appears the government is going to adopt this argument, is that

you have a standard sentence but you weaken it as a guide. Well, it does not need to be. Courts were always free to depart from the baseline. They were never bound by it.

The government has still not released the finer details of that, and we have not seen a bill that deals with what I understand will be a new standard sentencing regime. We will look at the details, but that bill is belated. They could have had a bill before the house dealing with this early to mid-last year. What it means is that for the last two years we have effectively seen not just no change but probably a weakening of sentencing outcomes for the types of offences about which Victorians are most concerned.

I just note the Sentencing Act 1991 there and call upon the government to get real on sentencing reform. Victorians want and deserve to see stronger sentences for very serious crimes, and the government should get its skates on and bring that bill before the house so that we can look at it and make our own determination on how we will consider it. On that note, I will leave my remarks there because I know other speakers wish to contribute to this debate.

Ms KILKENNY (Carrum) — I am pleased to rise to contribute to the debate on the Statute Law Revision Bill 2017. This bill is fairly unlikely to make any of the government media releases or to hit the pages of social media, but nevertheless the work that goes into statute law revision bills and the work that this bill does are important components of our legislative process. Victorian legislation is drafted with the utmost care, and I want to acknowledge the Office of the Chief Parliamentary Counsel for all the work they do in drafting our legislation and making sure that it is published and available to the public.

This bill, as with all statute law revision bills, will help to clarify and clean up legislation in Victoria and make sure that our legislation remains clear, relevant and accurate. Statute law revision bills are passed in most years by Parliament to correct ambiguities and minor errors in spelling, grammar and punctuation in order to clarify the original intent of the acts they amend. They also correct and reflect changes in the names of government agencies and departments or successor acts. They also remove spent or redundant acts or parts of acts which no longer have any purpose in remaining on the Victorian statute. As I said, statute law revision bills, like the bill before us today, will help to make sure that our legislation is clear and that our statute is maintained in a regular and orderly manner, keeping it relevant and accessible to the Victorian community.

The bill before us has three main components, and they are set out in three schedules. Schedule 1 contains general amendments, schedule 2 contains administrative arrangements and schedule 3 contains the repeal of certain acts and parts of acts. Schedule 1 contains general amendments, such as corrections to spelling. For example, paragraph 2.2 in schedule 1 changes the spelling of the word 'license', which uses an 's', to 'licence', which uses a 'c' in section 71(1) of the Medicinal Cannabis Act 2016. We note that spelling mistakes, particularly in the age of technology, can be quite relevant, particularly if we are using computerised search functions. If a word or phrase is spelt incorrectly, the search functions may fail to find that particular word or phrase.

The bill also makes changes to punctuation. We see, for example, that paragraph 4.1 in schedule 1 removes a semicolon from between the words 'authority' and 'associated' in section 16(3)(b) of the Audit Act 1994 and replaces it with a comma. We know that misuse of punctuation can lead to confusion in certain circumstances. There was the well-known case earlier this year in the United States where a number of truck drivers commenced a class action alleging that they were owed overtime payments. The entire case turned on the omission of what is known as the Oxford comma or the list comma — that is, a comma that is used in a list of things. For example, 'Please bring me a cup of tea, a biscuit, and chocolate'. In this sentence the Oxford comma is placed after the word 'biscuit'.

We know that the use of this comma, certainly in my time, is stylistic and not everyone uses it; it is voluntary. But in some circumstances, as we have seen with the class action in the US, its omission can cause confusion and might cost millions of dollars. In that class action, three truck drivers on behalf of up to 75 truck drivers sued a company for more than \$10 million, which equated to four years of overtime pay. As I said, the case turned on the absence of the Oxford comma in the relevant section of the state legislation. In fact in handing down his decision in that case the judge commenced his judgement with, 'For want of a comma, we have this case'. So punctuation is important, and this bill, as with all statute law revision bills, will assist in minimising any confusion in interpreting and reading legislation by making those changes to punctuation as needed.

The second category of this bill covers changes to outdated department and secretary names. Obviously it is important to make sure that legislation correctly reflects what is happening in our departments and in our statutory bodies and agencies.

The third and final category of actions under this bill concerns spent legislation. Schedule 3 of this bill contains a list of the spent or redundant acts proposed to be removed from the statute books. The list includes principal acts as well as spent amending acts or spent sections or parts of amending acts that have achieved their objective and have no purpose in remaining as separate acts or parts of principal acts on the Victorian statute books. Some examples of this, as seen today, are appropriation acts that have achieved their purpose and can now be repealed. Others include, for example, the Coal Mines (Pensions) Act 1958, which is identified in part 1 of schedule 3 of the explanatory memorandum. This act provides pensions for retired mine workers who have ceased working due to permanent incapacity. There are no longer any persons receiving pensions under the 1958 act. Therefore the powers under the act are no longer required. Repealing spent and redundant acts ensures that our statute books remain up to date, but for those who are interested and concerned, historical versions remain accessible to those who may need them for work or study purposes.

The bill before us makes amendments to many acts and repeals many spent acts. The changes are not of a substantive nature; they are strictly confined to the correction of spelling, punctuation and drafting and grammatical errors and intended only to clarify the original intent of the legislation. Where the Statute Law Revision Bill repeals acts, it is appropriate that these acts be repealed because they are obsolete and have no further purpose.

Finally, this bill is actually the unsung hero of our legislative process. It is the grunt work, the maintenance work — work that is absolutely essential to keeping our legislation clear, clean and tidy. I commend the bill to the house.

Mr CRISP (Mildura) — I rise to make a contribution on the Statute Law Revision Bill 2017. This bill corrects a number of ambiguities, minor omissions and errors in acts to ensure their meaning is clear and they reflect the Parliament's intention. There are some really delightful bits. It is a shame you are in the chair, Acting Speaker Pearson; I think you would have a lot of fun with this one. I notice that in certain places we are removing a second full stop. I also note that we are taking an 'a' from one section of an act and inserting it into another so that they are in balance. This is good. The member for Essendon has now left the chair, and I am sure he will have his usual fun with this sort of bill. But to be serious, this is one of our annual tidy-ups of various issues and does give us a whole lot of scope to talk about a number of things.

I notice that item 31 under schedule 1 in the explanatory memorandum addresses the Pipelines Act 2005. It is only there to correct a grammatical error, but it gives me the opportunity to talk about a pipeline issue in Mildura, in particular the gas supply to Mildura, which comes from Moomba via South Australia to Mildura, and it is getting very expensive. The price of gas up there is \$22 a gigajoule, up from \$16 at Christmas and \$12 one year ago. Melbourne's gas prices are half that. People in Melbourne might be hurting from the gas prices, but people are hurting even more in Mildura. If this goes on, it will affect employment and our businesses in Mildura. So I put it out there that for us in Mildura the pipeline that runs from South Australia is very, very expensive to use at the moment.

We are changing the Port Management Act 1995, and again I wait with bated breath to see how the 10 per cent dividend from the sale of the port lease will be spent on regional transport economic infrastructure.

Moving on through the schedules you get to a couple of areas that mean quite a deal to me. Item 9 under schedule 1 addresses the Electrical Safety Act 1998.

The price of electricity at the moment is very much on everybody's mind. This is something that our economy is dependent on — that is, low-cost energy. The transformation that we are trying to go through that we will go through has to be done in such a way that we do not affect the jobs and cost of living for all of those who depend on electricity, and people are very dependent on the lights staying on these days. When I grew up I knew exactly which drawer the candles and matches were in because if the power went out in country Victoria, it generally went out for a day. However, if goes out for a few hours now, people get very, very angry, and they get angry at the government of the day for not giving them a secure and affordable supply of electricity.

This will go on and on and on in Victoria, and our economy cannot stand an energy shock. We are a high-quality, high-cost producer of everything, and if those costs go up, then our ability to compete internationally is damaged, and that affects country jobs and regional jobs in particular, because that is where our exports are coming from — country Victoria.

Item 18 is about the Infrastructure Victoria Act 2015 and removing a duplicated full stop, but we need to do a bit more in infrastructure than to just take a full stop away. We really need to get focused on what is needed in regional Victoria. The infrastructure that is needed in my part of regional Victoria is a level crossing program to make our freight train, which delivers our high-value horticulture from Mildura to the port of Melbourne, as

economic as possible. There was \$220 million spent by the previous Liberal-Nationals government in, finally, partnership with the commonwealth to make that line safe to use at 80 kilometres an hour. Following a coroner's report on an accident that happened some time ago on that line, if a level crossing is not protected by lights and boom gates, the train slows to 50 kilometres an hour. If you are pulling 2000 tonnes of grain and you have 138 crossings between Mildura and Maryborough, I think you know what speed the train is going to go. You are not going to accelerate a train, burn a whole lot of diesel and make a whole lot of CO₂ just to burn it off by braking. We need these vital transport links, and that is an infrastructure issue. Getting those level crossings addressed over time is important to Mildura and Mildura's and Victoria's economy.

I could go on — I see that the Water Act 1989 is at item 39, but the member for Swan Hill has arrived and he knows just a whisker more about water than me, so I better be careful what I say. But again we are correcting some spelling errors in the Water Act. However, when we look at our Water Act and how we relate to the commonwealth, there are some very serious issues around water. To quote Mark Twain on water, 'Whiskey is for drinking and water is for fighting over', and that pretty much sums up the Murray-Darling Basin at the moment. Victoria needs to stand up for Victoria, otherwise we will lose some of those fights with some of our brother states that have very, very strong ideas about what should happen elsewhere rather than in their backyard — in the basin.

They are some of the tidy-up items that are in this bill. I know many others want to talk about it, but we do need to keep our minds on what is really important for this state. In my electorate what is important is energy as well as transport links to our ports so that we get as much money as we can for our high-value horticulture, and of course we have water security.

Mr PEARSON (Essendon) — I am delighted to make a contribution on the Statute Law Revision Bill 2017. In preparing for this bill I was immediately drawn to one of the bills that is being struck off the books, which is the Commercial Bank of Australia Limited (Merger) Act 1982. I was drawn to this legislation when I realised that it was debated and second read in the other place on 25 May 1982, and the mover of the bill, the then Minister for Minerals and Energy, was my very good friend David White, who is a former member for Douutta Galla Province. In actual fact the legislation received royal assent on 1 June 1982 and has the honour of being the very first piece of legislation passed by the Cain government. It is somewhat interesting I suppose when you see the

Statute Law Revision Bill 2017 come before this place striking off the very first piece of legislation that was introduced by the Cain government. I think it would be fair to say that often when there is a change in government some of the early pieces of legislation that are debated tend to be less controversial. I recall in 1999 one of the early bills we debated and passed in the other place when I was working up there as a staffer was the Crimes at Sea Bill 1998.

If you look at the Commercial Bank of Australia, at the time it was the fifth largest bank in Australia. What was interesting about the Commercial Bank of Australia was it operated from 1866 to 1982, and when it was founded two of the largest shareholders were Louis Ah Mouy and Lowe Kong Meng, both of whom were Chinese nationals who had immigrated to Australia. At that stage, because it was pre-Federation, there was a variety of currency in circulation, and the Commercial Bank of Australia was effectively the Chinese bank in Melbourne, so you had bank notes that were in circulation at that time with Chinese characters. It just goes to show in some respects how multicultural we were at that point in time, long before the ravages of the White Australia policy descended upon us in response to the Great Depression of the 1890s, which plunged us into economic decline for generations.

What happened though with the Commercial Bank of Australia was that it had been built up over the course of time and it was subject to an early merger proposal by the Bank of New South Wales, which failed. Then in the early 1980s the Bank of New South Wales tried again, but the ANZ gazumped the Bank of New South Wales, and that led to the Bank of New South Wales upping its offer. Effectively what you then had happen was that you had shareholders getting cash and scrip worth about 18 times their earnings, which was pretty good for those times, and the merged entity resulted.

It was decided that the bank needed to try to find a name which was more relevant to that time. There was a realisation back then that Victorians were not going to take kindly to the Bank of New South Wales operating out of Melbourne, so the notion was where do we live? We live in the western hemisphere of the Pacific, so Western-Pacific became Westpac — and that is where the name Westpac came from. As a consequence of that merger — and it seemed small, a little piece of legislation that trundled its way through this place and the other place — was the creation of Westpac, which on the weekend had a market capitalisation of \$117.68 billion. It is one of the top four banks in Australia and is probably in the top 20 in the world. One of the reasons we avoided the great recession was the strength of our banking system. I know it is often

quite common for us to complain about the banks and complain about their predatory behaviour or their collusion or their gouging, but I think that if you look at the robustness of the Australian financial system, it comes back to pieces of legislation like this which enabled that to occur.

In terms of Louis Ah Mouy, who died in 1918, and Lowe Kong Meng, who died in 1888, both of them had large families. Both of them had well over 10 children each and those children were Australian and they remained Australian. You just wonder what it must have been like to have been part-Chinese, the son of a very successful Chinese merchant, with a Chinese surname and trying to live and work in Melbourne when the White Australia policy was going full throttle. You sometimes wonder what that must have been like for the children of those two great men.

The other interesting thing I note with this bill is that it abolishes the Coal Mines (Pensions) Bill 1958. This bill was introduced in 1958. The weekly pension scheme for a retired miner was increased from 5 pounds 10 shillings, to 5 pounds 17 shillings and sixpence. When you try to convert historical currency into the net value of today's money, you have a number of different measures. But if you just look for adjusted CPI, that is about \$175.44 per week. If you try to convert it in terms of economic status, in terms of a proportion of gross state product or gross domestic product, it is probably around \$564.80, so you are looking at a very modest pension. But of course in those days I cannot imagine the drawdown of a pension of that nature would have been particularly long lasting. I think most coalminers who retired in 1958 probably did not live much past 70 — I would have thought that would have been the average age — so you are looking at the actual cost of those pensions probably being relatively minor.

It is interesting to note though that defined benefit schemes do tend to have long tails. I note that as a consequence of the American Civil War there was a defined benefit scheme put in place by the United States government which was to pay a pension to veterans of the Union Army and their spouses. That pension closed in 1990. The American Civil War was fought between 1861 and 1865 and the last beneficiary received a final payout in 1990, so it gives you some idea as to the tails of these pension schemes.

I note that in the upper house the lead speaker for the opposition on the Coal Mines (Pensions) Bill was Jackie O'Connell. Those of us who have seen the photos of the caucus will see in the last caucus photo that Jackie O'Connell was in that he was a little fellow. He was a member for Melbourne Province from 1958

to 1972. He retired and then died shortly thereafter. Jackie was the last remnant of the Wren machine. He came from Richmond, and they ran Richmond like a personal fiefdom, and they behaved as such. They behaved like that for years. Janet McCalman in her book *Struggletown* I think alludes to aspects of this behaviour. But it was not really until Alistair Nicholson was appointed by Alan Hunt in the 1970s to clean up the Richmond council that you then saw the last remnants of that narrow-minded, bigoted, White Australia policy of people like Jackie depart. When you read Jackie's speech on a bill like the Coal Mines (Pensions) Bill, you recognise that you are looking at someone who obviously does not speak for the Labor Party now, and who probably did not really speak for the Labor Party in 1972, I would suggest — poor old Jackie — but nonetheless it is interesting.

I am delighted by the fact that the member for Hawthorn has entered the chamber because he did suggest I quote Marcus Tullius Cicero, and far be it from me not to be seduced by these entreaties from the member. I was drawn to this particular quote:

The long time to come when I shalt not exist has more effect on me than this short present time, which nevertheless seems endless.

I think it is fair to say that when you speak on the Statute Law Revision Bill it does seem endless, as many I am sure have felt for the last 9 minutes as a consequence of my contribution. Whether you are talking about Chinese characters on banknotes, whether you are talking about the development of a modern, robust financial system that ensured that we could escape the ravages of the global financial crisis, whether you are talking about the White Australia policy and the Wren machine or whether you are talking about pensions and the long tails of a defined benefit scheme, this bill has it all. Honestly, if a piece of legislation could have a free set of steak knives, this would be your bill. On that note I commend the bill to the house.

Mr WATT (Burwood) — When the member for Essendon talked about this bill having it all, what he forgot to talk about was that right through the bill we have rorts. I specifically note that the member for Hawthorn talked about the Audit Act 1994. I am not going to talk on the Audit Act, but I just note that the member for Hawthorn did talk about it and the effect of it when we are talking about audits, members of Parliament and our claiming of particular allowances.

I want to focus particularly on a number of acts, and one of the acts I want to focus on is identified in item 8 of the explanatory memorandum to the bill, which is

the Electoral Act 2002. I did some research on the Electoral Act and found that in the definitions:

principal place of residence includes the place of living to which a person, when temporarily living elsewhere, has a fixed intention of returning for the purpose of continuing to live at that place ...

Section 22 of the Electoral Act says:

A person who is qualified to enrol as an elector for the Assembly and Council under the **Constitution Act 1975** and has lived at an address in Victoria that is the person's principal place of residence for at least one month immediately before the date of the person's claim for enrolment as an elector is entitled in respect of living at that address to enrol on the register of electors.

That is very convoluted, but essentially what it says is that to be enrolled at an address you actually have to have that as your principal place of residence. For that to be your principal place of residence you have to have lived there for more than a month. Section 23(4) says:

If a person who is enrolled on the register of electors changes the address of his or her principal place of residence, the person must notify the Commission in writing of the person's new address within 21 days after becoming entitled to be enrolled on the register of electors in respect of living at that new address.

And there is actually one penalty unit for not changing your electoral enrolment. Essentially what the Electoral Act 2002 says is that if you change your principal place of residence, you have somewhere between 30 days and 51 days to change your enrolment. Otherwise you have committed an offence under the act. Noting the nomination of candidates for election, which is section 69 of the Electoral Act, it states:

- (1) A person may only become a candidate for an election by nomination in accordance with this section.
- (2) If a candidate is endorsed by a registered political party, there must be delivered to the Commission, after the issue of the writ and before noon of the day before the final nomination day, a nomination form in the prescribed form that —
 - (a) specifies the candidate's name and address as it appears on the register of electors ...

That was fairly lengthy and wordy for 3 minutes of conversation around the Electoral Act 2002, but I would make this very clear point: we have at least one member of this house who did not enrol at his principal place of residence. He was not enrolled at the place where he lived. He certainly was therefore not eligible to be on the role of electors and therefore is not eligible to sit in this place.

It is no wonder that on a day when the government introduces a bill which specifically talks about the Electoral Act 2002 that that member has failed to show his face in this place. It is an absolute disgrace. The hypocrisy of some members of this place, that a person might actually come into this place and have a go at somebody for rorting \$1200 and yet \$175 000 later that particular member still, when he feels like it, turns up to this place to cast his vote, generally in favour of the government, and the government takes his vote! That is a disgrace, and the fact that this particular member, the member for Melton, continues to be a member of this place is an indictment of the government itself.

Item 17 of the bill's explanatory memorandum deals with the Independent Broad-based Anti-corruption Commission Act 2011. The corrupt use of public funds is something that should not be excused, and I find it interesting that we also have this item in the bill in relation to integrity and accountability legislation. This government has no integrity and there is no accountability, particularly when it comes to the misuse of public funds. We all know about the red shirts. We all know about the government trying to stop the Ombudsman from investigating, and we all know that members of this particular government are rorters to their core —

Ms Britnell — And running a protection racket.

Mr WATT — And running a protection racket, as I hear from the member for South-West Coast. Item 22 relates to the Major Crime (Investigative Powers) Act 2004. I reckon stealing \$175 000 of the public's money and refusing to pay it back might be a major crime. I would say that taking electorate officers, making them work in areas nowhere near the electorate office where they are supposed to work and having, now, ministers of the Crown sign declarations that people actually work in their electorate offices when they never saw them, never knew them and, for all they knew, may have never existed, might be a major crime.

I move on further to talk about the Unclaimed Money Act 2008. This government does not have to worry about the Unclaimed Money Act — and neither does the member for Melton because he is not 'unclaiming' money; he is claiming money that does not belong to him.

If we move along, there is more in this bill, and I find it quite hilarious that the government should introduce a bill like this. The Constitution (Duration of Parliament) Act 1984 is interesting because it talks about things like the Parliamentary Salaries and Superannuation Act 1968. The idea that a person could misappropriate

funds and then tell their employer, 'If you want the money back, I might pay it back maybe over the next 18 months. I might give you some of it. I might not give it all to you. Maybe I will give it to you in dribs and drabs' — quite frankly, if a person misappropriates money from their employer, they should not be with that employer anymore; they should be going to jail. The misappropriation of funds, whether they are public funds, private funds or the Parliament's funds, is theft. It is not appropriate, and not only that, but the hypocrisy knows no bounds.

Then the government provides a protection racket. Interestingly enough I note that item 2.4 in the explanatory memorandum talks about the taxation acts. I am intrigued by the taxation acts because with some of the state taxation we talk about things like land tax. One of the questions we have on this side is: where did certain members proclaim their principal place of residence was for the purposes of the taxation acts? If I look at the Taxation Acts (Amendment) Act 1986, where did the member for Melton say was his principal place of residence for the purposes of land tax? Was it the same principal place of residence that he proclaimed when he enrolled, which we all know was not his principal place of residence?

What we very clearly know is that because of that he should not be on the role and he should not be a member of this place because he is ineligible. At the time of the election he should have been ineligible to be a member of this house because he should not have been on the electoral role. We all know he did not live in the caravan where he proclaims to have lived in the period between 30 and 51 days from the time that he supposedly moved.

There are other acts too. The Energy Consumption Levy (Amendment) Act 1988 is an interesting one. I do not think the member for Melton had to worry about the energy consumption levy at his proclaimed principal place of residence because if he did not live there, he did not have to worry about electricity.

The Community Services Act 1987 is interesting because I do see being a member of Parliament as a community service and I treat the community with a bit of respect, something that those on the other side clearly do not do.

There is also the Deputy Ombudsman (Police Complaints) Act 1988. It is interesting to talk about the government's attempt to stop the Ombudsman from being able to investigate some of the rorts involving the red shirts and some of the disgraceful behaviour that got these people into government. The government tries

to gag people like the Ombudsman, so I find it interesting that we have that particular act included in this legislation.

There is the Interpretation of Legislation (Amendment) Act 1991. The way some members on the other side interpret rules is interesting: rules are there to be broken, and if you get caught, do not apologise and do not pay back until you are forced to.

The last one that I want to talk about is the Limitation of Actions (Amendment) Act 1993. It is very clear that this government do not have a limitation on their actions. They just choose not to take any actions. They choose to do nothing about the rorts; they choose to do nothing about the rorting member for Melton.

Debate adjourned on motion of Ms HALFPENNY (Thomastown).

Debate adjourned until later this day.

FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017

Second reading

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

Ms VICTORIA (Bayswater) — I rise to speak on the Family Violence Protection Amendment (Information Sharing) Bill 2017 that is before the house, and at the outset I want to say that the opposition are not opposing this bill. This is of course a very serious and important law and order initiative before the house, one in quite a raft of initiatives that we have seen over successive governments in the last few years that have certainly gained bipartisan support.

When we were in government I was really proud to work in the family violence space with Mary Wooldridge in another place and the member for Box Hill, who was at that stage the Attorney-General. Of course there was also the major inquiry into the circumstances of our most vulnerable citizens here in Victoria, and there was a lot of good work that was done then and continues to be done by Georgie Crozier in another place. So, as I say, the track record of our government was certainly excellent on this, and I am pleased that this government has continued on with some of the good work.

I do want to say that on a day that the state budget was handed down in Victoria I think there are some concerns around the funding that was given out today

that I am going to watch play out over some time. The funding that has been put forward for family violence matters seems to expand the bureaucracy. There are differing views on the expansion of bureaucracy on both sides of the house here, but if you expand bureaucracy I think what we have to do is say we absolutely expect outcomes. It has to translate into safer communities.

A woman — I say ‘woman’ advisedly as obviously women, men and children can all be victims of family violence — fleeing a family violence situation needs to know that she is going to be safe. Even more than that, we need to put effort into prevention. But if it does come to the stage when she makes the decision whether to stay in that situation, perhaps with children, or chooses to flee, we need to know, for example, that she has stayed because it is the middle of the night and she has nowhere else to go but she just knows if she stays there is going to be a tragedy. If she then goes to the local police station and it is not open, we have a problem. So we have to make sure that the services are accessible, that they are visible and that they are well funded and well resourced, including our police.

I obviously have some misgivings about what is happening in the state, as do all on my side of the house, about police numbers and police resources. I have four police stations that service my electorate — not directly in, but servicing the electorate. I have Croydon, I have Boronia, I have Knox, and there is a whole raft of ancillary services around. Each one of those stations, although they will not come out publicly and say it — and I do not blame them, as obviously there are repercussions for doing so — privately say that they are down about 30 per cent on their frontline resources, and frontline services are what I want to talk about today.

Obviously we are talking about information sharing, and one of the things that is really important is actually gaining that information. You have got to have people willing to come forward. Those who are in that situation need to be able to come forward to seek those services, knowing that they are going to be there. So, as I say, increasing training, planning, strategy development and agency coordination — all that sort of thing — are incredibly important, but I actually want to see key performance indicators around this. I want to see that whatever money is being spent in the budget today actually has tangible outcomes for the women — predominantly women — who find themselves in those circumstances. So you can strategise and do all the training you like but, as I said, if you turn up at a police station in the middle of the night with a couple of kids and whatever is in your handbag but that police station

is closed and that service is not there when you need it, it is simply just not going to be any good to you. As I said, if you need urgent support, you need it there and then — on the now.

Back in March we supported the Family Violence Protection Amendment Bill 2017, and I remember talking at the time about what a terrible indictment family violence is on our community. We heard in this very chamber — I think it was last year — about people coming forward, talking about their history, talking about their stories and talking about how family violence has affected their lives. We heard not from victims but from survivors, and I would like to think that there is a very real difference there. People have been very brave; they have been brave enough to combat their difficulties and then brave enough to come forward and actually talk about them for the benefit of others so that we know from their experience what it is that we as lawmakers need to change so that people like them are protected into the future or, even better, that perpetrators are a part of the mind shift that is needed. This is not just about having services there; it is about how we change the attitudes in society.

There have certainly been campaigns, especially through a lot of the sporting clubs. I noticed some of the local governments are putting up banners. One of my local governments is saying, 'We say no to family violence'. We all do. I do not know that we need banners for that. But we certainly do need to know that when people are brave enough to come forward, we are getting them to do so with some benefit longer term, and that is to make sure that we learn from their experiences.

Looking at the current statistics: there were more than 78 000 family violence incidents in the 2015–16 year just here in Victoria alone that were reported to Victoria Police. That is an increase since 2012 of over 45 per cent. Anybody would find that alarming. I guess we can look at that and say that there is a lot more of that going on. Is that to do with more substance abuse — more ice or more alcohol consumption? Is it the fact that women are more comfortable coming forward and reporting? Is it that those around them — their family, their work colleagues — are more comfortable coming forward and saying, 'We need to get you help' or perhaps even making that phone call on their behalf, whereas 10, 15 or 20 years ago it was a private matter that was often swept under the carpet?

Yes, the statistics are up, but we have got to make sure that if we have those sorts of statistics, we are also providing those services — not just the planning and not just the training, but actual, tangible services for

those women who do come forward. One in four Australian women will experience intimate partner violence in their lifetime. That is a shocking statistic. One woman is killed in Australia by a partner or ex-partner almost every week. That is unacceptable. Children are present in one out of every three family violence cases reported to the police. That does not include those that do not get reported to the police. How many more children are susceptible and seeing this sort of thing? Aboriginal women are 35 times more likely to be hospitalised by a family violence incident than any other woman in our society. Again, that is unacceptable.

We know that the costs to the Australian economy are huge. Obviously there is the physical cost — what is happening to the person — but the financial and monetary costs to our society are huge. In 2009 it was estimated that family violence costs our society \$13.6 billion. That jumped in 2015 right up to \$21.7 billion.

The bill before the house follows the report of the Royal Commission into Family Violence and the policy document *Ending Family Violence: Victoria's Plan for Change*. It is an important step forward in responding to a nationwide problem facing many women, and as I said, we cannot forget the men and children in these circumstances. It not only requires political change and parliamentary legal change, but also a mind shift — a cultural change — within society. A lot of people on both sides of the chamber have given their commitment to help to create that mind shift. We have been public about it, and certainly changing social perceptions is something I personally pledge to do as long as I have the privilege of representing the people of Bayswater and the good people of Victoria in this house.

Let us look at the bill. It amends the Family Violence Protection Act 2008. It establishes a scheme for sharing between prescribed entities information that is relevant to assessing and managing the risk of family violence, it develops a new family violence risk assessment and risk management framework and it implements recommendations 1, 2, 5, 6 and 7 of the Royal Commission into Family Violence.

If we look at some of the clauses, we can see that clause 7 inserts new part 5A, containing the operative provisions of the bill — so making sure that it can all go through very smoothly — and things like the key definitions, the circumstances in which information can be shared, which entities can do that sharing and then once that sharing has occurred, how that information can be used. It provides that information can be shared by either a risk assessment entity or a protection entity

for either a family violence assessment purpose or a family violence protection purpose — that is great because it actually goes into bat for both — and that can be without the consent of the perpetrator. If it is to lessen or prevent a serious threat, it can also be without the consent of the victim. Again, I think this is a very important initiative, and we will see how it plays out over time.

The bill defines confidential information as health information, personal information and various types of sensitive information, including unique identifiers and other identifiers. Again, we will see whether or not this works properly. I hope it does, for the sake of everybody.

Clause 8 creates two new offences for unauthorised use or disclosure of confidential information, but it also has a protection in there when it comes to information being shared in good faith. There are some checks and balances there.

Clause 16 establishes a family violence risk assessment and risk management framework. I talked about that.

Clause 19 for me is an important one. It removes the requirement that a serious threat to life, health, safety or welfare must be imminent. The word ‘imminent’ was in there to determine when information could be lawfully shared, so the bill gives a lot more scope to those dealing in this space.

Clause 25 amends the Freedom of Information Act 1982 to create a new basis for making a document exempt if there is a risk of family violence. As I said, these are all initiatives that have come about because of the family violence royal commission. It is something that has had bipartisan support across both chambers, and I believe there are some good initiatives here that continue the good work we did while we were in government. I want to commend my colleagues who have worked diligently in this space. I know that every person in this house hopes that this bill will do everything it says it will do and that it goes through very smoothly.

I do, however, want to reiterate my point on today’s budget and the money that has been allocated to family violence and the way in which it has been allocated and say that there has been an expansion of the bureaucracy — the extra training; this, that and whatever — but the front line is where we need the money. Policing is where we need the money. Services are where we need the money. The initiatives in this bill, although great, need to be backed up with dollars in the right areas.

As I said, we are not opposing this bill. I do wish it a speedy passage through both houses for the sake of those who will benefit from its actions.

Ms THOMAS (Macedon) — What a wonderful day to rise and speak on the Family Violence Protection Amendment (Information Sharing) Bill 2017. How terrific it is to have the Minister for the Prevention of Family Violence here in the house for this debate. This is what ABC News online reported at 4.26 p.m. today:

Life changing. Extraordinary. A budget with heart.

That is the reaction to the Victorian budget’s headline figure of \$1.9 billion to implement the 227 recommendations of last year’s Royal Commission into Family Violence.

I quote from Fiona McCormack, the CEO of peak body Domestic Violence Victoria:

To be honest I think today is a day for Victoria to be proud. God knows we’ve had enough days to be ashamed of ...

It’s kind of like pinch yourself, is it true? I’m gobsmacked.

Family violence is an area that’s been neglected for ages. It’s a slog.

You see women speaking out, families who’ve lost loved ones — a lot of the time it’s soul destroying when that’s not necessarily met with the kind of response that’s required.

As I said, it really is an extraordinary privilege to speak today on this very important bill. The bill itself will amend the Family Violence Protection Act 2008 to create a family violence-specific information-sharing regime, including enabling the central information point to facilitate information sharing; require alignment by key entities with the family violence risk assessment and the risk management framework to the family violence information-sharing regime; authorise the sharing of information about perpetrators, victims and third parties by organisations to be prescribed in regulations relevant to assessing and managing risk of family violence to victims; authorise information sharing on a voluntary basis and an obligatory basis upon request from another prescribed organisation; provide offences for unauthorised sharing of information and protections for practitioners who share in good faith; authorise information about perpetrators to be shared without consent; permit information about adult victims when assessing or managing a risk to the adult victim to be shared with consent unless there is a serious threat; and authorise information about any person to be shared without consent when assessing or managing a risk to a child victim. This includes a child or child’s guardian who could also be a victim. The bill also provides for the central information point to be a conduit for timely information sharing.

The family violence risk assessment and risk management framework regime empowers the responsible minister to approve a framework and to delegate this power to the relevant departmental secretary; requires organisations prescribed by the responsible minister to align their policies, practices, procedures and tools with the framework; requires Victorian public service bodies and public entities to include alignment with the framework as a condition in any future contract or agreement with the funded agency to provide services that are relevant to family violence; requires relevant portfolio ministers to report annually to the responsible minister, who will be required to table an annual whole-of-government report in Parliament on prescribed matters relating to the framework; and requires the responsible minister to review the new part in the framework itself within five years of commencement and to subsequently review the framework at five-year intervals to ensure its currency as best practice. The bill will also amend the Privacy and Data Protection Act 2014 and Health Records Act 2001 to remove the requirement that a serious threat must be imminent before relevant thresholds apply. This will apply generally and not just in the context of family violence.

I am really pleased to be able to report and let the member for Bayswater know that this bill before the house is indeed fully funded; its implementation is fully funded in today's budget. As has been noted, the budget today provides an unprecedented \$1.91 billion to enable us to deliver on each and every one of the 227 recommendations of the family violence royal commission, and that of course includes \$101.2 million to deliver this central information point and therefore acquit one of the key recommendations of the royal commission, which had at its absolute heart — at its core — the aim of protecting women and children in this state from harm caused by those who are meant to love and care for them.

It really is an amazing day, and I do note that the Premier made a statement today, one that I think we on this side of house are all extraordinarily proud of. The Premier said today:

The same policies will only produce the same tragedies.

The Premier went on to say:

That's why I promised to change it all.

Three years ago I announced our plan for Australia's first royal commission into Australia's number one law and order issue ...

It was then and it still is. Our number one law and order issue is family violence. The Premier then says that the

brief of the royal commission was 'to examine our failing system from the ground up and to recommend the changes that will save innocent lives'. As we know, there were 227 recommendations, and this government, the Andrews Labor government, is delivering on every single one of those recommendations. Not only that, we have put the necessary investment behind them. This is life-changing investment; this is life-saving investment.

The budget provides, as I said, \$1.91 billion of investment to keep women and children in this state safe. This government is establishing 17 support and safety hubs across the state — places where victims can go to protect their family and start their recovery. We are extending after-hours crisis support counselling and therapy for tens of thousands of women and their children, we are building more crisis housing, we are overhauling the courts and justice system, and we are recruiting hundreds of child protection officers who can take action straightaway. We are helping police, courts, corrections and social workers to share vital information so that they can track perpetrators — indeed that is what this bill is about today — and we are investing to stop family violence before it starts.

Again, I acknowledge the minister at the table, and I am sure that she is delighted. I thank her for all of her work in that this budget includes \$38.7 million for primary prevention initiatives. We are reaching the whole community through behavioural change campaigns, testing new approaches in workplaces and building on what we know works by continuing community prevention partnerships. A further \$12 million is being invested to establish a new prevention agency to guide the implementation of the Free from Violence strategy and to monitor the state's efforts to prevent family violence. This Andrews Labor government will also invest an extra \$5.9 million to support the implementation of *Safe and Strong*, Victoria's first gender equality strategy, which was launched by the minister and the Premier in December last year.

Today is a day that generations to come will look back on and say: 'Here is a state that finally took a stand — a government that took a stand against family violence'. I know that here in Victoria we are on track to be the world's best in delivering the type of transformation that is required in our society to ensure that women and children can live in peace and safety.

I note the churlishness of the Leader of the Opposition in his commentary to date on the budget. He has failed to even mention our investment in family violence. He has failed to say anything about family violence. In fact, to show his ignorance, this is what he said:

This budget does nothing to crack down on a crime wave that is sweeping Victoria.

It's a glaring hole. If the Leader of the Opposition knew anything about what was going on in this state, he would know that the crime wave sweeping Victoria is happening in the homes of Victorians. It is happening to the women and children of this state. We know that family violence is still the leading cause of death and disability for women and girls in this state between the ages of 14 and 44. As I said, it is very disappointing that the Leader of the Opposition has shown such complete ignorance today, and is that any surprise? I note that the member for Hawthorn has joined us in the chamber. This is the member for Hawthorn whose own staffer is a little bit worried about 'chicks' making the men feel uncomfortable. I commend the bill to the house.

Ms GRALEY (Narre Warren South) — It is a pleasure this afternoon to rise and speak on the Family Violence Protection Amendment (Information Sharing) Bill 2017. As previous speakers have acknowledged, this is indeed a historic day for the state of Victoria. As the Treasurer himself said, this year's budget is an 'historic and life-changing investment to end family violence'.

I just want to put on the record that I have spoken numerous times about family violence in this house, and I have been very up-front in relating to the chamber that the City of Casey, where my electorate is, has one of the highest rates of family violence in the state. We are certainly not proud of that, but we are very committed to making sure that those crimes do not to continue to increase. I notice with concern that they have continued to increase. In 2015–16 they went up 12 per cent. As the member for Macedon has already said, family violence is the leading cause of crime in our electorates. It is actually happening in the homes of families. Not only is the wife being hurt but the children are being damaged through witnessing and experiencing the awful trauma of family violence.

So often women turn up at the electorate office or contact my staff and me. One of the things they have relayed to me — I was very pleased to see this emphasised in the royal commission report — is that they often go to one agency, they go to another authority or they go down to the police station and then they go to court and they find themselves telling the same story over and over again. They find themselves experiencing the fact that one agency does not know what another agency is up to. They often find that material that should have been put out there for lawmaking and law-enforcing authorities is not being made available.

In this very traumatic experience of family violence that the family is going through they are also inflicted with sort of an intersectoral mess where nobody really speaks to each other, and what is a very traumatic experience becomes a very frustrating one as well. I would not bet my house on this, but I know that the system can be a lot better and it can be improved greatly by the sharing of information. But I also know that it would mean that less people would suffer in this system, and I am not just talking about the numbers but the type of suffering that females and their families often experience. So I am very pleased to see the objectives of this bill are to improve responses to family violence by creating a very clear legislative authority for prescribed entities to share information and to better assess risk and manage safety for adults and children experiencing family violence.

We need to do that as a matter of urgency because young mothers, older women and children, and their families, are suffering as we speak because we are not sharing the information for some excuse that really is not very apparent to those who are experiencing family violence. They do not understand why this is happening. So I am very pleased to see that with this bill we will also achieve a consistency in family violence risk assessment and risk management practices by requiring prescribed entities to align their practices with an approved framework. This is really a very comprehensive approach to dealing with a very, as I said, traumatic and frustrating issue.

I do want to take a few moments to reflect on where I started this evening on what is indeed a historic day. The Royal Commission into Family Violence final report is a landmark document that came out of an incredible investigation undertaken by the royal commission and the commissioners. I was very proud at the time that this government, the Andrews Labor government, committed to implementing every one of the 227 recommendations. In last year's budget we made a bit of a start on some of the urgent changes that were required, with \$572 million for more counsellors, more prevention programs, more support for children and, thankfully, more provision for emergency housing. With this year's budget we continue to build and we are investing \$1.9 billion in fulfilling our promise to deliver on every one of the recommendations in the royal commission report.

I am very, very pleased — because this is an issue I have encountered many times when talking to many distraught women — that we are extending after-hours crisis support, we are providing extra counselling and therapy for tens of thousands of women and their children, and we are actually building more crisis

housing. Rome was not built in a day, but I surely hope that with this massive investment we will be able to really get on with the work of providing a safe environment for women to escape to with their families.

One of the things we know about family violence is that it is an enormous cost to the economy, and it is a very dislocating experience for families if they have to move out of their local area — the kids have to move schools and the house furniture has to be moved around. It is personally very costly — and personally traumatic as well. We know that if we can keep families close to where their neighbours they know and like are, close to their school environment and close to the services they have already contacted and have some relationship with, we are going to make sure that not only are we preventing family violence from occurring but we are hopefully making sure that those families have the best possible chance to rebuild their lives.

As the Premier has said in his statements, we need to keep victims safe, we need to keep perpetrators accountable and we need to keep confronting the problems that cause family violence. We certainly are doing just that. I do want to go back to the point about bipartisan support, and I hope we will see that. I notice that there have already been some news reports on the ABC, and I will quote again:

Ms McCormack said the budget measures would benefit Victoria as a whole, given the effects of family violence ripple through the community, costing the state \$3.4 billion annually.

It figures in more than 60 per cent of substantiated child protection cases and is also a key driver of homelessness.

'This is about creating a safer community. And I'll tell you what else it is, it's cultural change,' Ms McCormack said.

That is certainly what is happening here. When we are investing so significantly, we are trying to change the culture to make sure that every perpetrator is made aware that every person is held accountable for their behaviour and that those people who need help actually get that help. As Ms McCormack goes on to say:

So often we've had governments that are apathetic but now, if you're a man who chooses to use violence, we are saying: we're building a system that holds you to account. That's an important cultural message.

I implore the opposition to get on board and support this significant investment in making sure that cultural change is actually achieved.

I want to finish with reference to a topical matter that has been in the paper recently. I have raised in this Parliament before the issues of sex slavery, forced

marriages and genital mutilation, and I note that the *Herald Sun* has also raised these issues recently. There have been alarming figures. I know from personal experience — people have told me — that out there in the suburbs children are being removed or kidnapped or taken against their wishes to be involved in forced marriages, and I would just like to put on the record that this has to stop. I hope that the law enforcement agencies will keep a close eye on this. I know they are. I know Victoria Police are going out of their way to make sure that nobody — as should be the case — is forced into marrying anybody they do not want to marry. The Red Cross is also keeping an eye on the situation when young girls are being taken out to the airport and sent on their way. Red Cross is often there to lend them assistance to get out of that predicament.

If we are saying no to violence in Victoria, then I would say to every community member: irrespective of your ethnicity or your faith or your background or your gender, do say no to violence and let us put a stop to sex slavery, forced marriages and genital mutilation. I commend the bill to the house.

Mr PESUTTO (Hawthorn) — I am pleased to be able to speak on the Family Violence Protection Amendment (Information Sharing) Bill 2017. What I would say at the outset is that this is a subject that defies normal partisan considerations, in my view. We can have all manner of debates about how you best tackle violent crime in the community and what kind of force deployment best keeps the community safe. We can have legitimate issues around that. But I think most sensible minds and most reasonable people will concede that violence in the home and in domestic settings has nothing to do with our political outlook.

The reason bipartisanship is important is that enjoying an affluent lifestyle, with better educational institutions behind you and commercial opportunities to develop businesses or earn a fairly significant income, does not really help if you are addicted to alcohol or drugs, or if you are suffering from mental illness or depression. There is not one person in this house, I would expect, who would think that family violence is a subject fit for politicking and trading partisan barbs across the chamber.

Whilst there have at times been differences between the government and opposition — we might differ at the margins on how to do things from time to time — for most reasonable minds, including those who have served in this house previously, there is a genuine desire to support measures that will primarily benefit women and children, and also everyone by fostering a culture of respect and a better understanding that the

way to deal with our frustrations is not through violence, or physical or verbal abuse.

For me bipartisanship is a call to act in a more dignified way and to respect that each of us wants to see this problem fixed as best as we can. We have been supportive of what the government has been trying to do. It was not our policy to hold a royal commission but we understand and fully respect that the government secured a mandate to do that and proceeded to do it, and we have — as far as I know, and I am happy to be contradicted — supported what the government has tried to do. We have had some question marks about whether some aspects of everything the government has done might work, but that is not to cavil with the principle of it. Fundamentally we have supported it.

Bipartisanship is really important, not for some instant gratification that some of us from time to time might seek in this house, but for the community. At the end of the day we have to approach this on a range of fronts. No one particular measure works, as we know. There are legislative responses that contain sanctions for criminal behaviour — physical violence or even emotional and verbal abuse. We can introduce laws for that and we introduced laws when we were in government to deal with that. The government that preceded the Baillieu and Napthine governments introduced laws to deal with that. Since then this government has introduced laws to deal with that.

They go some of the way but not all of the way because the law in and of itself cannot fix every problem, as much as we might like to think a simple bill can do so. It is necessary but is not in and of itself sufficiently able to do that. We need to address perpetrator behaviour. What are the things that promote or encourage people — predominantly men, not always, but overwhelmingly men — to think that violence or a muscular approach to the resolution of disputes is something that is consistent with the kind of civil and respectful society we want?

We have to change behaviour. I have said previously in this house that there are a range of areas where violence is an undertone in the way our community exists. Some kinds of sports promote violence. It may not be explicit, and often it is not explicit. It is an undertone of the activity and the culture that surrounds it. To some extent politics can have aggression about it — not necessarily physical aggression, but it has aggression, and those sensibilities and tendencies need to be civilised as well.

That ties into broader community change. This is important to better promote the safety of children, women and men in domestic settings.

This bill is one we are supportive of because, when you think about it, it should not have taken so long for any government to deal with the issue of family violence. I do not make that as a comment about any one particular government. On the proposition that government agencies should be sharing information so that we can better identify risks, take pre-emptive action to defuse risks and remove people who are in susceptible positions from the risk of violence, of course that should be done. It is surprising, as I said, that it has taken so long, because we know that in times past there have been legitimate questions about whether tragic incidents could have been avoided had agencies had the means to communicate with each other so that those risks could be communicated.

On that basis, who would want to oppose anything as sensible as that? Certainly the previous coalition government was keen on looking into that. To its credit, I think, this government is looking at and promoting the issue of information sharing. On that basis it needs to proceed. Yes, there is obviously a need to maintain safeguards for legitimate interests around privacy and the misuse of information, and they should carry very significant sanctions if sensitive and confidential information is misused, but I do not think we are likely to see that here.

Victoria is very different to other jurisdictions where sensitive information is communicated between agencies. Here those safeguards can be managed and implemented in a way which addresses those lingering concerns, legitimate though they are, about who can have access to the information and in what circumstances information can be shared.

We are happy to see this bill proceed, but I do end where I started. Bipartisanship is really important, and I think we all have to resist the temptation from time to time to compromise the quality of the debate in this area by attacks on one another and attacks on members' motives. I would say in defence that the opposition leader is on record in this chamber and outside expressing a bipartisan approach to family violence. I hope that the speaker two before me was not suggesting that the opposition leader's comments were directed to family violence. He said, and I share those views, that we are concerned about parts of our justice system and not the family violence measures in this budget. We are concerned about issues around broader sentencing — bail and those types of issues. Any suggestion that what the Leader of the Opposition was doing was somehow

casting aspersions in relation to family violence, I think, is uncalled for and unfair. We are here in a bipartisan way and want to support measures that will keep children, women and those men who are subject to the risk of family violence safe, and we are happy to support measures that do that. With that I conclude my remarks.

Mr WATT (Burwood) — I rise to speak on the Family Violence Protection Amendment (Information Sharing) Bill 2017. I would like to make a few comments on what some of the other speakers said as well as make general comment on the bill. I will start by making some general statements around violence.

My view on violence is that violence is not acceptable. It does not matter whether you are a male or female, a male victim or perpetrator or a female victim or perpetrator, how old you are or whether the violence happens in your lounge room or on King Street on a Friday night. It does not matter what time of day it is or what day it is; violence is violence, it should not be accepted, and we as a state need to make sure that we understand that no violence is acceptable regardless of who or why.

I make that statement because I do want to make sure that people understand my views on this. There are some who might cast aspersions on certain members of Parliament because of some of the things they say or some of the perceptions that they create, but I do need to make this very clear. I know that the Leader of the Opposition shares my view that violence is violence and it should not be accepted anywhere by anyone at any time for any reason. It is not acceptable.

On family violence information sharing, one of the other things I would like to say is that knowledge is power. On sharing of information, if that information is correct and that information will lead to good outcomes for people, then there is no reason why that should not be shared. But information sharing somewhat disturbs me, as someone who has family members who have been victims of violence and family members who have been victims of domestic violence. I have had some interesting conversations with family members over the last year and a half, some that I had not planned on having, given the musings in this house. I have had conversations with sisters, nieces and nephews and other family members around their experiences.

I have listened to the contributions of members in this debate. I specifically listened to the member for Hawthorn and I appreciate his comments around victims. He said that most victims were either female or children, and I acknowledge that. That is indisputable. I

have talked in this place previously about the fact that the Crime Statistics Agency, in the last set of statistics that I garnered from them, actually shows that 50.81 per cent of all domestic violence victims are females at the hands of their male partner or former male partner — 50.81 per cent.

I raise that statistic in light of comments generally from members of the government — but not only members of the government, I must say — when I am in this place listening to contributions. The number of females who are victims outweigh the number of males, and the number of females who are victims at the hands of their male partners outweigh everybody, overwhelmingly, if you look at each statistic, but that does not mean that the 49.19 per cent do not exist. All I ask for when I stand here and speak is that people recognise that fact.

I appreciate the member for Macedon coming into the chamber. I did listen to her contribution. I must say that the member for Macedon is one of those people whose contributions I am talking about, inasmuch as there is no acknowledgement from some members in this place that not everybody fits the stereotype. But everybody in my opinion deserves support, and everybody needs to be treated equally based on their circumstances — not on their gender, not on their age. Gender and age should have no place when it comes to domestic violence. Victims should have a place and perpetrators should be held to account, and it does not matter who you are, it does not matter where you come from and it does not matter who it is that has committed that act of violence against you.

People should be very careful when they use statistics, because statistics can say whatever they want if they pick the right statistics and find the right way of speaking about them. I make this point because one of the other statistics that I have indicates that if a victim of violence is under the age of 15 and the perpetrator is their parent, putting that proviso in place, 40 per cent of the time it is their mother who is actually the perpetrator. So when we are discussing child abuse of males or females by a parent, and you are talking about your mother or your father, if it is just your mother and your father we are looking at and you are under 15, then 40 per cent of the time it is going to be your mum — 40 per cent of the time! That statistic is not insignificant. So when I see members get up and completely ignore these statistics it does them a disservice and it does this house a disservice.

I have people contact my office crying because they do not feel as though they have a voice — people who are not from my electorate. I receive calls and I receive emails and I receive messages, handwritten notes from

people who do not feel as though they have a voice. They do not feel as though they have a voice, and when certain members or other people seem to misrepresent all of the statistics and ignore people who do not meet the image of a stereotypical victim, these victims hurt even more. They hurt because they are not being heard. They hurt because they are being ignored. They hurt because they feel as though people in power do not think that they exist.

I have spoken to many people, and not just over the last 18 months. I imagine people here would understand that for the 18 months since November 2015 I have been flooded with people who want to talk about domestic violence, flooded with calls and flooded with emails. It was not then that I came to this realisation. I have talked about this issue and I have talked about the need to recognise that not every victim is a stereotypical victim but every victim does need support. I have talked about this for a long time, not just for the last 18 months.

Information sharing is important because we need to make sure that those people in power, those people who are dealing at the coalface — police officers and others, and members of Parliament — all understand that not every victim is a stereotypical victim but each of those victims does need to be supported.

I know that the minister understands this, knowing some of what has been made public about her own family circumstances. Not everybody is stereotypical — I just ask members to remember that when they make a contribution. Remember the fact that there are some people who are victims who are being ignored, and I do not want them to be ignored.

Ms COUZENS (Geelong) — I feel very proud to be able to stand and speak on the Family Violence Protection Amendment (Information Sharing) Bill 2017. I was going to respond to some of the member for Burwood's comments, but I do not think I will. I will make a comment about his statement that knowledge is power — I have spoken to many women who are full of knowledge, but they still get their heads bashed in, so I think in that context it is not appropriate.

I do want to start by congratulating all the ministers involved on their work and the legacy that they will leave in the Andrews Labor government, firstly for their commitment to the royal commission and then for their commitment to implementing the recommendations of that royal commission. I also acknowledge the Minister for the Prevention of Family Violence, who is here in the chamber tonight, and her tireless work. The minister has been to Geelong on

many occasions and heard many stories from women in Geelong and the services in Geelong. She has a great understanding, and of course there is her own personal experience of what family violence is all about and what needs to change.

This government's record investment in addressing family violence is the largest ever — it is unprecedented. We made a commitment to implement the 227 recommendations from the royal commission, and in today's budget alone we have committed to see more services for Aboriginal communities, more services for culturally diverse communities and the establishment of the family violence coordination agency.

I think it is interesting how today we heard criticism of increasing the bureaucracy or the public service, but by the same token we are being criticised for not having enough police resources to deal with the crime and the family violence rates. You cannot not have additional public servants to administer what is coming out of these 227 recommendations — it just does not work that way. I think it is critical that we do have those resources and support for those 227 recommendations that we are implementing to make them work.

We also have improved crisis accommodation in the budget today. There are community safety hubs, one of which will be in Geelong — and I know that my community is over the moon that we are getting a community hub in Geelong — and of course there is family violence information sharing, which is what we are here talking about today.

In Geelong we have many, many services that are operating in the family violence area — our police family violence unit, Bethany Community Support, Minerva Community Services and the Barwon Centre Against Sexual Assault — all of which are committed to keeping women and children safe. They know, as we as a government know, that the resources to support women and children in family violence are critical. This information sharing is all part of that, particularly when it does protect women and children. During the royal commission and in talking to my community, this was and is one issue that was raised time and time again, particularly by the police, who were very frustrated. They knew there was information they could have obtained but could not because of the current legislation.

This legislation is life changing for many, many people. In my electorate we have a very high incidence of family violence, unfortunately, and the police and family violence workers in my community welcome

this bill and the commitment of this government to make this issue a priority and see it through with the funding and resources that are needed. It is not just about words and fancy statements; it is actually by implementing those 227 recommendations and seeing them through that we will start really dealing with family violence.

I hear so many stories about women and children and their experiences of family violence. They are horrific stories that we should not be hearing in our community. I think the majority of members in this place hear very similar stories, if not the same. I know that my community welcomes this legislation, and it is important to them. But I think one of the other areas is the cultural change that this brings. It is not just about putting the dollars and resources in; it is also about changing our community culture, which has to go hand in hand with implementing these changes.

We know that cultural change takes time, and we have seen different campaigns over the years that have changed the way we think and act — the seatbelt campaign, for example. When I was a little kid you did not wear a seatbelt, but now when I get in the car with my grandchildren they automatically put on their seatbelts. It is just a natural thing to do. So cultural change is really important. Having worked with young people over the years — particularly young people in crisis and young people who have experienced family violence at quite horrific levels, I have to say — their experience is that it is okay, that it is acceptable. It has been quite disturbing listening to what some of those young people have had to say. They virtually condone that violence that they have experienced either themselves or within their family home.

I think cultural change starts in the very early years, but it needs to go right through to adulthood. I know that many of our sporting clubs implement different programs about respectful behaviours and ‘Say No to Family Violence’ and those sorts of things, which are really important. But I think the fact that the 227 recommendations are being implemented goes a very long way to changing the culture within our communities. I think it is already starting to resonate, and more and more women and children are actually starting to see that what they are experiencing is wrong and that they can do something about it.

Of course we have seen crime rates increase; there is no doubt about that. But I think those crime rates have increased because women are feeling more empowered or feeling more supported to report family violence. The police in Geelong, with the family violence unit and their approach to family violence with their

follow-up procedures, are working very well, and this is making those women feel that they do have a right to lodge a complaint or to seek an order to protect their children. As time goes on, I am fairly confident that we will see a lot more of that starting to happen in our communities.

So this is really important legislation. As we heard before, it is life-changing legislation for many people out there in our community, particularly women and children who are experiencing family violence or who have experienced family violence in the past. In my community there are many, many women who have come to see me and told me their stories — their past stories; they are no longer in those situations — and how those 227 recommendations would have made a life-changing difference to them if they had been in place at the time. They support what we are doing. This is a great legacy that will be left by the Andrews Labor government. We have really committed 100 per cent to changing the lives of women and children in our community. I know that my community of Geelong stands behind this 100 per cent. I have not heard any negatives about what we are doing; it has all been really positive. People are feeling much more empowered, and I know a lot of people are saying they are much more educated now on what was happening in their communities. I commend the bill to the house.

Mr GIDLEY (Mount Waverley) — I rise to make a contribution to the Family Violence Protection Amendment (Information Sharing) Bill 2017. I do so with a specific interest in ensuring that appropriate police resources are available to victims of family violence, and I do so with particular concern in relation to the cuts that the Victorian Labor government has put in place. If we go back to the recent Public Accounts and Estimates Committee hearings, the Chief Commissioner of Police confirmed in testimony that we have had a cut in the number of officers during the 2015–16 financial year. On top of that we have had the announcement by senior members of the Labor Party of the plan to close four police stations in Monash, at Glen Waverley, Mount Waverley, Oakleigh and Clayton. On top of that there was the terminology used to describe the plan to reopen, refurbish and restaff Murrumbeena station as ludicrous. That was in the announcement by senior members of the Labor Party in Monash in the last two weeks.

Put that in place with the cuts that this government has made to police resources, as confirmed by the Chief Commissioner of Police at a recent Public Accounts and Estimates Committee hearing, and I am gravely concerned that the victims of family violence who rely on a police response will not be able to get that. They

are not my words; they were the chief commissioner's words and the words of senior members of the Labor Party in advocating and outlining their plan to close another four police stations in Monash and in describing anybody seeking to reopen Murrumbidgee station as ludicrous. That is Labor's plan. They are entitled to that — it is a free country — but I have grave concerns, along with my community, in relation to having those police responses there. When you put that into context in terms of the cuts to Neighbourhood Watch, we certainly know that Neighbourhood Watch has had significant issues because this government has cut funding to it. We know that in a number of other areas we have had cuts to public safety, and that is of enormous concern.

This government just does not understand that we are in a lawless state as a result of its policies. This is the same government that tells us there are no carjackings, the same government that tells us there is no problem with crime, the same government that says Victorians who are fearful for their safety have got it wrong. Well, they are entitled to that view, but I think they are wrong, and that is why we have a plan to ensure that Victoria Police is appropriately resourced. We will not do what this government has done and cut Victoria Police resources. We will not do what Labor plans: to shut four police stations in Monash, at Glen Waverley, Mount Waverley, Clayton and Oakleigh.

Ms Thomas — On a point of order, Speaker, so far the member has not spoken about the bill at all. Could you please bring him back to the bill?

Mr GIDLEY — On the point of order, Speaker, I would say to you that those who do not accept a contribution on the importance of police resources to family violence do not understand the issue of family violence. I am passionate about protecting family violence victims and police responses, and I will continue in this chamber — relevant to the bill — to stand up against the cuts of this government to Victoria Police.

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

Mr GIDLEY — Thank you, Speaker. This government, as I said, the chief commissioner has put it on the record — —

The SPEAKER — Order! The time set down for consideration of items on the government business program has arrived, and I am required to interrupt business. The honourable member will be able to

continue his remarks on the bill when it is next before the house.

CRIMES LEGISLATION AMENDMENT (PUBLIC ORDER) BILL 2017

Second reading

Debate resumed from earlier this day; motion of Mr PAKULA (Attorney-General).

The SPEAKER — Order! The question is:

That this bill be now read a second time and a third time.

All of those in favour say aye.

Honourable members — Aye.

The SPEAKER — Order! To the contrary, no.

Mr Hibbins — No.

The SPEAKER — Order! I think the ayes have it.

Mr Hibbins — The noes have it.

The SPEAKER — Order! The noes have it? I think the ayes have it. Is a division required?

Mr Hibbins — A division is required.

The SPEAKER — Order! A division is required. Ring the bells.

Bells rung.

The SPEAKER — Order! I ask members to take their allocated seats in the house. I ask the Clerk to record the votes.

The Clerk — The member for Shepparton.

Ms Sheed — One yes.

The Clerk — The Greens representative.

Mr Hibbins — One no.

The Clerk — The Nationals Whip.

Mr Crisp — Seven yes.

The Clerk — The Liberal Party Whip.

Mr Katos — Twenty-nine yes.

The Clerk — The Government Whip.

Ms Halfpenny — Forty-three yes.

The SPEAKER — Order! As there is only one vote for the noes, the division cannot continue. Would the member like his dissent recorded in the *Votes and Proceedings*?

Mr Hibbins — I would like my dissent recorded.

The SPEAKER — Order! That will be done.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

STATUTE LAW REVISION BILL 2017

Second reading

Debate resumed from earlier this day; motion of Mr PAKULA (Attorney-General).

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

Business interrupted under sessional orders.

ADJOURNMENT

The SPEAKER — Order! The question is:

That the house now adjourns.

Level Crossing Removal Authority

Mr CLARK (Box Hill) — (12 532) I raise with the Minister for Public Transport the issue of the performance and competence of the Level Crossing Removal Authority (LXRA), and I ask the minister to take action to get the LXRA to lift their game. The latest LXRA debacle was the closure of Blackburn railway station last week due to flooding of the pedestrian underpass. I appreciate the fact that the minister has arranged for the LXRA to brief me on what happened, but this is just the latest in a series of bungles showing disregard for the community that has left residents, commuters and local traders justifiably fuming.

With the flooding itself there are many questions the LXRA and the government need to answer. Why were the temporary pumps inadequate to prevent the flooding? Why was so little warning and advice provided for commuters arriving at Blackburn station, particularly given that the flooding started the day before? Why did not at least some express trains stop at Laburnum station to pick up passengers who went there when they heard that Blackburn was closed? Is it true, as has been claimed, that the water being pumped out of the underpass was being pumped into a drainage pipe that was leaking the water straight back into the underpass? And what guarantees will the government give that, when the works are finished, this will not happen again in future?

The Blackburn Road project is yet another project that was funded by the Liberals and is being bungled by Labor. The government should have built a new, wider pedestrian underpass as part of this project. Given how many magnificent trees and shrubs along South Parade have been cut down for the sake of installing huge drainage pipes and drainage pits, the least the community is entitled to expect is that there will be no more flooding of the underpass. Unfortunately these are not the only issues with the Blackburn Road project. Local traders and residents have repeatedly complained to me of multiple workers standing around idly at taxpayers expense watching as just one or two workers actually do work, and they have complained about how trucks involved with the project repeatedly ignore parking restrictions and occupy the limited number of parking spaces supposedly reserved for traders.

This is on top of issues I have previously raised, such as promises made to residents by the community engagement arm of the project alliance not being delivered on by the contractors, works continuing all night after residents were told night works had been completed, tree felling safety issues and noise, children being exposed to foul language by workers, the forcible removal of large and valuable trees from residents' properties, lack of adequate environmental site controls, breach of traffic management standards, lack of quality control on project works, no or minimal help from the LXRA to clean project dust on residents' premises, broken promises about raising fence heights, lack of CCTV cameras along the new shared-use path and no commitment to proper revegetation to at least partially offset the terrible and often avoidable destruction that has occurred.

All of these problems with the LXRA have occurred with just one relatively straightforward project. When you add in the multiple problems being caused by sky rail, it is clear these are not isolated instances but part of

systemic problems within the LXRA and the government's oversight of it, and the minister needs to act urgently to fix these problems.

Broadmeadows electorate

Mr McGUIRE (Broadmeadows) — (12 533) My adjournment request is to the Minister for Industry and Employment. The action I seek is that he come to Broadmeadows and discuss plans and strategies for future economic development. This is particularly in the context of today's budget, where there was a further \$10 million provided to the Local Industry Fund for Transition (LIFT), and this is on top of the amount already allocated of \$33 million. This is of particular significance to my community, which has gone through deindustrialisation, particularly with the closure of Ford's manufacturing. We have had great success in working collaboratively to deliver new jobs for the Ford workers to make sure that they have a future. This funding provides another opportunity, with more investment from the Andrews Labor government, and I want to thank the Premier, the Treasurer and the minister for their ongoing commitment.

I also ask the minister to report back on developments in getting some of the unspent \$1.324 billion that the Australian government still has in its automotive transformation scheme. How much of that can be reinvested in Melbourne's north, where it is needed most? The reason I say that is that under the convergence of two coalition governments, state and federal, unemployment was equal to the rate in Greece and youth unemployment was more than 40 per cent. This is still an ongoing issue, but I want to see how we can reach out to the new minister for industry federally, Arthur Sinodinos — the fourth in as many years. I uncovered the amount from Senate estimates, and I know that the Minister for Industry and Employment has also pursued this at a ministerial level, so it would be great to find out if we could actually get a coordinated strategy.

We need to put this proposition beyond partisanship, because it is really critical in such a vulnerable area, and work in a collaborative way, which we have on some other projects with money that went into LIFT in a previous collaboration. So here is an opportunity. I think it would be extremely timely, and I want to again acknowledge the Andrews government for their commitment to this community.

Euroa electorate mental health services

Ms RYAN (Euroa) — (12 534) The adjournment matter that I raise tonight is for the Minister for Mental

Health, and the action that I seek is additional investment, particularly in light of today's budget, in mental health services in my electorate. I have huge gaps in mental health service provision in Benalla and indeed in communities right across my electorate. In March last year I asked the minister to conduct an urgent review of mental health services in Benalla to ensure that they were meeting community needs. I find it so disheartening that today's budget actually provided more money to the rorting member for Melton than it did to mental health service provision across the Euroa electorate. That is despite my repeated calls to the government for funding.

At the end of June this year funding for Ivan Lister, a community services worker in my electorate, will expire. Ivan is incredibly effective because he is just like the people that he aims to help. He is a knockabout bloke — I have spoken about him here in Parliament before — and he has saved many lives, particularly through the decade-long drought that we had. The people who know him know the extraordinary difference he has made, particularly across Strathbogie and Euroa. He was previously funded by the state government. Funding from the state expired. The feds picked it up. That expired. He is now being funded two days a week by Benalla Rural City Council, but that funding is also due to expire.

I think it is incumbent on this government to ensure that Ivan's extraordinary work continue for the benefit of my community. I hear from young people, from parents and from concerned community members all the time about their inability to access services. Young people, even at crisis point, are trying to make appointments with specialists and psychologists only to be told that it will be a 12-week wait in Benalla. The Centre for You, a private practice in Euroa, currently has a 12-month waiting list to get in to see a psychologist. There are simply not the services that are required. Parents of children who are being severely bullied do not know where to turn.

In Benalla, as is the case with most towns in my electorate, there is nowhere that people can walk into to talk to someone if they need to. In Benalla there are no GPs who actually advertise bulk-billing. I am sorry, but the website that this government has funded simply does not cut it in my electorate, and I urge the minister to provide some real funding rather than some pretty words.

Yuroke electorate schools

Ms SPENCE (Yuroke) — (12 535) My adjournment matter is for the Minister for Education, and the action I seek is for the minister to inform

Yuroke residents about the benefits of the Andrews Labor government's investment in school infrastructure in this year's state budget. My constituents have been delighted with the delivery of the new Newbury Primary School, which opened this year. I am sure they will also be pleased that this year's budget delivers funding to commence building the new Aitken Hill primary school and to acquire land for both Craigieburn south secondary school and Greenvale north-west primary school.

Our local schools are terrific, but as our community grows we need to be ready and to plan for new schools in growth areas. This investment is another step in ensuring local infrastructure keeps up with our growing community. I look forward to hearing from the minister about how the Yuroke community will continue to benefit from our education state agenda.

Ararat freight and logistics feasibility study

Ms STALEY (Ripon) — (12 536) My adjournment matter is for the Minister for Regional Development in the other place. The action I seek is that she release the WSP Parsons Brinckerhoff feasibility study on developing a freight and logistics hub in Ararat that was announced on 12 August 2016. This is a project that the community of Ararat, and particularly Ararat Rural City Council, has been very keen on for some time. The report was commissioned and money was allocated to it back in August last year, but nothing has come out at all; there has not been anything since then. It is clearly time for this report to be made public.

If the consultants end up saying that the project does not stack up, then the community would very much like the opportunity to know what assumptions were used in the report and to make sure that they were fair. Of course, if the report is positive, then the government needs to say how it will make progress on achieving a potentially job-creating facility. Ararat is very well suited to being both a freight and logistics hub and the regional passenger rail hub. It is also a key point in the Murray Basin rail project, a project that was initially funded by the previous Liberal government and also has federal funding. Ararat of course has lines to both the Portland and Geelong ports.

I do note that in the budget today there was the implementation of one of my key election commitments — at last — and that is to create an early passenger service from Ararat to Ballarat. That is something that I have continued to advocate for, most notably bringing the shadow minister, the member for Croydon, to Ripon to further argue the case.

Ararat is very well situated for both passenger and freight, and this freight and logistics hub idea, and the report behind it, is something that would be key to putting all of this together and really situating Ararat as the place for all of this to go on. But to do that we need this report released, so I call on the minister to find out what has happened to it and to get that made public as soon as possible.

State Emergency Service Chelsea unit

Mr RICHARDSON (Mordialloc) — (12 537) My adjournment matter this evening is for the Minister for Emergency Services. The action I seek is for the minister to come and visit the volunteers at the Chelsea State Emergency Service (SES) unit and discuss with them the fantastic announcement that they will receive \$2.8 million in this 2017–18 state budget to rebuild their premises in Aspendale. This is a fantastic fully volunteer emergency services provider. The volunteers have attended a number of call-outs over many years in my electorate during times of flood and times of accident and emergency. The Andrews Labor government is building on its record of supporting our volunteer emergency services organisations with the building of the Edithvale Country Fire Authority station and of course the Edithvale Life Saving Club. That shows our commitment to supporting our volunteers in the services they provide to our community and the dedication that they show.

The Chelsea SES's time has well and truly come. Just recently half their premises succumbed to fire. In the last month they have lost a couple of appliances and half the station, which was a significant blow to this community and this volunteer organisation. I am so pleased that now they have something to hope for. They have a vision for the future — and a bright future at that, with the rebuilding of the new premises. I cannot wait to get on with it. So in conclusion I ask that the Minister for Emergency Services join me at the Chelsea SES to talk about their future building priorities.

South Yarra railway station

Mr HIBBINS (Prahran) — (12 538) My adjournment matter is for the Minister for Public Transport, and the action I seek is that the minister go to South Yarra railway station in the morning peak and witness the congestion firsthand. The minister will be able to see the crowded single entrance on Toorak Road; the congested footpath, with bikes chained to the railing; the dangerous pedestrian crossing at Yarra Street; the chaos on Toorak Road, with trams so crowded commuters cannot board and people spilling onto the road; and of course the overcrowded peak-hour

trains. The minister will be able to go to Yarra Lane to see the land set aside for a northern entrance and platform overpass. While she is there I am happy to furnish her with documents that I obtained through FOI that expose the complete lack of investment in one of Melbourne's busiest stations for well over a decade, including a plan considered but abandoned by the previous government to expand the front foyer area.

This government has followed on from previous Liberal and Labor governments by failing to fund and upgrade the South Yarra station in this year's budget whilst allowing significant development right next door at Forrest Hill and even intervening in planning applications to allow for greater development. Incredibly there is an item in this year's budget for improving Melbourne's busiest stations, listing Flinders Street, Southern Cross and Richmond stations — but not South Yarra.

This station is bursting at the seams with an increased population and an increased number of commuters, but it has zero funding. I urge the minister to visit South Yarra station during the morning peak and bring the Premier with her to witness this firsthand, and to speak to commuters about the issues and problems they face at South Yarra station every day.

Macedon electorate emergency services

Ms THOMAS (Macedon) — (12 539) The adjournment matter I wish to raise is for the Minister for Emergency Services, and the action I seek is that the minister visit my electorate to see for himself the tremendous impact that the government's investments in our local Country Fire Authority (CFA) brigades and State Emergency Service (SES) units are having in Macedon and to outline how today's budget will benefit CFA and SES volunteers in my electorate.

Only recently I visited the Romsey brigade to congratulate them on receiving \$15 882 to upgrade their station and pay for training. I also visited the Lancefield CFA, which received \$2300 for a mobile signal booster, while the Woodend CFA received \$6818 for shelving and lockers. The Gisborne SES unit received \$12 974 for lighting and equipment upgrades, and the Woodend SES received \$24 300 for bitumen works at their station. On the weekend I had the pleasure of opening the new and upgraded Bolinda and Monegetta station, which is valued at \$329 222 in total, which will enable the brigade to better serve its community.

It was fantastic to have the minister visit the Malmsbury brigade recently to thank them for all their

work in keeping us safe during a difficult time at the youth justice centre and for the minister to hear directly from the brigade about their need for a new tanker. What a pleasure it was then, only a few weeks later, to have the Premier visit the Malmsbury CFA to announce a new \$375 000 tanker and that breathing apparatus is on its way. The Malmsbury brigade provides a huge amount of support to the staff at the youth justice centre, and this new tanker will ensure they can continue to do that as well as look after their community in an emergency.

Thank you very much to all of my CFA and SES volunteers for all of their work. I look forward to welcoming the minister to Macedon to meet local volunteers and to outline how today's budget will benefit them and our communities.

Tyrendarra power infrastructure

Ms BRITNELL (South-West Coast) — (12 540) My adjournment matter is for the Minister for Energy, Environment and Climate Change, and the action I seek is a commitment to upgrade power supply infrastructure in the western part of my electorate.

I note the budget today has allocated \$88.8 million to modernise the state's energy supply network. However, there is a lack of detail, and it still remains unclear if delivering three-phase power is part of this modernisation. For many years dairy farmers and other businesses in the Tyrendarra area have been calling for an upgrade of infrastructure so they can have access to three-phase power. At the moment they are dealing with antiquated infrastructure that is unreliable and delivers unsuitable voltage for the many large businesses in the area.

During the break I visited Bruce Knowles, who has been campaigning through the United Dairyfarmers of Victoria for many years. Bruce milks 1300 cows and employs 10 staff. Bruce's farm is supplied with energy by a single-wire earth return line, and he is at the end of the line. Using his terms, he cannot get enough juice to run his dairy. He has since invested in two large generators to ensure he has reliable and adequate supply, which is essential when milking that many cows.

Down the road from Bruce's farm is Ricky Holmes's engineering firm. He too does not have enough energy to run his business efficiently. He cannot use two of his main engineering machines at the same time, and when the dairy goes on down the road both his and the dairy's energy supply is compromised. Ricky is hoping to expand his workshop and employ many people, but he

is held back by an antiquated energy supply system. This would never be the expectation in the city.

I have also been contacted by fine wool producers in the area who have trouble using their wool presses when other farms turn on their machinery. It is yet another example of successful businesses being hampered by poor infrastructure. There are farms and businesses right now across the western part of the region in the same boat. They are ready and willing to expand, pumping more money into the regional economy and creating jobs, but unsuitable energy supply means it is not viable.

My constituents want clarity around this announcement. We have learned this government considers western Victoria to be Footscray. But my constituents are being held back because of basic infrastructure. This is an industry that generates \$11 billion annually, and with increased demand from Asia and the Middle East for Australian dairy, meat and wool, this economic activity can grow even further. But for this potential to be realised we need to support our farmers and give them basic infrastructure to do their jobs efficiently and effectively.

Three-phase power is only about 20 kilometres down the road, and the estimated cost of delivering it to the Tyrendarra area is about \$4 million — small fry when you consider there is almost \$10 billion from the lease of the port of Melbourne, a price achieved in part because of the strong market demand for dairy products, which are the biggest export from the port of Melbourne, a third of which is produced in south-west Victoria.

I call on the minister to read the reports that have already been done and are continually being added to that say there is a problem. It needs to be fixed so businesses in my electorate are given every chance to grow and prosper.

Yan Yean electorate roads

Ms GREEN (Yan Yean) — (12 541) My adjournment matter is to the Minister for Roads and Road Safety, and the action I seek is that planning for more northern arterial roads be undertaken by the North East Link Authority.

I am pleased to see in today's budget unveiled by the Treasurer — and I will be careful not to anticipate debate — that we are spending a record amount on infrastructure, over \$10 billion in fact. But we are hampered by the failings of coalition governments past and present — the past, between 2010 and 2014, because the Baillieu-Napthine governments slashed

infrastructure spending statewide and made it zero in the north. They also gutted the VicRoads budget and staff, so little or no forward planning was done. When funds do become available — and they have, like the proceeds from the port lease — there are not enough planned and costed projects waiting on the shelf, ready to be dusted off and built.

The current evil empire in Canberra is not much better. The so-called infrastructure Prime Minister means infrastructure anywhere but here, anywhere but in Victoria, because Canberra continues to starve Victoria of infrastructure dollars, despite the massive growth in our state.

Consequently as a can-do, infrastructure-building government we know that extra resources and grunt are needed to scope, plan and cost projects, especially in the north, to make them shovel ready and market ready. That grunt is already deployed in planning the north-east link, and it is going at a rate of knots — \$100 million allocated to do that important work, to fix that missing link. There is \$96.7 million for Yan Yean Road in addition to the \$134 million underway with stage 1, \$140 million for the duplication of Plenty Road, and funding for the O'Herns Road and Hume Freeway interchange.

I would really like to see additional work done for the remainder of Yan Yean Road's duplication and other roads that intersect with those roads that we have funded and those that are underway because I think we can make a huge difference to congestion in the north in addition to that Mernda rail extension and the Hurstbridge rail line upgrade. I urge the minister to act.

Responses

Ms NEVILLE (Minister for Police) — A number of members have raised a number of issues with different ministers, and I will pass those issues on.

The SPEAKER — Order! The house is now adjourned.

House adjourned 7.30 p.m. until Tuesday, 9 May.