

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

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

**Tuesday, 6 June 2017  
(Extract from book 7)**

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The Honourable LINDA DESSAU, AC

## **The Lieutenant-Governor**

The Honourable Justice MARILYN WARREN, AC, QC

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(from 10 November 2016)

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FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

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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**

<b>Member</b>	<b>District</b>	<b>Party</b>	<b>Member</b>	<b>District</b>	<b>Party</b>
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 <sup>2</sup>	Polwarth	LP
Battin, Mr Bradley William	Gembrook	LP	Naphthine, Dr Denis Vincent <sup>3</sup>	South-West Coast	LP
Blackwood, Mr Gary John	Narracan	LP	Nardella, Mr Donato Antonio <sup>4</sup>	Melton	Ind
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Britnell, Ms Roma <sup>1</sup>	South-West Coast	LP	Noonan, Mr Wade Matthew	Williamstown	ALP
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Bull, Mr Joshua Michael	Sunbury	ALP	O'Brien, Mr Daniel David <sup>5</sup>	Gippsland South	Nats
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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			

<sup>1</sup> Elected 31 October 2015

<sup>2</sup> Resigned 3 September 2015

<sup>3</sup> Resigned 3 September 2015

<sup>4</sup> ALP until 7 March 2017

<sup>5</sup> Elected 14 March 2015

<sup>6</sup> Elected 31 October 2015

<sup>7</sup> Resigned 2 February 2015

**PARTY ABBREVIATIONS**

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

### **Legislative Assembly committees**

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

**Standing Orders Committee** — The Speaker, Ms Allan, Ms Asher, Mr Carroll, Mr Clark, Ms Edwards, Mr Hibbins, Mr Hodgett, Ms Kairouz, Ms Ryan and Ms Sheed.

### **Legislative Assembly select committees**

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

### **Joint committees**

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

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

**Economic, Education, Jobs and Skills Committee** — (*Assembly*): Mr Crisp, Mrs Fyffe, Ms Garrett and Ms Ryall. (*Council*): Mr Bourman, Mr Elasmarr and Mr Melhem.

**Electoral Matters Committee** — (*Assembly*): Ms Asher, Ms Blandthorn, Mr Dixon, Mr Northe and Ms Spence. (*Council*): Ms Patten, Mr Somyurek.

**Environment, Natural Resources and Regional Development Committee** — (*Assembly*): Mr J. Bull, Ms Halfpenny, Mr Richardson and Mr Riordan. (*Council*): Mr O’Sullivan, Mr Ramsay and Mr Young.

**Family and Community Development Committee** — (*Assembly*): Ms Britnell, Ms Couzens, Mr Edbrooke, Ms Edwards and Ms McLeish. (*Council*): Mr Finn.

**House Committee** — (*Assembly*): The Speaker (*ex officio*), Mr J. Bull, Mr Crisp, Mrs Fyffe, Mr Staikos, Ms Suleyman and Mr Thompson. (*Council*): The President (*ex officio*), Mr Eideh, Ms Hartland, Ms Lovell, Mr Mulino and Mr Young.

**Independent Broad-based Anti-corruption Commission Committee** — (*Assembly*): Mr Hibbins, Mr D. O’Brien, Mr Richardson, Ms Thomson and Mr Wells. (*Council*): Mr Ramsay and Ms Symes.

**Law Reform, Road and Community Safety Committee** — (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley. (*Council*): Mr Eideh and Ms Patten.

**Public Accounts and Estimates Committee** — (*Assembly*): Mr Dimopoulos, Mr Morris, Mr Pearson, Mr T. Smith, Ms Staley and Ms Ward. (*Council*): Ms Patten, Ms Pennicuik and Ms Shing.

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

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**Tuesday, 6 June 2017**

**The SPEAKER (Hon. Colin Brooks) took the chair at 12.02 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.

### CONDOLENCES

**Margaret Elizabeth Ray**

**The SPEAKER** — Order! I wish to advise the house of the death of Margaret Elizabeth Ray, member of the Legislative Assembly for the electoral district of Box Hill from 1982 to 1992.

I ask members to rise in their places as a mark of respect to the memory of the deceased.

**Honourable members stood in their places.**

### RULINGS BY THE CHAIR

#### Questions without notice

**The SPEAKER** — Order! Following my ruling on Thursday, 25 May, the member for Box Hill raised a further point of order as to the Premier's answer to the substantive question asked by the Leader of the Opposition and whether it was responsive. I am satisfied that the information provided by the Premier was sufficient to be responsive to both the substantive and the supplementary questions.

### ANTHONY FOSTER

**Mr ANDREWS (Premier) (By leave)** — I seek to make a brief statement and allow other members to make similarly brief statements in relation to Mr Anthony Foster. I thank the house for the courtesy extended to me.

I only had the privilege of meeting Anthony and Chrissie a handful of times. And it was always Anthony and Chrissie; they were always together. The most recent occasion where we met was earlier this year at a ceremony at Government House for our state's Australian of the Year. Most deservedly, Chrissie had been chosen as Victoria's Local Hero. But, as I am sure she would agree, the very same title could have also applied to her soulmate Anthony, because together they

were heroes for justice and heroes for truth. They had faced their own heartbreak — unimaginable heartbreak.

But remarkably, despite everything they had endured, Anthony and Chrissie did not resign themselves to silence and solitude. Instead they dedicated themselves to fighting for their girls and on behalf of every other victim too — for every childhood that had been taken and for every family that had been broken. Together the Fosters challenged a culture of silence and shameful suppression, together they took on those who lied and those who conspired to hide the truth and together they shone a bright light on one of our darkest chapters. Before any royal commission or any parliamentary inquiry there were the Fosters, Anthony and Chrissie. And because of their courage, because of their strength and, as their lifelong friend Paul put it, because of their relentless 'quiet fury', the mood in this nation has profoundly shifted and at long last victims are finally being heard.

I do not think words could ever really be enough, but to Chrissie I say thank you for everything that you have done, and on behalf of all Victorians, the Parliament, all of us, we are eternally thankful. I am just so sorry that you have lost your darling husband, and to Katie and Aimee, I am so sorry that you have lost your darling dad. Today we pause, just as we will tomorrow, to honour him and all he did — a quietly spoken man but a most powerful voice for victims, a tireless campaigner, a hero. And although Anthony has left us far too early, just as he did in life he leaves us with a guiding light. Anthony Foster will not be forgotten, and our fight for justice will continue.

**Mr GUY (Leader of the Opposition) (By leave)** — Anthony Foster was a man who sought justice not just for his family, not just for his children, but for hundreds and potentially thousands of others. He was one of those rare individuals — humble, graceful but determined — who has changed this country and stood up for so many who were previously without a voice. Anthony Foster passed away suddenly on Friday a week ago with his wife, Chrissie, by his side at the age of just 64. He is survived by his daughters Katie and Aimee. Sadly their third daughter, Emma, previously passed away.

While Anthony was a loving father, a dedicated husband and a person of immense determination, he will be remembered by millions of Australians as a campaigner for those who suffered after decades of child sexual abuse, particularly from within the clergy. For the Foster family the issue of child sexual abuse was all too close, with two daughters being abused by a priest while attending school as young girls.

At the time of Anthony's passing, his family issued a statement that said:

Anthony's heart was so big — he fought for others to make sure what happened to our family could not happen to anyone else.

The recognition of Anthony's passionate efforts to protect children has made us all humbler and helps provide comfort through this journey.

As a father, as a Victorian, I want to place on record my appreciation to the Foster family for allowing us to share the determination of Anthony. That determination, that effort, that work has brought at least some justice to the victims of child sexual abuse within the church. It has brought legal reform. It has brought public exposure to an issue long hidden and deliberately swept away. That culture of secrecy, that veil of cover-up will never again be the case. The result of Anthony's tireless and selfless campaigning, the *Betrayal of Trust* report, has exposed the systemic and horrific abuse of children in the church's care. It made numerous recommendations that have become law to protect children and prevent this horror ever happening again. Anthony and his wife Chrissie stood up together with dignity and grace to the might of the church over its manifestly inadequate handling of a number of abusive priests, testament to the strength of their own personal relationship.

The *Betrayal of Trust* inquiry was instigated in 2012. All of its 15 recommendations in 2014 were accepted by the then government, starting with the implementation of new criminal law offences critical to ensure the immediate safety of children. Measures to strengthen organisations' responses to preventing and responding to child abuse and consideration of options for civil law reform and redress for survivors of child abuse were also adopted.

Anthony said of the *Betrayal of Trust* inquiry:

... this Victorian inquiry still has a very important role to play, and indeed Victoria could lead the way for the rest of Australia by you recommending and the Parliament implementing the ... necessary legislative changes to provide justice for past victims and protection for future children.

It is thanks to the dedication of Anthony and Chrissie Foster that the trickle of evidence, so long covered up by so many, has turned into a flood. No stone will ever be left unturned.

This motion and the state funeral are a fitting tribute to a man all of us should thank. To the Foster family we say that our state will not forget such a dedicated man. Thousands of abuse survivors and all of us send our

heartfelt thanks to Chrissie and to the Foster family for sharing Anthony in what became such a public way. There is more work to do to stamp out criminal child abuse, but it will be Anthony and Chrissie's legacy that there are so many survivors who have been brought the justice they so deserve.

**The SPEAKER** — Order! Before the minister begins his remarks I should acknowledge the presence of the former member for Oakleigh in the gallery, Ms Ann Barker.

**Mr FOLEY** (Minister for Housing, Disability and Ageing) (*By leave*) — Anthony Foster and his partner Chrissie's contribution to Victorian and Australian society will be remembered, both as individuals and a couple who in the face of pain that no parent should ever have to endure stood up for not just their innocent daughters who were subject to sexual abuse and the cover-up that ensued, but for all the innocents who had been subject to institutional care providers' abuse, be they church or otherwise.

I first met both Anthony and Chrissie with the tireless Ann Barker who then, as the MP for Oakleigh, worked with the Fosters as their local MP to champion their cause and to push their particular family's campaign against the inequities of the Melbourne Response, also known as *Towards Healing*, in the Catholic Church on allegations of sexual abuse. Over the subsequent years and on a number of occasions where I had the opportunity to speak with the Fosters and Ann and the growing movement of survivors in sexual abuse not just in the Catholic Church but in wider institutional care, their leadership has been inspirational.

Whether it was through the Victorian parliamentary inquiry in the last Parliament which led to the very important *Betrayal of Trust* report or whether it was through his and Chrissie's efforts in the still-to-report Royal Commission into Institutional Responses to Child Sexual Abuse, Anthony's stoic and sustained contribution to the cause of both recovery and restoration for survivors of sexual abuse in the church was absolutely outstanding, as too was his campaign for accountability and reconciliation not just through an appropriate resolution of the complaints process but for justice for the wider survivor community. These efforts, as have been indicated, will be, we are confident, reflected in the reports that are finding their way through the current royal commission.

I recently caught up with Anthony at the launch of Louise Milligan's book detailing the plight of many survivors of sexual abuse — and sadly many of those who did not survive — at the hands of the clergy in the

Catholic Church. Their journey parallels the career of Australia's most senior Catholic figure, Cardinal George Pell, with whom Anthony had many dealings and encounters. That book details the meeting between the cardinal and Anthony, where Anthony's decency and campaign for justice can be seen in very deeply personal terms.

His journey and his efforts to bring justice, not just for his own daughters but for the wider survivor community and for the many who have been lost along the way, parallels his desire to see his church — his faith — reconcile with its past and perhaps more importantly with its mission for support and nurturing for those at the heart of its pastoral practice. Let his enduring monument be the achievement of a new approach, not just in how we as a society deal with sexual abuse of children and innocents, but let it be a renewal of the pastoral care and community development model that lies at the heart of how he saw his church and his faith operating in the modern world.

I am sure I speak for all honourable members in offering our sincere and deepest sympathies to Chrissie and family and to all those who loved him. Long may his memory endure.

**Mr WALSH** (Murray Plains) (*By leave*) — The only thing necessary for the triumph of evil is for good men to do nothing. Anthony Foster was a good man, and he did something. Tragically he passed away after a stroke on 26 May this year, aged 64. Anthony and Chrissie worked tirelessly to make sure that evil did not triumph, and we thank them for that. I think the statement from the Royal Commission into Institutional Responses to Child Sexual Abuse, after Anthony's death, said it very well:

Anthony and Chrissie dedicated many years of their lives to bringing about justice for survivors of child sexual abuse.

Their tireless advocacy helped bring about this royal commission.

They attended hundreds of days of public hearings and participated in many of our policy round tables.

With a dignity and grace, Anthony and Chrissie generously supported countless survivors and their families whilst also managing their own grief.

Commissioners and staff at the royal commission are deeply shocked and saddened by this news.

The push from Anthony and Chrissie, amongst others, helped lead to the parliamentary inquiry here in Victoria in the last term of Parliament of the Family and Community Development Committee, chaired by Georgie Crozier, which then led to the *Betrayal of Trust*

report in 2013. The push out of all of that here was part of the drive to have the commonwealth royal commission as well. Both those reports lifted the lid on the history of horrific abuse which we are now all very well aware of.

To Chrissie and to the wider Foster family, we are eternally grateful for the work that you did, not only for your family but for all the victims of abuse in this state and wider Australia. Everyone, including all those families and victims, is eternally grateful for the work that you did. I send our deepest sympathies to Chrissie and the family.

**Mr DIMOPOULOS** (Oakleigh) (*By leave*) — Anthony Foster was an incredible person — a father and a husband who stood up and spoke up about child abuse and the Catholic Church. Together with Chrissie, they took on the powerful forces of the church with a humility and dignity that is uncommon. They stood up for their daughters, but by those actions they also stood up for all child sexual abuse victims, their families and all decent people. When I reflect on Anthony and Chrissie Foster, as has been said, I think of that well-known line: all that is required for evil to triumph is for good people to do nothing. Chrissie and Anthony Foster are good people, but they did something — something that changed everything.

Anthony Foster was a good man. As the Premier often says in this place, the greatest asset we have as Victorians is our people. Anthony was one of our greatest assets. Leadership is not about positions or titles; we know too many examples of people with titles and positions who are not leaders and worse still who abrogate their responsibilities. Chrissie and Anthony were not asked to be the champions of change and justice within the church and within the corridors of power of our nation — no-one expected that of them after all they had been through as parents to three beautiful children — but that is exactly what they became.

I will never know the pain, the loneliness and gut-wrenching heartache that Anthony and Chrissie went through and Chrissie still goes through. There are many in this place who know a lot more about this pain, and I would like to acknowledge my predecessor Ann Barker and the member for Box Hill for their leadership and understanding of the torment the Fosters went through.

At the suggestion of Ann I read the book *Hell on the Way to Heaven*, written by Chrissie Foster and Paul Kennedy, about the family and their search for justice. I have not read a more powerful and heart-rending book in my life. I have heard the expression people use about books being page-turners, but with this book I literally

could barely bring myself to turn each page. I found myself sighing deeply after each page. I found myself having to put the book aside for a little bit before picking it up again. And I was just reading it; I was not living it. No-one should go through this — no-one.

The book brought into remarkable focus for me just what incredible people the Fosters are. I knew Katie Foster when she was a customer at my cafe in Oakleigh over 12 years ago, but after reading the book I could not look at the Fosters in the same way. When I would see Anthony, Chrissie or Katie in Oakleigh, I was in awe of their bravery, their courage and their superhuman strength. I did not know Anthony well, but on the occasions I met him I felt exactly what Paul Kennedy said his initial impression was of Chrissie and Anthony — that they had extraordinary grace. I am so very, very proud of the leadership shown by both of them.

Most of us in this place choose politics because we want to make change. Anthony Foster made change without an office or a title. He made lasting change. He made profound change. He knocked on the doors of power in the Catholic Church and in the Victorian and national parliaments so graciously, so persistently and with the quiet dignity and power that rests in every authentic, decent person. He knocked on the doors of power until they had no choice but to open the doors and face this brave, brave man — this leader.

To Chrissie, Katie, Aimee and the rest of the family I offer my deepest condolences on behalf of the Oakleigh community.

**Mr WAKELING** (Ferntree Gully) (*By leave*) — I rise to contribute to this condolence motion for Anthony Foster. I first met Anthony and Chrissie at Parliament House with former member for Oakleigh Ann Barker shortly after the Family and Community Development Committee, of which I was a member, had been advised that it would be conducting an investigation into institutional child abuse. I found Anthony to be a polite but very determined man. He said to me that he was putting his faith in our committee to uncover the truth and to deliver justice for all victims.

Anthony, his wife, Chrissie, and their family suffered enormous pain at the hands of Father Kevin O'Donnell. Father O'Donnell had committed unspeakable acts on Victorian children, ranging from a victim who presented to our committee and spoke of her abuse in the 1950s up to Anthony and Chrissie's children in the 1990s.

Anthony and Chrissie spent months attending our public hearings, quietly listening to the testimony of countless witnesses. It was through the efforts of Anthony and Chrissie and their book, *Hell on the Way to Heaven*, that our committee could question Archbishop George Pell. Through their efforts and those of countless other brave witnesses who shared their stories, our committee was able to confirm that children had been sexually abused by priests, that the Catholic hierarchy knew of this abuse and that the hierarchy knowingly moved paedophile priests to different parishes — some, tragically, on numerous occasions.

When the committee handed down its final report, *Betrayal of Trust*, I remember asking Anthony what his thoughts were of its recommendations. Anthony had a smile on his face and he said to me, 'Thank you'. Anthony was speaking not only on behalf of his daughters but also on behalf of all families and victims. This house has worked in a bipartisan way to deliver the recommendations of the *Betrayal of Trust* report. Whilst this Parliament has listened and acted, nothing will take away the pain of the victims and their families. Vale, Anthony Foster.

**Ms HALFPENNY** (Thomastown) (*By leave*) — Why do the good die young? It is a question often asked but one made so true in the case of Anthony Foster. I first met Anthony, Chrissie, Aimee and Katie as a member of the parliamentary committee tasked with the inquiry into the abuse of children in religious and other non-government organisations. Anthony and Chrissie were there from the very start. They opened our eyes and took us with them on a journey so sad, so deeply moving and so appalling that words cannot describe it.

I recall that Anthony and Chrissie provided us with a copy of Chrissie's book, *Hell on the Way to Heaven*, documenting the horrific abuse endured by two of their daughters at the hands of a priest called O'Donnell. They shared the anguish and turmoil experienced by their family, the destruction of young lives and the pain endured. And now we have the shocking and sudden death of Anthony. Why should such a beautiful family bear so much pain?

The *Betrayal of Trust* report was the culmination of more than 18 months of inquiry, document discovery, hearings and submissions. Anthony and Chrissie were there every step of the way. I cannot recall a hearing, a public gathering or an event that Anthony and Chrissie did not attend.

Anthony Foster touched so many people in so many ways. He was a leader in the campaign for justice for

those abused as children. He fought against great powers such as the Catholic Church, he fought for justice to acknowledge the lifelong harm caused to people abused as children, he fought for justice to expose the perpetrators and those that covered up no matter what their status, he fought for the right to be compensated and he fought for the changes needed to prevent such depraved criminal behaviours happening again.

Anthony Foster gave it his all, initially spurred on by the love for his family and speaking up for his two children, but he soon became the voice of many who had been silenced. During the hearings it was obvious Anthony Foster was moved by the testimony of others recounting their experience. He offered support and encouragement. The Foster children had strong and determined parents to speak up for them; others had no parents at all.

We all know that Anthony and Chrissie Foster played a huge part in the shaping of the recommendations and findings of the Victorian inquiry's report, *Betrayal of Trust*, and also the royal commission. Anthony helped shine a light on some of the darkest corners of our world — the abuse of children in institutions that were supposed to care and nurture them, perpetrated often by those who are supposed to be close to God. Anthony and Chrissie together have made our world a better place. He has a legacy to be proud of. He chose to make a difference with his life, and he did not waste a minute. He will be remembered for all he has done.

Many of the recommendations of the *Betrayal of Trust* report and the royal commission have been implemented, but there is more to be done. In memory of Anthony Foster I hope we will soon implement the outstanding recommendations requiring religious institutions to become incorporated and for the redress scheme to be delivered. Vale, Anthony Foster, and thank you for all you have done. My deepest sympathy to Chrissie, Aimee and Katie.

**Mr CLARK** (Box Hill) (*By leave*) — I am honoured to join in paying tribute to the life and legacy of Anthony Foster. One can scarcely begin to imagine what Anthony, Chrissie and their daughters have been through, yet after everything that Anthony had suffered and was continuing to suffer he remained determined, courageous, focused and considered and, in consequence, was able to achieve far-reaching results.

I first met Anthony in August 2011 in my capacity as Attorney-General at a meeting organised by the then member for Oakleigh, Ann Barker, together with Chrissie, barrister Bryan Keon-Cohen and journalist and Foster family friend Paul Kennedy. Chrissie and

Anthony told me about what they and their family had experienced and about their struggles to obtain acknowledgement, justice and change not only in relation to what they and their family had suffered but in relation to the whole endemic problem of child sexual abuse within church and other organisations. Throughout our extended meeting Anthony's contributions were measured, thoughtful and reasoned. What Anthony and Chrissie were able to tell me and put to me that day was a major contributor to the then government's decision to establish an inquiry into child sexual abuse in church and other non-government organisations.

My final meeting with Anthony was just a few months ago here at Parliament House in Strangers Corridor, where the member for Broadmeadows had kindly invited me to meet with him and Chrissie and Anthony after the passage by the Assembly of further legislation in response to recommendations of the *Betrayal of Trust* report. We reminisced about events that had occurred since we last met up, and Anthony said to me words to the effect of, 'I didn't like the decision to establish a parliamentary inquiry rather than a royal commission, but I now see why you did it, and I think it has turned out well'.

Indeed we can all collectively take satisfaction from what Anthony helped us to achieve — the creation of new criminal offences, the setting of child safe standards and policies, the establishment of a reportable conduct regime, reform of limitation of action periods, and new laws on responsibility for the conduct of individuals within organisations. There is of course still more to be done, including the implementation of a civil redress scheme and whatever further may come from the commonwealth's royal commission. However, Anthony's courage and determination have brought long-overdue recognition of and action on terrible and endemic wrongs that have been going on in our midst for far, far too long.

Anthony helped make the institutions to whom we entrust our children recognise and acknowledge what has happened and fully accept responsibility for their failings. Anthony helped us to bring about reforms to ensure that children in the future will never again have to suffer the terrible abuse and its consequences that were suffered by his and Chrissie's daughters and by thousands of other children around our nation. Anthony's death has been a tragic and untimely loss of someone who had achieved so much and who still had so much more to offer. May his legacy long continue to endure.

**Mr McGUIRE** (Broadmeadows) (*By leave*) — Anthony Foster told truth to power concerning a

cover-up that killed. When Chrissie Foster informed me of her husband's death at 7.36 a.m. on 27 May I was preparing to take my son to Saturday sport, that ritual marking the weekend's respite for so many families.

I am very sorry to tell you that Anthony passed away yesterday after collapsing suddenly on Wednesday. Our hearts are breaking at losing him but he will always be in our hearts and minds.

My response was immediate:

Dear Chrissie,

You and Anthony are the most courageous people I have met.

You found the words for those who struggled, or could not speak.

You gave hope to people who clung to the truth but had no power.

Your perseverance means there can be no more wilful blindness.

Your leadership has delivered cultural, generational and systemic change.

Your fortitude in bearing witness saved lives.

Your strength epitomised parenthood in standing up for your children and protecting so many more.

The news is gut-wrenching, the loss is profound but the legacy will never be forgotten.

Chrissie Foster responded:

We only ever struggled to do the right thing and try to right the wrong.

When the family testified to this Parliament in November 2012, Anthony declared:

Our appearance before you today is, in a very personal sense, absolutely futile. We wish we did not have to be here, but we refuse to let the Catholic Church take any more children from us. Whatever we or you do will not restore Emma's life or heal Katie's injuries. But you can make a difference to the lives of thousands of other victims now and prevent the abuse of further children.

Anthony and Chrissie Foster presented two photographs to the inquiry. The first was a portrait of a beaming family. Emma and Katie were attending the Sacred Heart school in Oakleigh at the time. Unbeknown to their parents the parish priest, Father Kevin O'Donnell, was raping the sisters. Emma was only five years old when the horror began. Despite victims repeatedly reporting O'Donnell's offences to the Catholic Church hierarchy, he was moved to new parishes and innocent children with fatal consequences. The other photograph depicted Emma a decade later, wrists and arms bloodied from a suicide attempt.

Anthony Foster declared that if only the church had acted on the complaints, Emma would still be alive and Katie would not be permanently crippled. Younger sister Aimee testified how distressed she felt seeing the lives of her sisters unravel:

I cannot describe to you the weight of the pain I have felt.

That burden was felt when Anthony Foster requested a minute's silence to honour his deceased daughter and the family joined hands at the hearing. Time ached. Silence offered no solace. Only the bell from a tram lurching into Bourke Street earthed emotions to a familiar comfort.

On Christmas Day 2013 Anthony Foster shared a moment of family bliss. He and Chrissie had become grandparents to a beautiful girl. Aimee had given birth to Ivy. The following year Anthony sent me a picture of Aimee and grandson Leo, born on Australia Day. This is the photograph I keep.

Six months ago this chamber erupted in spontaneous applause at Anthony and Chrissie Foster's courage and pursuit of the truth as they witnessed the latest legislation in a raft of bipartisan reforms protecting our children. The Wrongs Amendment (Organisational Child Abuse) Bill 2016 aims to prevent a repeat of the fate the Fosters and so many other families suffered through cultures of concealment or noble cause corruption, a misplaced sense of loyalty to a higher duty. The evil that men do lives after them, but the love of Anthony and Chrissie Foster has left a life-saving legacy that usurped that miser fate.

For all that entailed, for all Anthony, Chrissie and their family and so many others endured and overcame, we are humbled and grateful.

**Mr PESUTTO** (Hawthorn) (*By leave*) — In ancient Christian scripture there is an old saying I often think about, 'A searching trial awaits those who wield power'. Down the ages we have wrestled with how to protect the flock from the shepherds. From our earliest thinkers we have wrestled with this question.

I met Anthony Foster once, but he would not have remembered me; I was just a staffer at that time. I was aware of his fine work and of how he had risen from the flock to become a shepherd when he, as earlier speakers have said, rose up to be a voice for those who were vulnerable to the evil misdeeds of others who were in a position of power and authority and to protect them.

It is hard to imagine a more exacting and unbearable toll on the human heart than the loss of a child or of trauma visited upon a child, but the work of Anthony Foster has

helped countless victims and their families to rise up. I cannot improve upon the very eloquent words of the Premier and the Leader of the Opposition and the earlier speakers who spoke very well about this matter. I wish only to assure the Foster family that all of us in this place understand our primary duty is to make sure that we protect the flock from the shepherds at all times and that those who wield power are truly accountable for what they have done. Rest in peace, Anthony Foster.

**The SPEAKER** — Order! As a mark of respect, I would ask all members to rise in their places.

**Honourable members stood in their places.**

### ABSENCE OF MINISTER

**Mr ANDREWS** (Premier) — I rise to advise that the Minister for the Prevention of Family Violence and Minister for Women will be absent from question time for the next two sitting weeks. The Minister for Health and Minister for Ambulance Services will answer in her place.

## QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

### Brighton incident

**Mr GUY** (Leader of the Opposition) — My question is to the Premier. Premier, even apart from the seriousness of terrorism or terror links, the man who committed the Brighton crimes last night had bashed people in their home, carried a knife in to rob them, had 16 priors for burglary, 15 for theft, aggravated burglary, attempted armed robbery, firearms offences and intentionally causing injury and had committed arson while in jail. Premier, why was this man on our streets?

**Mr ANDREWS** (Premier) — Firstly, let me thank the Leader of the Opposition for his question. Let me say to him that today I think all of us ought to be sending our thoughts and our best wishes to the family of the staff member in the serviced apartments in Brighton who was killed yesterday. Beyond that we should be sending our best wishes to the three members of the special operations group — —

*Honourable members interjecting.*

**Mr ANDREWS** — All of us, I would think, without interruption or without catcalling or without politics, could send our best wishes to those three members of the special operations group — —

*Honourable members interjecting.*

**Mr ANDREWS** — It would seem not. Regardless of the interjections of those opposite, I send my best wishes to those members of the special operations group.

Members of Victoria Police, with support from the Australian Federal Police, will thoroughly investigate what occurred in Brighton and the matters leading up to it. Each and every element of this act of terror will be properly and fully investigated. As I indicated earlier this morning, if there are any learnings from any element of this act of terror, then the government stands ready to make those changes.

Victoria Police are up to the task of properly investigating this and, what is more, the government stands ready to provide them, in the event that more is needed, with whatever is necessary. Might I counsel those opposite that in my judgement there is nothing to be gained by playing politics with terrorism, because playing politics with terrorism does nothing to keep Victorians safe.

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask members on both sides of the house to cease shouting across the chamber.

### Supplementary question

**Mr GUY** (Leader of the Opposition) — Premier, you refuse to introduce mandatory sentencing, you have delayed implementing the Callinan and Harper recommendations, you have had four part-time corrections ministers, you have weakened our bail laws and your own police minister has said that people do not feel safe in their own homes. Under your watch, what is it a criminal has to do to be denied parole in the state of Victoria?

**Mr ANDREWS** (Premier) — Apart from the fact that the question, as usual, is riddled with errors — from a loose Leader of the Opposition at best — as I was saying, nothing — —

**An honourable member** — I think you are loose with the truth.

**The SPEAKER** — Order!

**Mr ANDREWS** — Those opposite, I think, would do well to reflect on the fact that playing politics with acts of terror does absolutely nothing to keep Victorians safe.

*Honourable members interjecting.*

**Mr ANDREWS** — Sentenced under the previous government — and the Callinan reforms have been implemented. This is a nonsense from the Leader of the Opposition.

**Mr Guy** — On a point of order, Speaker, of relevance. It was a very simple question which the Premier continually avoids. Under the Premier's watch, what is it that a criminal has to do to be denied parole in the state of Victoria? This whole state wants to know the answer to this question, and it is about time the Premier answered it.

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

**Mr ANDREWS** — It is about time the Leader of the Opposition recognised that playing politics with terror does not keep anyone in our state safe. It is as simple as that, and shame on you.

*Honourable members interjecting.*

**The SPEAKER** — Order! I have warned members to cease shouting across the chamber. I warn the member for Niddrie and the member for Kew.

### **Ministers statements: Brighton incident**

**Mr ANDREWS** (Premier) — I am pleased to provide the house with further information in relation to the shocking events in Brighton last night. First of all, despite the interjections and the all-too-often criticism of police by those opposite, I will put on record that every member of this government is absolutely grateful and supportive of members of the critical incident response team, members of the special operations group and other members of the police and the broader emergency services who responded in good time with expertise, with courage, with conviction and with the full support of this government to keep Victoria safe.

*Honourable members interjecting.*

**Mr ANDREWS** — Those opposite can talk about these matters, but they were out there last week criticising the special operations group.

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Kew!

**Mr ANDREWS** — They were out there last week criticising the special operations group. They had not even sought a briefing — —

*Honourable members interjecting.*

**Mr ANDREWS** — But it gets better. They had not sought a briefing, they had not received the briefing and yet they were out there criticising members of the special operations group.

To the three members of the special operation group who have been injured — two of whom are having surgery today — I say on behalf of all Victorians that at least the government, if not those opposite, are grateful to you for your service. We are grateful to you for your courage, we are grateful to you for your bravery, and we stand ready to provide you with any support necessary beyond the additional funding, beyond the counterterrorism command, beyond the new training facility and beyond the new equipment and vehicles that we have already provided. To them and all touched by this act of terror, we give you our best wishes and our action.

*Honourable members interjecting.*

**The SPEAKER** — Order! Before calling the Leader of the Opposition, I warn the member for Ripon to cease shouting across the chamber. The member for Kew has already been warned, and I renew that warning. The member for Sunbury will also cease shouting across the chamber.

### **Brighton incident**

**Mr GUY** (Leader of the Opposition) — My question is again to the Premier. Yacqub Khayre, who should never have been on the streets, had obtained a firearm and had ripped off his parole bracelet, which triggers an immediate alarm. Victorians are scared. They are going to bed feeling fearful every night. As Lisa Neville said in March, they do not feel safe in their own homes. Victorians want leadership, not excuses. They want change, not reviews. What immediate reforms are you going to make to the parole system in Victoria to ensure that crimes like this latest violent tragedy never happen again?

**The SPEAKER** — Order! I do remind members to use correct titles of members in this place.

**Mr ANDREWS** (Premier) — I thank the Leader of the Opposition for his question. It is my policy with these matters to allow Victoria Police to establish the facts in relation to them. For instance, the Leader of the Opposition is talking about firearms. He is talking about bracelets. He is talking about conditions of parole. It is my practice not to be listening to people who to this day maintain the budget had no money for extra community safety investments, a bloke who will not rebuke those who abuse our emergency services — —

*Honourable members interjecting.*

**Questions and statements interrupted.**

**SUSPENSION OF MEMBER**

**Member for Kew**

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

**Honourable member for Kew withdrew from chamber.**

**QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS**

**Brighton incident**

**Questions and statements resumed.**

**Mr ANDREWS** (Premier) — In other words, I am not going to be taking anything the Leader of the Opposition says at face value. I will let Victoria Police investigate these matters because they are far better qualified to do that than the Leader of the Opposition, who frankly just makes things up. We will let Victoria Police do their job, and we stand ready not to criticise them, as this one did last week, but to instead support them in every way possible.

*Supplementary question*

**Mr GUY** (Leader of the Opposition) — Premier, in the Age of 18 October 2015 you were quoted as saying:

... all of us, as Victorians and indeed Australians, have to accept that violent extremism is part of a contemporary Australia.

Premier, do you stand by that comment?

**Mr ANDREWS** (Premier) — As the Chief Commissioner of Police made very clear this morning — —

*Honourable members interjecting.*

**Mr ANDREWS** — I will remind the Leader of the Opposition that the threat level says ‘probable’. That might be news to him, the expert over here — —

**Mr Guy** interjected.

**Mr ANDREWS** — You ask the questions, and I will answer them if you will pause from criticising police or shooting your mouth off when you do not know what you are talking about. The threat level says ‘probable’, and as the chief commissioner made very

clear today and has in numerous briefings and public commentary, we live in a world where it is certain that there are some people who would do enormous harm to many, many people. One of the threats we face is those who are, (a), only interested in playing politics and, (b), unwilling to accept that these threats are very real.

**Ministers statements: Victoria Police**

**Ms NEVILLE** (Minister for Police) — I would like to just reflect on some of the recent significant events in Victoria that the Premier has referred to, particularly in relation to the hijacking of the Malaysia Airlines plane and also the Brighton incident last night. Although these different events had different motivations, at the heart of all of that and what they have in common is in fact the professionalism and the expertise of Victoria Police. Whether it was the general duties police who got there immediately or whether it was our special operations group (SOG), the critical incident response teams (CIRT) or the bomb squad, they all showed their expertise, their higher skill and their training that was critical to their decision-making. What we saw, and what they sought to achieve, was a successful outcome that saw every passenger and every member of the aircrew safely off that plane. That was not just done by chance; that was done through risk assessment, planning and how they executed those motivations.

As I said, we have three SOG members who were significantly injured — not life-threatening, but facing potentially long-term issues in terms of their work and going forward. I want to say to those SOG members that I thank them. I thank all the SOG and CIRT members last night. I want to thank them.

Unfortunately in the last week our SOG team and our CIRT team have been rocked by comments by others, others in this chamber and in the Public Accounts and Estimates Committee, who question the operational expertise — —

*Honourable members interjecting.*

**Questions and statements interrupted.**

**SUSPENSION OF MEMBER**

**Member for Ripon**

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

**Honourable member for Ripon withdrew from chamber.**

**QUESTIONS WITHOUT NOTICE and  
MINISTERS STATEMENTS**

**Ministers statements: Victoria Police**

**Questions and statements resumed.**

**Ms NEVILLE** (Minister for Police) — These are people who question the operational expertise of our most specialist team. This side thanks every single member of Victoria Police for their commitment, their dedication and their expertise. Unlike the opposition leader, we do not believe in ‘Hollywood responses’, as the Qantas security expert said. This is about ensuring we get the best result and keep Victorians safe. I ask the opposition leader to apologise to those CIRT members.

**Parole reform**

**Mr GUY** (Leader of the Opposition) — My question is to the Premier. Former Justice Callinan, in his review of the adult parole system, recognised substantial gaps in intelligence when the Adult Parole Board of Victoria makes decisions to release criminals into the community on parole and recommended that a comprehensive case management system be established as quickly as possible. Premier, given that the delivery of this key system for the parole board has been delayed by multiple ministers under your government for at least three years, and with no resolution in sight, can you guarantee that the board now has access to all relevant intelligence when determining whether to grant parole?

**Mr ANDREWS** (Premier) — I am advised the answer is yes.

*Supplementary question*

**Mr GUY** (Leader of the Opposition) — Given the delays in delivering Justice Callinan’s reforms under your government, can you guarantee that the adult parole board can fully access intelligence from the Australian Federal Police and other federal agencies that have counterterrorism intelligence before making a decision to grant parole?

**Mr ANDREWS** (Premier) — I do not have the review in front of me. I would need to double-check whether that was in fact one of the recommendations that was made.

*Honourable members interjecting.*

**Mr ANDREWS** — We were left to implement a fair bit of it by those opposite. I will need to double-check whether that was in fact one of the recommendations.

But what I would say to the Leader of the Opposition is that in my experience and the advice I have is that Victoria Police, the Australian Federal Police and our security intelligence agencies work very closely together. You could not, I think, get a more cooperative model around threat assessments, and it is always our aim to make sure that that expert information is used and useful to as many people as possible.

On the specifics of that recommendation, which I think the Leader of the Opposition was quoting — I do not know that he can actually quote that, because I do not know that that was one of the recommendations — I am more than happy to look into that at the conclusion of question time.

**Ministers statements: Victoria Police**

**Mr PALLAS** (Treasurer) — I rise to update the house on the continuing investment — in fact the unprecedented investment — that the Andrews Labor government is making into community safety. Victoria Police do an incredible job, and we have invested funds to support them in doing just that. Sadly there have been too many reminders right across globe and here at home in recent weeks of the important role that police play, particularly in the last 24 hours. I would like to thank Victoria Police members for putting themselves on the line to keep us safe every day. I wish the officers injured in Brighton a speedy recovery, and of course our thoughts are with the family of the employee at the apartment.

It is tragic events like those we have seen in Manchester, in London and now in Brighton that demonstrate that we must all remain vigilant in keeping the community safe. That is why we are taking the unprecedented action to give Victoria Police the powers and resources that they need to keep Victoria safe. We are not pointscoreing; we are not grandstanding; we are just getting on and providing them with the wherewithal to be able to do the work they need to do. We back our police and we do not question their bravery or their independence.

Since coming to office, this government has worked closely with police on identifying the investment that is required. The 17–18 budget of course provided a historic \$2 billion for police, the biggest ever investment in the history of Victoria Police; \$1.9 billion has been invested in family violence to deal with that scourge and 3135 more police have been committed to by this government since we came to power, who will be deployed over the next five years. We make sure that Victoria Police is adequately resourced to get on with the job.

### Mandatory sentencing

**Mr GUY** (Leader of the Opposition) — Last weekend another innocent Victorian family endured the horror of an early morning home invasion, this time in Templestowe, within my own electorate. With crime out of control in Victoria, Premier, why are you refusing to implement mandatory sentencing for the thugs who keep repeating these violent home invasions?

**Mr ANDREWS** (Premier) — I thank the Leader of the Opposition for his question, and I think he may have missed the fact that the government has passed laws that — —

**Mr Guy** — Do nothing.

**Mr ANDREWS** — Well, they put in place a statutory minimum sentence for home invasion. You voted for them. It would appear you did not even read them when you voted for them. So yet again you are wrong, and I have concluded my answer.

**Mr Guy** — On a point of order, Speaker, on relevance, the question was about mandatory sentencing, not the Premier's weak spin that he announces. Mandatory sentencing — why has he not brought in mandatory sentencing to penalise these thugs who are terrorising our city?

**The SPEAKER** — Order! The Premier has concluded his answer.

#### *Supplementary question*

**Mr GUY** (Leader of the Opposition) — What a surprise — nothing to say. Premier, can you confirm that under your bail changes made last year violent young offenders, even those involved in violent home invasions who breach their bail, can no longer be charged with breaching bail, and as such are being put straight back on the streets to offend all over again?

*Honourable members interjecting.*

**The SPEAKER** — Order! The Leader of the Opposition will come to order.

**Mr ANDREWS** (Premier) — No, I cannot confirm that because, as with so many things that the Leader of the Opposition puts out there, it is wrong — yet again, wrong.

**Mr Guy** — On a point of order, Speaker, to stop the Premier misleading the house, these are in fact his own changes that he brought in. If you do not know your own bail reforms, weakening bail reforms, no wonder

we have got a law and order problem in the state of Victoria.

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

**Mr ANDREWS** — Angry and wrong and embarrassing — embarrassing!

### Ministers statements: Brighton incident

**Ms HENNESSY** (Minister for Ambulance Services) — I rise to update the house on the role that our very hardworking paramedics played in relation to the Brighton incident last night and to express on behalf of the government our deep gratitude and appreciation for the contribution that they have made. We are inevitably reminded not only in respect of the incidents that have occurred, nationally but also internationally, of the incredible contribution that not just our police personnel make but our emergency services and our hospital personnel make at such times.

No doubt members of the house will be interested to know that last night Ambulance Victoria's emergency response plan was escalated to orange, which is the second-highest level, an ambulance emergency operation centre was activated and scene management was established. At the scene we had health commanders, mobile intensive care ambulance (MICA) response, many other ambulance officers and three vehicles.

In terms of those that required support and assistance, particularly our hardworking Victoria Police personnel, they were transferred and treated, and we are very, very grateful for the work that our paramedics did, not just at Brighton last night but each and every single day.

When our emergency services personnel are exposed to these kind of incidents it is important that we continue to mainstream discussion and acknowledgement of the impact of trauma. We know that with our hardworking paramedics there can be not just a response to these single incidents, but the long-burn impact of exposure to trauma also has an incredibly hard toll. There are always family sitting at home watching what is occurring on the media as well, wondering if and hoping that those that they love and care about are safe.

Our government has invested strenuously and heavily in the issue of better mental health support for our emergency services workers. We commend our paramedics, we thank their families for sharing them, and once again express our appreciation for the contribution they make each and every single day.

**Bail laws**

**Mr GUY** (Leader of the Opposition) — My question is again to the Premier. Frank D'Abaco, father of autistic boy Jayden D'Abaco, who was attacked by a gang on a bus in Melbourne's west, told the latest public gathering concerned about Melbourne's crime wave that this is not Chicago, this is not New York; this is bloody Tarneit. Mr D'Abaco said that enough is enough. He told the meeting that the Premier rang him a few weeks before and spun him a lot of rubbish.

Premier, we know the local member does not care about Tarneit, so will you now stand up, accept responsibility, apologise to Jayden D'Abaco and his family for the climate of fear that has developed under you and your government and its utter failure to tackle violent crime, or will you spin us all a lot of rubbish?

**Mr ANDREWS** (Premier) — I thank the Leader of the Opposition for his question. What occurred to not just Mr D'Abaco's son but the D'Abaco family is something that I am certainly very sorry has occurred, and I think all of us would be sorry that that occurred. The Leader of the Opposition is correct to say that I spoke with Mr D'Abaco by phone a few weeks ago. The reason I rang him was I was on my way to the police academy — which is full, by the way, for those opposite.

*Honourable members interjecting.*

**Mr ANDREWS** — No, no, it is called police recruitment. I was ringing him to inform him that the first 300 recruits that had actually been funded in last year's budget had finished their training and would be deployed. I cannot recall the exact number that were going to the west of Melbourne, but it was a significant number from that first graduating class of 300. Beyond that, of course, there are police custody officers.

Not for a moment — not in my conversation with Mr D'Abaco or in my answer here today or in any forum — would I ever diminish the pain and the hurt of such an incident. That is why we are recruiting more police. That is not anything other than, 'It's real'. If you do not want to believe me, we can go to the police academy and see the place is full, as it needs to be. We will continue to recruit more police. We will continue to give them the resources they need, the powers they need and the support — not the criticism, but the support — that they need to fight crime and keep Victorians safe.

**Mr Guy** — On a point of order, Speaker, on relevance, I asked fairly clearly whether the Premier would accept responsibility and apologise to Jayden

D'Abaco and his family for the climate of fear that has developed under this Premier's handling of law and order for the last two and a half years. The Premier has not given that apology to the D'Abaco family, and I ask him to have the courage to do so now in front of the whole Parliament.

**Mr ANDREWS** — On the point of order, Speaker, I do not think the Leader of the Opposition was listening. I have already made it very clear that I am certainly sorry. I think everyone in this place should be sorry for what occurred, not just to Mr D'Abaco's son but to the D'Abaco family. That was almost the first part of my answer. Clearly the Leader of the Opposition in his fit of anger was not listening.

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

**Mr ANDREWS** — So not only will we offer our words and our comfort to the D'Abaco family, and indeed many more, but we will offer our action — the biggest ever boost to police resources the state has ever seen.

**Mr Guy** interjected.

**Mr ANDREWS** — I would suggest to the Leader of the Opposition that he go out to the police academy and have a look at what a full academy looks like. We will not be distracted by the Leader of the Opposition and his mistruths and cheap politics. We will instead continue to recruit, continue to support and continue to fight crime and make our community safer.

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask members to cease shouting across the chamber, including the member for Hastings.

*Supplementary question*

**Mr GUY** (Leader of the Opposition) — This side of the house does not view speaking to Jayden D'Abaco as cheap politics; we view that as standing up for people who are voiceless under this man. Frank D'Abaco went on to say of those who attacked his son, 'When they get to court they're facing a revolving door', a sentiment echoed by hundreds of thousands of Victorians. Premier, is it not true that your weakening of juvenile bail laws is the very revolving door that Frank D'Abaco is referring to?

*Honourable members interjecting.*

**The SPEAKER** — Order! Members will come to order on both sides of the house. The member for Caulfield and the member for Mordialloc!

**Mr ANDREWS** (Premier) — The answer to the question is no. What is more, though, if the Leader of the Opposition is concerned about these matters, then he will no doubt assist the government in passing our sentencing standards — that important legislation that we have introduced as part of a suite of measures to deal with the most violent criminals and, can I say, to fix the baseline sentencing mess left by this ‘all care and no responsibility’ outfit sitting opposite us.

**Ministers statements: emergency services**

**Mr MERLINO** (Minister for Emergency Services) — I rise to update the house and acknowledge the contribution of all our emergency services personnel when serious incidents happen such as the events in Brighton last night. Of course the first thing to say is that our thoughts are with the man who was senselessly killed in the early afternoon, the victim held hostage and the police who were injured and their colleagues.

As they always do, last night in Brighton multiple agencies turned out to an emergency and worked together to provide assistance and protection to the community and to each other. Two Metropolitan Fire Brigade pumpers with 10 firefighters and two command staff were on the scene and provided initial fire response. The State Emergency Service (SES) provided two crews of four, providing incident scene lighting and scene security. The SES were there until daylight this morning. As we have heard from the Minister for Health, multiple ambulances and a senior paramedic health commander also attended, along with our police contingent.

This multi-agency operation reflects the challenges facing our emergency services. Our population is growing, our climate is changing — in a bad year our fire season is months longer and the fires are more intense — and the security environment here and around the world is becoming ever more challenging. As Victoria has changed and the nature of the emergencies have changed, our emergency services must and do keep up. Urban fire and rescue services are at the forefront of managing the consequences of major incidents involving terrorism, hazardous materials and public infrastructure. This includes assisting ambulance paramedics during mass casualty incidents, dealing with fires and explosions and performing rescues.

On this side of the house we value all our emergency services no matter the colour of the uniform, and unlike the Leader of the Opposition, we do not make opportunistic and ill-informed attacks on our emergency services in the wake of an incident. The Leader of the Opposition should be ashamed of himself.

**CONSTITUENCY QUESTIONS**

**Ms Ryall** — On a point of order, Speaker, I refer to constituency question 12 547, which was to the Minister for Education regarding the 2016–17 budget and the break-up of the line item for the Maroondah education plan for the schools in the Ringwood electorate. The response pertaining to that question was simply to go to a website. The website does not give that specific break-up of the line item that I seek for the 2016–17 budget year for the Maroondah education plan, which the minister should be able to provide without any problem at all. I ask that you request that the minister provide me with that breakdown promptly.

**The SPEAKER** — Order! I will consider that matter.

**Mr T. Bull** — On a point of order, Speaker, I wish to bring to your attention several overdue questions, questions 12 401 through to 12 404, to the Minister for Agriculture that relate to wild dogs. It is an issue that is particularly impacting on a number of farmers at this time of year. As we enter into winter the dogs come into the low country and impact on the farmers. It has been three months since I lodged those questions, and I would encourage you to bring that to the attention of the appropriate minister.

I also refer to question 12 524, which was asked on 2 May and relates to the sealing of the shoulders on the Maffra-Sale Road. This is an important issue that has been raised with me by a number of constituents in the area.

**The SPEAKER** — Order! I will follow up those matters.

**Box Hill electorate**

**Mr CLARK** (Box Hill) — (12 738) My question is to the Minister for Public Transport, and I ask: when will the government publicly release the report of the ministerial advisory group on the Box Hill transport interchange and announce what action the government intends to take to upgrade the interchange? Establishing a ministerial advisory group on the interchange was hastily announced by the then Labor opposition in August 2014 after it heard that the coalition government was holding talks on upgrading the

interchange with the owner and operator of the Box Hill Central Shopping Centre and other stakeholders.

However, the advisory group was not established until June 2015, and it did not actually meet until October 2015. Since then the group has met in secret and has not sought submissions from the community. It was required to report by October last year but failed to do so. I understand it handed its final report to the minister earlier this year, but not a single dollar was allocated in the state budget towards improving the interchange. This is yet another example of this government's disdain for residents of Melbourne's eastern suburbs. The Labor Party talked big about its support for improving the interchange prior to becoming government; it is now time for it to start delivering.

### **Narre Warren South electorate**

**Ms GRALEY** (Narre Warren South) — (12 739) My question is to the Minister for Education and concerns the Casey Tech School. I ask: when will construction of the Casey Tech School begin? I was thrilled to join with the Premier recently to unveil the architectural plans and concept designs for this state-of-the-art tech school. I know that students and staff of the 23 participating schools are getting excited about getting their hands on the latest and greatest technology in modern facilities. They will get to learn about biomedical technology, health and medical technology and high-tech manufacturing, production and processing technologies. These exciting and innovative industries are where the jobs of the future will be. Our community cannot wait to see the first sod turned and construction begin for this great new school.

### **Mildura electorate**

**Mr CRISP** (Mildura) — (12 740) My question is for the Minister for Public Transport, and I ask: will the minister fund lights and boom gates for level crossings in country Victoria? On the 10th anniversary of the Kerang rail disaster country people's minds are once again focused on level crossings. There has been a program of rumble strips and speed restrictions, but the real solution is lights and boom gates. Country roads are becoming busier, and it is now time to invest in country roads, particularly to keep those who travel on them safe, and they will only be safe by the provision of lights and boom gates, particularly on highways like the Calder and the Sunraysia.

### **Sunbury electorate**

**Mr J. BULL** (Sunbury) — (12 741) My question is to the Minister for Multicultural Affairs, and I ask: what is the proposed schedule for Victoria, or Vicky, the

interactive truck touring the state, welcoming visitors and promoting our shared values and what it means to be Victorian? I understand when visitors step aboard they will get to share the experiences of new migrants through cutting-edge 3D virtual reality goggles, record their own video stories, grab a show bag and learn much more about Victoria's proud multiculturalism. I also understand the aim is to bring to life the values of the 'Victorian. And Proud of It' campaign. I am told that the truck will act as a mobile learning hub, a giant billboard and an information station, appealing to both kids and adults. I look forward to being able to advise my community of when Vicky will be in town.

### **Eildon electorate**

**Ms McLEISH** (Eildon) — (12 742) My question is to the Minister for Water. The question is based on concerns raised with me by Lake Eildon and Jerusalem Creek stakeholders and the community. I refer to budget paper 4, page 97, which lists completed projects at Jerusalem Creek on Lake Eildon. I believe the budget papers are in fact misleading and of serious concern. Can you please advise me when the sewage barge and the Jerusalem Creek holiday park sewerage upgrades will be completed? The budget papers state that they will be completed by 30 June 2017, but I believe this is not expected. Further I believe that this completion date was not expected at the time of publication of the budget papers. My constituents and I would like to know the real status of the project and the real expected completion dates.

### **Yan Yean electorate**

**Ms GREEN** (Yan Yean) — (12 743) My question is to the Minister for Public Transport, and I ask: what is the consultation process and time line for implementation of the new bus services proposed for Wallan as detailed as part of the Victorian state budget's funding for extra bus services in growing suburbs?

### **Rowville electorate**

**Mr WELLS** (Rowville) — (12 744) The constituency question I wish to raise is for the Minister for Emergency Services. Days after Labor announced it would ride a United Firefighters Union wrecking ball through the Country Fire Authority (CFA), the CFA chief officer, Steve Warrington, stated emphatically in a video message to CFA members, and I quote:

... any suggestion that we are not providing a quality service to the Victorian community is absolute rubbish.

Minister, when Labor's own CFA chief officer has no concerns about safety or quality of service to the Victorian community with the current integrated CFA

model and the independent fire services review in 2015 recommending strengthening integration, recommendations which your government committed to adopting in March 2016, where is the justification to divide volunteers from paid members in the CFA?

### **Broadmeadows electorate**

**Mr McGUIRE** (Broadmeadows) — (12 745) My constituency question is to the Minister for Energy, Environment and Climate Change. The advice I seek is how schools in my electorate can apply for the ResourceSmart School awards and become more active as they strive to create a more sustainable community. Communities in my electorate are interested in making a contribution to sustainability, particularly in their schools. Students in Broadmeadows are eager to learn how to minimise waste, save energy and water and increase biodiversity and how they can take action on climate change at a community level. I am committed to ensuring that the youngest members of my electorate are active and engaged in this program, and I am aware that the 2017 ResourceSmart School awards are now open to all Victorian government, independent and Catholics schools. Any other advice on a coordinated local strategy to deliver change is most welcome.

### **South-West Coast electorate**

**Ms BRITNELL** (South-West Coast) — (12 746) My question is to the Minister for Regional Development in the other place, and I ask: how much money will the Great South Coast Group food and fibre plan receive from this year's budget? The food and fibre plan has been developed over many years in an effort to increase the output and value of the region's existing and new food and fibre businesses, thus improving whole-of-region productivity, sustainability and prosperity. In the budget papers the plan was listed among regional partnerships priority projects. Regional partnerships have been allocated \$29 million, but there is no breakdown of what will be spent on each project. Minister, I would be appreciative, and so would the community, if you could tell us specifically how much money will be allocated to the Great South Coast Group food and fibre plan.

### **Yuroke electorate**

**Ms SPENCE** (Yuroke) — (12 747) My constituency question is to the Minister for Local Government. What are the time lines for the next funding round of the Growing Suburbs Fund, and how can the Yuroke community benefit from this program? As the minister is no doubt aware, the Growing Suburbs Fund has already delivered a number of terrific programs in the Yuroke electorate. This is a vital source

of funding to assist my growing community to get the services and facilities it needs. One of the local projects that I am particularly proud of is Livvi's Place, an inclusive play space at Craigieburn Anzac Park that gives children of all ages and abilities the chance to play side by side. I thank the minister for the projects that have been funded in the Hume local government area and look forward to her advice on this issue.

## **OATHS AND AFFIRMATIONS BILL 2017**

### *Introduction and first reading*

**Mr PAKULA** (Attorney-General) — I move:

That I have leave to bring in a bill for an act to re-enact and modernise the law relating to oaths, affirmations, affidavits and statutory declarations, to establish a scheme for the certification of copies of documents, to repeal divisions 1 to 11 of part IV and part V and repeal or amend other provisions of the Evidence (Miscellaneous Provisions) Act 1958, to make consequential amendments to the Evidence Act 2008, the Constitution Act 1975, the Interpretation of Legislation Act 1984 and other acts and for other purposes.

**Mr PESUTTO** (Hawthorn) — I seek a brief explanation of the bill.

**Mr PAKULA** (Attorney-General) — The bill modernises and consolidates the law relating to oaths, affirmations, affidavits and statutory declarations and provides a scheme for the certification of copied documents. It will also allow modifications to processes for children and people with disabilities which promote better access to justice and participation in the community.

**Motion agreed to.**

**Read first time.**

## **ENVIRONMENT PROTECTION BILL 2017**

### *Introduction and first reading*

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

That I have leave to bring in a bill for an act to provide for the continuation of the Environment Protection Authority, to specify a new objective of the authority, to provide for a new governance structure of the continued authority, to provide for the governing board of the authority and to make consequential amendments to the Environment Protection Act 1970 and the Public Administration Act 2004 and for other purposes.

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

**Ms D'AMBROSIO** (Minister for Energy, Environment and Climate Change) — I am very, very

pleased to provide a brief explanation. The purpose of the bill is to implement key reforms in the *Andrews Labor Government Response to the Independent Inquiry into the Environment Protection Authority*. This includes clarifying the scope and nature of the role of the Environment Protection Authority (EPA) by introducing a statutory objective for the EPA, modernising the EPA's corporate governance and strengthening the EPA's role as a science-based regulator, including by introducing a statutory position of chief environmental scientist. The bill will also provide that in future only works approval applications that pose a significant risk to public health will be referred to the Secretary of the Department of Health and Human Services for review as a result of Victoria's environmental public health capability being consolidated in the EPA.

**Motion agreed to.**

**Read first time.**

## PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2017

*Introduction and first reading*

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

That I have leave to bring in a bill for an act to amend the Conservation, Forests and Lands Act 1987, the Crown Land (Reserves) Act 1978, the Environment Protection Act 1970, the Interpretation of Legislation Act 1984, the Mineral Resources (Sustainable Development) Act 1990, the National Parks Act 1975, the Reference Areas Act 1978, the Royal Botanic Gardens Act 1991, the Victorian Environmental Assessment Council Act 2001 and the Zoological Parks and Gardens Act 1995 to provide for the addition of the Anglesea Heath to the Great Otway National Park and to improve the administration of Crown land and for other purposes.

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

**Ms D'AMBROSIO** (Minister for Energy, Environment and Climate Change) — In summary the Parks and Crown Land Legislation Amendment Bill 2017 will add the Anglesea Heath to the Great Otway National Park and alter the boundaries of several other parks. It will amend the names of two parks, improve various administrative processes and modernise several governance arrangements.

**Motion agreed to.**

**Read first time.**

## PETITIONS

**Following petition presented to house:**

### Possums

To the Legislative Assembly of Victoria:

The petition of the residents of the Bayside municipality and metropolitan Melbourne draws to the attention of the minister for environment the large numbers of possums inhabiting the properties of residents within the Bayside municipality and across metropolitan Melbourne.

The petitioners therefore request that the Andrews government instigate immediate action to address the concerns of residents in relation to the large possum population in the City of Bayside and across metropolitan Melbourne to minimise property damage and disturbance to neighbourhood amenity.

**By Mr THOMPSON** (Sandringham)  
(44 signatures).

**Tabled.**

## SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

### *Alert Digest No. 8*

**Ms BLANDTHORN** (Pascoe Vale) presented *Alert Digest No. 8 of 2017* on:

**Bail Amendment (Stage One) Bill 2017**

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

**Corrections Legislation Miscellaneous  
Amendment Bill 2017**

**Disability Amendment Bill 2017**

**Family Violence Protection Amendment  
(Information Sharing) Bill 2017**

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

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

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

**Sentencing Amendment (Sentencing Standards)  
Bill 2017**

**together with appendices.**

**Tabled.**

**Ordered to be published.**

**INDEPENDENT BROAD-BASED  
ANTI-CORRUPTION COMMISSION  
COMMITTEE**

**Review of protected disclosures**

**Mr WELLS (Rowville) presented report, together with appendices, extract from proceedings, minority report and transcripts of evidence.**

**Tabled.**

**Ordered that report, appendices, extract from proceedings and minority report be published.**

**DOCUMENTS**

**Tabled by Clerk:**

*Crown Land (Reserves) Act 1978:*

Order under s 17B granting a licence over Yarra Bend Park

Order under s 17D granting a lease over Albert Park Reserve

*Health Services Act 1988* — Determination of intention to grant a licence under s 69AAE

*Interpretation of Legislation Act 1984* — Notices under s 32(3)(a)(iii) in relation to — Statutory Rules 28 (*Gazette S168, 25 May 2017*), 31 (*Gazette G22, 1 June 2017*)

*Parliamentary Committees Act 2003* — Government response to the Accountability and Oversight Committee's Report on Victorian Oversight Agencies 2015–16

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

Ballarat — C170

Banyule — C110

Darebin — C137

East Gippsland — C133

Golden Plains — C67 Part 1

Greater Geelong — C341

Hume — C194, C215, GC63

Melton — C178

Moreland — GC63

Nillumbik — C114

Stonnington — C238

Surf Coast — C116, C117

Victoria Planning Provisions — VC133

Whitehorse — C157 Part 2

Whittlesea — C123

Statutory Rules under the following Acts:

*Building Act 1993* — SR 31

*County Court Act 1958* — SR 36

*Subordinate Legislation Act 1994* — SR 30

*Supreme Court Act 1986* — SRs 32, 33, 34

*Victorian Civil and Administrative Tribunal Act 1998* — SR 35

*Subordinate Legislation Act 1994:*

Documents under s 15 in relation to Statutory Rules 29, 30, 31, 32, 33, 34, 35

Documents under s 16B in relation to the *Financial Management Act 1994* — Order declaring a Specified Entity.

**FAMILY VIOLENCE PROTECTION  
AMENDMENT (INFORMATION SHARING)  
BILL 2017**

*Council's amendments*

**Returned from Council with message relating to amendments.**

**Ordered to be considered later this day.**

**ROYAL ASSENT**

**Message read advising royal assent on 30 May to Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Bill 2017.**

**APPROPRIATION MESSAGES**

**Messages read recommending appropriations for:**

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

**BUSINESS OF THE HOUSE**

**Program**

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

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be

considered and completed by 5.00 p.m. on Thursday, 8 June 2017:

Bail Amendment (Stage One) Bill 2017

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

Disability Amendment Bill 2017

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

Sentencing Amendment (Sentencing Standards) Bill 2017.

I have just a couple of comments to make on the government business program that I have moved. Hopefully it will receive the support of the Assembly this afternoon. I obviously want to note that while there are five bills on the government business program and that amount of debate can usually be accommodated in the normal sitting hours of the Assembly, the government has made the decision this week to extend by 1 hour the sitting of the Assembly on both Tuesday and Wednesday evenings. The adjournment will be called for at 8 o'clock rather than 7 o'clock this evening and again on Wednesday evening. This is in recognition that there are a number of bills on which I am confident — I can anticipate — there will be many members wishing to speak, so the government wishes to provide additional time for those members to make those contributions.

Also, as has previously been resolved by this house, this house will be joining with the Council for a joint sitting tomorrow evening to welcome a new member of the Legislative Council representing Northern Victoria Region. That will happen tomorrow evening. However, I note that the Assembly will continue to sit after our good friends from the Council have departed. We will continue to sit through to 8 o'clock on Wednesday evening.

Can I thank the chamber for its cooperation and assistance in allowing for the speeches we had just prior to question time, appropriately recognising the contribution to the Victorian community of Anthony Foster. Can I also thank the chamber and particularly the manager of opposition business for his assistance in making the arrangements for a number of members to attend the state funeral service that will be happening tomorrow. There will be some members away for the period of question time; however, it is clearly a very important and appropriate occasion for this chamber to be well represented, and a number of members are going to do that tomorrow.

Finally, I note to the house that the opposition has indicated its desire to take two of the bills into the consideration-in-detail stage, being the Bail Amendment (Stage One) Bill 2017 and the Children and Justice Legislation Amendment (Youth Justice Reform) Bill 2017. Those requests are being considered. They will be considered in light of the number of other issues that I have raised in terms of the number of people speaking on bills, but I know that there is an understanding that they are two bills that the opposition wishes to take into consideration in detail, and if we have time, it is likely that the government will prioritise the bail amendment bill in that regard. With those few observations I commend the motion to the house.

**Mr CLARK** (Box Hill) — The opposition opposes the government business program, and we do so for two reasons. First and foremost, yet again this sitting week the government is refusing to take any action to hold to account two of our members who face the most serious of accusations and allegations and indeed who have admitted to serious wrongdoing, namely the members for Melton and Tarneit. This is not something the government can just pretend is not an issue or will go away if it ignores it and puts its head in the sand. We have just had the Leader of the House give a notice of motion in relation to a parliamentary integrity adviser, so clearly the government is admitting that there is an issue that needs to be dealt with, but it is refusing to actually take the key action that is required, which is to hold to account those who face these very serious allegations of wrongdoing and who indeed have admitted to wrongdoing.

I should not have to be reminding the house time and time again that it is our former Speaker and our former Deputy Speaker who were charged with the responsibility of upholding the standards of this house and who have been found to have let those standards down and to have engaged in the rorting of allowances, and who face many, many serious questions. Again, it should not be up to me to remind this house that when in the previous Parliament allegations of abuses of entitlements were raised against the member for Frankston, the then government referred the matter to the Privileges Committee, received the report of that committee, recommended action to the house on the back of that report and was prepared to act to hold the member concerned to account and to the standards that over centuries have been expected to be observed by members of Westminster parliaments around the world.

Yet this government is refusing time and time again to deal with the matter, either to refer those members to the Privileges Committee or to bring on for debate the motion of which the Leader of the Opposition has given

notice to establish a select committee. Given it was the Speaker and the Deputy Speaker involved in this misconduct, we believe such a select committee is needed, but whether it is a specially established committee or whether it is the Privileges Committee, the matter needs to be dealt with. Yet again the government is failing to recognise the need for that and failing to make provision for it in this government business program.

The second reason for our opposition to the business program is the disarray into which the government is falling with its handling of its legislative program and in particular its refusal to schedule adequate days of sitting of this Parliament to deal with the legislation that is now coming forward. Given the government has proven itself incapable of managing its legislative program, in not getting a number of bills to the Parliament earlier on in this session, it is now rushing in with a great number of bills.

One may question the quality of a number of them, and I am sure that will be observed in the course of debate this week, but in terms of the number of bills that this government is now piling into the Parliament, it is failing to make provision for sufficient sitting days. We should have sat for three days in the week the budget was introduced. We should have sat for three days rather than two days in our last sitting week. Now the Leader of the House is putting forward additional hours for sitting today and tomorrow.

We on this side of the house certainly have no objection to sitting longer. We are more than prepared to sit longer in order to ensure that legislation is adequately debated, but if the government had been managing the sequencing of its legislation better, first of all it would have sequenced the introduction of bills better through the autumn sittings, and secondly it would have ensured an adequate number of sitting days later in the session if its bills were not arriving until later in the session.

We welcome the indication that the government may be prepared to consider at least some bills in detail. If we had to choose between them, we would prefer the Children and Justice Legislation Amendment (Youth Justice Reform) Bill 2017 to the Bail Amendment (Stage One) Bill 2017, and of course I remind the house that the government's election commitment was that consideration in detail would be the standard practice rather than the exception. We oppose the government business program.

**Mr CARBINES** (Ivanhoe) — I would just like to commend the government business program to the house and in particular to reaffirm the statements from the

Leader of the House in relation to the five bills on the government business program, and in particular to those members who are looking forward, of course through the notice of motion opportunity, to continue a discussion to take note of the 2017–18 budget papers — a discussion that still very many members of this place have much to contribute to in relation to the budget.

I am one of those who will be looking forward to my time and may even seek an extension of time to talk about the great initiatives that have been provided for in the budget for the Ivanhoe electorate in relation to a myriad of school projects and road and rail projects that continue to be the hallmark of investment in jobs and services by the Andrews government. Can I say also that there will be an opportunity for members to make contributions on a range of legislation.

I just want to pick up on the perennial opposition those opposite have taken to the government business program. In particular there was a bit of a concern and a desire by those opposite to imply that they are able to and willing to sit longer. Of course the Leader of the House did point out that we will be sitting for an extended time on Tuesday and Wednesday nights, adjourning at about 8.00 p.m., to provide greater opportunity for members to speak on those five bills this week.

We are providing further opportunities for members to make contributions on legislation. While there has been some attempted faux criticism, I think, from those opposite in relation to the legislative program outlined by the government, can I say that the wheels of lawmaking under the previous Napthine-Baillieu governments turned very, very slowly indeed. Those of us who were here recall it well. Of course they were condemned last election by the people of Victoria for their very, very slow lawmaking and the opportunity they had for four years; that Baillieu-Napthine-Shaw government fell at the last election.

When we talk about legislative programs, yes, it is a very full legislative program and yes, we have extended the debating and the scrutiny time in the Parliament by another couple of hours today and Wednesday to provide more members, including those opposite, with an opportunity to scrutinise that legislation and make contributions across those five bills.

I note also that added to those notices of motion will be the matter that the Leader of the House identified about the parliamentary integrity adviser. I refer members to her contribution in relation to those matters that will appear on the notice paper from tomorrow, which also

provides a further opportunity potentially for discussion of those matters.

Can I say that in relation to the election commitment by the government to provide consideration in detail on bills, I do recall that an opportunity has been provided on many occasions. Just to name one in the portfolio areas that I am responsible for as Parliamentary Secretary for Energy, Environment and Climate Change and Parliamentary Secretary for Water, when we had the legislation to remove cattle grazing in the high country, that was one bill in particular that provided an opportunity for consideration in detail by members, again reaffirming the delivery of our election commitment, like we have with so many others, to provide a consideration-in-detail opportunity to those opposite.

I recall that opportunity was taken up by many members, and I am pleased to hear that the Leader of the House has indicated that two of those five bills up for debate this week provide an opportunity for those opposite to participate in consideration in detail, again affirming our election commitment to provide opportunities to those opposite in relation to the legislative program.

I look forward to the contributions of members with the extra time that the government has sought to allocate to provide for detailed debate and discussion on those five bills this week. It surprises me that those opposite would seek to oppose a government business program that provides greater opportunity for elected members to contribute to debate and discussion on bills. That seems a bit odd, but rest assured that we will take that opportunity to provide more members with an opportunity to contribute to the legislative program, a very fulsome program under the Andrews government.

**Mr HIBBINS (Pahran)** — I think, if I recall correctly, the government's promise in regard to consideration in detail was to make it a standard feature of every bill that came before this place. So, to the member for Ivanhoe, I think we can count that as a promise broken, but do not let that stop you from trying to fulfil that promise for the rest of the term and to make consideration in detail a standard feature of bills. At least try, in part, to fulfil that election commitment.

As I have said in the last few debates on the government business program, it really beggars belief that the government is not moving to refer the actions of the members for Melton and Tarneit to the Privileges Committee. That is the appropriate way to deal with that issue. It really does beggar belief that

that is not occurring and that we are moving on with other business.

I note that the government is moving to inquire into having an integrity adviser. That motion contains, from what I have heard, very prescriptive terms of reference. I note the motion is for an integrity adviser and not a parliamentary standards commissioner, for which I have a notice of motion on the notice paper. The Greens have also put forward a similar motion in the upper house. I think an independent parliamentary standards commissioner would be of far more use than an adviser, but it is interesting that we are moving on with that particular reform without actually addressing the issue of the members for Melton and Tarneit, who are the reason the motion for an integrity adviser has actually arisen.

I will not be supporting the government business program in this instance for the same reasons I have not in previous weeks. It simply beggars belief and is unconscionable for this Parliament to be moving on with five bills and a motion before referring those members off to the Privileges Committee.

**Mr McGUIRE (Broadmeadows)** — The bills on the government business program deliver on a raft of reforms that will increase public safety. The program follows the big-picture budget that delivered jobs, economic development and infrastructure. It contains a series of bills that actually go to addressing these critical issues.

The government business program also provides a remedy for the baseline sentencing legislation that the Court of Appeal ruled was unworkable. I think that is important. I expect the coalition will want to comment on and play a constructive role in how to address that, because this is an issue that we want resolved. I want to remind the house that the Court of Appeal in Victoria basically wrote off the Napthine government's baseline sentencing scheme, describing it as 'incapable of being given any practical operation' and remarking that it had an 'incurable defect'. This was actually the Court of Appeal in the state of Victoria declaring that legislation unworkable. I think the Sentencing Amendment (Sentencing Standards) Bill 2017 is an important piece of legislation and debate to come to a practical resolution on this matter and issue that has been a point of aggravation for too long. I commend the Attorney-General for bringing this legislation to the house.

We also have a key bill, the Bail Amendment (Stage One) Bill 2017, that looks at bail amendment. This comes after the bail review by the Honourable Paul

Coghlan, QC, which was commissioned after the Bourke Street tragedy in January 2017. This is another matter of public interest and public safety. The opposition have said that they want to go into consideration in detail on that bill. We heard the Leader of the House say that there will be, time willing, the opportunity to look at these arguments in that fine detail, so I think it is important to actually get on with the business of the day. There are also other bills of significance.

In commending the government business program I want to point out that we have proposed an extension of sitting hours to try to oblige members opposite and there is the opportunity to take note of the budget.

Just to sum up, I think it was very important today for members from all sides of the Parliament to pay their condolences on the death of Anthony Foster and commend the great work that he did. I also think it is to the credit of the 57th and 58th parliaments of Victoria and the bipartisanship that has been shown on this incredibly horrendous issue that we were able to, through three different premiers, two different governments and now two different parliaments, actually come to a resolution that was in the best interests of the public. With those comments, I would like to commend the government business program to the house.

**Mr KATOS** (South Barwon) — I rise to oppose the government business program. As the manager of opposition business stated, there is no action in this week's program with regard to the rorting members for Melton and Tarneit, which is quite shameful when they were the two members who were entrusted to uphold the parliamentary standards that we are governed by. No action has been taken against them.

The other point I would like to make is that the government business program and the sitting of the house is in disarray; it is very disorganised. That is something that was highlighted last week with the City of Greater Geelong Amendment Bill 2017. That was a very important bill for the community I represent. A commitment to go into consideration in detail on that bill was subsequently broken. When you look back, the government tried to cram four bills into effectively a day and half when you also consider the matter of public importance and other things that were also done. So the government's business program is certainly in disarray.

If you look at this week's government business program, you basically see a bill to destroy the Country Fire Authority as we know it, all to satisfy a union

overlord. Then you have got very weak bail and sentencing reforms. The Disability Amendment Bill 2017 is a good bill, but the rest of it is pretty soft and just there to satisfy a union master. With that, I certainly join the manager of opposition business in opposing the government business program.

### House divided on motion:

#### *Ayes, 43*

Allan, Ms	Knight, Ms
Andrews, Mr	Languiller, Mr
Blandthorn, Ms	McGuire, Mr
Bull, Mr J.	Merlino, Mr
Carbines, Mr	Nardella, Mr
Carroll, 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	Scott, Mr
Foley, Mr	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, 36*

Angus, Mr	Northe, Mr
Blackwood, Mr	O'Brien, Mr M.
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	Watt, Mr
Morris, Mr	Wells, Mr

### Motion agreed to.

## MEMBERS STATEMENTS

### Kerang rail accident memorial

**Ms ALLAN** (Minister for Public Transport) — Yesterday I joined with the Premier, former Premier Steve Bracks, the member for Murray Plains, along with representatives from Gannawarra Shire Council and V/Line in Kerang to attend a memorial to honour

the 11 people — many of them children — who tragically lost their lives in the horrific Kerang accident 10 years ago. The accident occurred after a truck hit a passenger rail train travelling from Swan Hill to Melbourne on 5 June 2007. I rise today to express my deepest condolences to the families and communities who lost loved ones and to the many who were injured that terrible day. It is also a time to remember the V/Line staff, first responders, emergency services men and women and volunteers who were so profoundly affected by this tragic event.

On this, the 10-year anniversary, it is time to honour those that came together in the community of Kerang and across the wider Victorian community with a spirit of support and resilience. The strength of the community in the days and years following the tragedy highlights how an event such as this can contribute to the fabric of a community but does not define it.

To this town, which was at the front line of first responders, it gave a regional community the opportunity to do what regional communities do best — come together in one direction and support each other in the toughest of times. We will always remember your strength, your continued compassion and empathy in the face of adversity, and how from the darkest of days emerged a stronger and more resilient community. Yesterday, as with all days, our thoughts were with those whose lives were lost and with their families and loved ones.

### **Warrandyte constituent**

**Mr R. SMITH** (Warrandyte) — Today I rise to seek the assistance of the Minister for Housing, Disability and Ageing. I recently wrote to the minister to raise the concerns of my constituent Ms Cassandra Harding, who has now been waiting over four years for a rental transfer. Ms Harding was approved for a relocation of housing in 2013 but yet has been unable to secure appropriate housing.

Ms Harding is doing it tough. As a single parent caring for a child with a disability, Ms Harding is finding it increasingly difficult to live in a small one-bedroom unit. Ms Harding's son is due to start school in 2018, and her son's paediatrician has recommended that he attend Eastern Ranges School, a specialist school for students with Ms Harding's son's disability. To be enrolled, however, her son needs to be housed within the catchment zone of the school, and unfortunately their current home is outside of that catchment zone. Ms Harding has been very patient with the department, but having to wait up to four years while sharing a

one-bedroom unit with her son is something that those experiencing hardship should not have to endure.

With the minister having just announced his Homes for Victorians initiative, spruiking Victoria's biggest ever investment in social housing, why is it that Ms Harding and her son have been left feeling abandoned by this government? Again, I ask that the minister work with the department to help secure a new house for Ms Harding so her son can receive the best and most suitable education available.

### **Country Fire Authority Lara brigade**

**Mr EREN** (Minister for Tourism and Major Events) — Last night I attended the Lara Country Fire Authority (CFA) brigade, along with the Deputy Premier and Minister for Emergency Services, to discuss the fire services reform and officially hand over the keys for the new Hino heavy tanker to brigade captain, Roger Buckle. The \$450 000 tanker will ensure that the brigade has the tools it needs to keep the community safe. The Deputy Premier affirmed that CFA brigades in Lara would continue to serve their communities as they have always done, as well as provide vital surge capacity during major emergencies. The captain of the brigade said that he believed the steps outlined in the fire services statement will mean the brigade can maintain their vital surge capacity to neighbouring areas and to Lara's high bushfire-risk urban-rural interface. This was a productive meeting, and I am glad that the Lara brigade will be even better equipped to continue the fantastic work that they do in our community.

### **State Emergency Service Corio unit**

**Mr EREN** — I was also honoured to attend the most recent social night hosted at the Corio State Emergency Service and to officially inform them that, thanks to the fantastic state budget that was delivered by our government, they would receive \$1.6 million towards the new headquarters that they have been asking for for a while. This will mean they can respond to incidents even more efficiently than ever before. This unit does a fantastic job of protecting the people of this area during times of emergency. However, they have outgrown their existing facility, especially with the expected delivery of a new light rescue truck in the next few months. The new headquarters will have more room to continue their good work and accommodate the equipment that they need to continue protecting the people of Geelong.

### **Kerang rail accident memorial**

**Mr WALSH** (Murray Plains) — It seems like yesterday, but it has been 10 years since 11 people tragically lost their lives and countless more had their lives changed forever by the Kerang rail disaster. Yesterday's memorial service was filled with sorrow but also with a feeling of solidarity as all those affected dealt with their personal grief and memories that will stay with them forever.

In the midst of what was the dreadful carnage of that day, there are heroes — many, many heroes — from all walks of life. The police who attended, the ambulance officers who attended, the State Emergency Service staff who were there and the Country Fire Authority volunteers who were there all bore the brunt of the tragedy in the work they were required to do, not only on the day but in the days following. There were the Gannawarra shire staff who set up the emergency services centre in the memorial hall where the service was held yesterday; the Red Cross, which helped staff that emergency centre; the V/Line staff, both on the day and since that time; and also locals like Trevor and Norma Bennett from Quambatook, who actually stopped and helped on that day. I was talking to them yesterday before we went into the service, and they still feel traumatised by that event. There were the medical staff from the Kerang hospital and other hospitals that were involved, who so skilfully and compassionately went about tending to those who had been injured. I attended the Kerang hospital at the time, and they did a fantastic job on the day.

It may have been 10 years, but all those involved have suffered enormously as a result of the accident. Finally, I thank the ministers fraternity of Kerang for actually putting the memorial service on and the way they went about doing that.

### **Pride of Workmanship awards**

**Mr CARROLL** (Niddrie) — On Monday, 22 May, I had the pleasure of attending the Rotary Club of Keilor East's annual vocational awards night, the Pride of Workmanship awards. Every year I am invited by my local Rotary club to attend this special night and present the awards in honour of local people, irrespective of age, gender or vocation, who show a distinct quality in their approach, attitude and dedication to their vocation. This year there were three recipients of the Pride of Workmanship award. Jeremy Dean and Aysu Demir from YPA real estate were both introduced by Nancy Crupi from YPA real estate, who outlined their successes as outstanding auctioneers. The third winner was Ian Shaw from Essendon Ford. He

was introduced by Jeff Milroy from Essendon Ford, who outlined Ian's hard-fought reputation for excellence in customer service, including one story of nine vehicles to the one customer in Coffs Harbour.

Congratulations also to past president Bob McMartin, Annie Webb and Judith Maddocks on being recognised with Paul Harris fellowships, a recognition that was introduced in 1957 in honour of Paul Harris, who founded Rotary in 1905. Bob, Annie and Judith have all contributed so much to the Rotary Club of Keilor East, which will celebrate its 34th birthday on 10 August.

The night would not have been the great success it was if not for the wonderful work of its president, Joe Albioli; chairperson, Vanda Mullen; photographer and newsletter editor, Chris Rundell; website coordinator, Yvonne Osborn; and raffle organiser, Cherrie Osborn. I want to give a very special congratulations to 'Grandma' Win Osborn on her recent 100th birthday, celebrated on 31 May 2017. She had a week of activities. Well done, Win; you are a local favourite at Keilor East Rotary.

### **Balcombe Grammar School**

**Mr MORRIS** (Mornington) — I rise this afternoon to again raise in the house concerns regarding traffic outside Balcombe Grammar School on Nepean Highway, Mount Martha. The school is located on the southern fringe of Mount Martha, at the transition from an urban to a rural area. Across Nepean Highway is the Briars, but rural vistas do not make this a quiet country road. The school is situated in an 80-kilometre-an-hour zone with no reduction in speed afforded for school times, yet in Mount Eliza outside the Peninsula School and in Mornington outside Mornington Secondary College there are long-established school speed reductions in place. Why are the students at Balcombe Grammar School not given the same degree of protection?

In February this year I wrote to the VicRoads regional manager on this issue only to have my letter intercepted by the Minister for Roads and Road Safety's office. It is a great pity that the minister did not allow VicRoads to respond instead of second-guessing them, because the information contained in his letter was just plain wrong. The minister falsely claimed that Balcombe Grammar School was remote from Nepean Highway and that the risk of an incident was lower. Minister, Balcombe Grammar is not remote from Nepean Highway; in fact, a cursory web search will disclose that the school's address is 389 Nepean Highway, Mount Martha. The overwhelming majority of cars that enter and leave the school travel on Nepean Highway. The buses that serve

the school do so from Nepean Highway. To suggest that this school is remote from an increasingly busy state arterial road is nothing more than semantic nonsense.

Minister, will you finally act to implement a school zone on Nepean Highway outside Balcombe Grammar before lives are lost?

### **Annadale Interim Community Centre**

**Ms SPENCE** (Yuroke) — Last week I had the pleasure of attending the official opening of the Annadale Interim Community Centre in Mickleham. Mickleham is located in a rapidly growing area in the Yuroke electorate and is expected to welcome tens of thousands of new residents across multiple developments in the coming years.

It is terrific to represent an area that so many people are choosing to call home, but we also need to make sure that the services people expect are being planned for and delivered. That is why this brand-new community facility is so important. Residents will now have access to child health services, a preschool room and a community space in their own community. For many this is within walking distance. The facility was only made possible by a \$500 000 grant from the Andrews Labor government under the Growing Suburbs Fund and a \$200 000 contribution from Hume City Council.

Thank you to all who hosted me at the official opening but in particular to Jordan and Nevaeh from the pink and purple groups at Annadale preschool, who presented me with wonderful gifts of hand-drawn artwork. These pieces will be displayed with pride at my electorate office for many years to come. Thank you again to all involved in this wonderful project.

### **Christopher Tamate**

**Ms SPENCE** — On another matter, congratulations to 10-year-old Craigieburn resident Christopher Tamate, who was honoured last month as one of the recipients of this year's Junior Triple Zero Heroes awards. Christopher translated for his family while his mum Vanessa was having a baby at home. By staying calm until help arrived, he has set a great example for all young Victorians. Well done, Christopher!

### **Fire services**

**Mr WELLS** (Rowville) — This statement condemns the Andrews Labor government's dangerous and divisive policy to segregate volunteers from paid firefighters in 35 outer suburban fire stations. Labor's radical policy move to restructure Victoria's fire services has never been recommended in any official

review into the fire services. Deliberately the government has not allowed any public debate or consultation with Volunteer Fire Brigades Victoria. This Premier, in his arrogance, has dismissed the collective wisdom and experience of 60 000 trained volunteer firefighters. Country Fire Authority (CFA) volunteers have been left in the dark about how they will operate under the new regime.

CFA members have flooded my email with concerns about the impact of a restructure. For example, the integrated station at Rowville in my electorate will have paid staff who could become employees of the new service, Fire Rescue Victoria (FRV), but how this will actually work in terms of them accessing the same pay and conditions is not at all clear. CFA volunteers at Rowville will suddenly become outsiders on Fire Rescue Victoria turf, segregated in an entirely separate organisation while still training and attending jobs at the same station as their paid FRV counterparts. Less than 5 kilometres away at the fully volunteer-run Scoresby station volunteers — many with years of skill and experience — could be answerable to paid FRV staff. There is no guarantee that resources belonging to the CFA, including assets purchased through local fundraising, will remain with the CFA. Training will be conducted by FRV but access for volunteers to training is uncertain.

### **Special Minister of State and Minister for Public Transport**

**Mr PEARSON** (Essendon) — Today is an important day in the history of the Victorian state parliamentary Labor Party. Before 1982, the Victorian branch of the Australian Labor Party had occupied these benches for less than nine years in Victorian history. The years of the Cain-Kirner governments lasted a combined total of 3833 days, and there were only four ministers who served in cabinet for that entire time: Steve Crabb, Neil Trezise, Tom Roper and David White.

Today is an incredibly important day because the Leader of the House and the Special Minister of State from the other place have equalled that milestone as a result of their service as cabinet ministers in the Bracks, Brumby and Andrews governments, and tomorrow will mark their ascension as the second longest serving state Labor ministers in the history of the state of Victoria. On behalf of the communities we represent, the labour movement, the Victorian branch of the Australian Labor Party and the state parliamentary Labor Party, can I just say thank you.

### **Lions Clubs International centenary**

**Mr PEARSON** — Congratulations to Lions Clubs International, which yesterday celebrated its centenary of service. Last night I had the privilege of joining the federal Leader of the Opposition, Bill Shorten, at this celebration hosted by the Lions Club of Essendon. I would like to pass on my congratulations to Kevin Plant, the secretary of the club, and club president Peter Gilbertson.

### **Moonee Ponds courthouse**

**Mr PEARSON** — Congratulations to the Essendon Historical Society, which was recently provided with a grant from the Minister for Planning for \$1.5 million to repair and restore the Moonee Ponds courthouse.

### **Foodbank Victoria**

**Mr PEARSON** — I recently caught up with Dave McNamara from Foodbank. Foodbank is Victoria's largest food relief organisation and is currently running a winter food relief appeal. Foodbank do a fantastic job in our community. If you would like to donate, go to [www.foodbankvictoria.org.au](http://www.foodbankvictoria.org.au).

### **Buckley Street, Essendon, level crossing**

**Mr PEARSON** — Finally, I am absolutely delighted that John Holland and KBR have been awarded the contract to remove the Buckley Street level crossing. We are getting on with removing this dangerous and deadly level crossing. I look forward to working with the community to get the best outcome for it.

### **Jason Challis**

**Mr KATOS** (South Barwon) — I wish to acknowledge service to Australia by Jason Challis of Grovedale. Sadly Jason, aged just 25, was killed in early May whilst participating in a live fire-training exercise at the Mount Bunday Training Area near Darwin. I attended Jason's funeral on 27 May and joined over 500 mourners. My condolences are certainly extended to his immediate family — his mother, Helen; father, John; and stepfather, Mirko — and also his grandparents, whom I know personally, Ken and Dot Pearce of Grovedale, who are very strong advocates for their community.

His army colleague and mate Private Luc Keep said in the eulogy that Jason really was an exemplary soldier — a mate who consistently got the job done, performed well above what was required and at the same time made it as enjoyable as it could be. Even in the worst situations, as

good a soldier as he was, he was a better mate. That sums up the man that was lost but will remain an inspiration to many. Rest in peace, Jason.

### **Dawn Cunningham**

**Mr KATOS** — I would also like to congratulate Dawn Cunningham from Torquay, who organised a terrific morning tea on Thursday, 25 May, as part of the Australia's Biggest Morning Tea Cancer Council fundraiser. Dawn, who has suffered breast cancer herself and who lost her 14-year-old son to cancer, managed to rally the Torquay community and raise a massive \$3300. Dawn assures me that she will continue to support the Cancer Council goal to eradicate breast cancer by 2030, stating that she will support them until the final goal is achieved.

### **Natasha Jansz**

**Mr EDBROOKE** (Frankston) — Last week we laid to rest a fantastic friend of the south-eastern Victoria community. Natasha Jansz was a vibrant, smart and determined woman who achieved so much in her time for our Frankston community. I already miss Natasha, who was my friend and confidant. I cannot believe she is gone.

Natasha did not suffer fools. She had a knack for keeping people honest, and she had a reputation for not taking no for an answer and getting things done. I know this firsthand from witnessing her work in my office. She was part of our team, and we are feeling the loss of her friendship profoundly.

Amongst other parents, Natasha was instrumental in the acquisition of the land and funding for the Derinya Primary School Stephanie Alexander kitchen garden project, which is being built as we speak. I was delighted to hear from Jenny Roth, the principal at Derinya Primary School, that this kitchen garden will be named in memory of Natasha. Like many cancer survivors, Natasha had an unparalleled lust for life and wasted no time in achieving what needed to be done. Natasha is survived by her son, Tim, who carries on many of his mum's lovely traits, which in the future he will see as her gift to him.

More than 300 people filled the chapel to say goodbye, a testament to how many lives Natasha touched in her time. Vale, Natasha Eleanor Rochelle Jansz.

### **Frankston Dolphins**

**Mr EDBROOKE** — On a lighter note, there are less than 30 days to go to reclaim the Frankston Dolphins VFL licence. Part of the fight to reclaim the

Frankston Dolphins VFL licence is about proving to AFL Victoria that we have enough club support in our community. We are so close to our goal of 1000 Frankston Dolphins members with, I believe, 800 members at the moment. Bill Shorten signed up as a member last month, so if you have not, there is no excuse. The time is now. Let's do it!

### Wild dogs

**Mr T. BULL** (Gippsland East) — We are now two and a half years into the Andrews Labor government's term and we know nothing of its plans to control wild dogs in rural and regional Victoria, with the ministerial advisory committee not even appointed yet. But while there is no action on the wild dogs that are impacting on our farmers and our economy, we are seeing \$9 million being invested to upgrade an enclosure for the African wild dogs at Melbourne Zoo. Can you believe it? This is a further insult to the farmers suffering livestock losses in East Gippsland and northern Victoria.

While Minister Pulford announced the establishment of the committee long ago, after she sacked the previous successful committee, we remain in limbo in relation to the appointments. The only appointment made was that of Harriet Shing in the Legislative Council as chair, but she resigned before even a meeting was held, claiming she was too busy to do the job.

### Australian Volunteer Coast Guard Mallacoota flotilla

**Mr T. BULL** — The community effort at Mallacoota to raise almost \$300 000 for the new coastguard facility is to be commended. The money will allow the flotilla to build a new shed for its rescue vessel and purchase other equipment. The coalition funded the purchase of the new vessel and vehicle, and it was my pleasure to visit the community and inspect the site of the new shed.

### Fire services

**Mr T. BULL** — I also wish to acknowledge the many Country Fire Authority captains and members who have spoken to me in recent weeks and who are appalled that this government is combining the presumptive cancer legislation in the same bill as it is attempting to establish Fire Rescue Victoria. Rightfully this is being strongly opposed in rural towns, and all those who have contacted me are asking the government to separate these two very separate issues.

### North-east link

**Mr CARBINES** (Ivanhoe) — I am pleased to give a report to the house on the Banyule transport forum which was held last week, with 800 local residents, the member for Bundoora and the member for Eltham in attendance, and in fact the member for Warrandyte was an interested party at that meeting. I was pleased to be there with presenters from the RACV, Vince Punaro from VicRoads, Duncan Elliott, who is the chief executive officer of the North East Link Authority, and of course Banyule mayor Tom Melican.

As I said, 800 local residents were keen to have a discussion, hear those presentations and enter into a conversation about how we are going to get that north-east link road built. This was not about discussing how not to get it done; this was about backing in the government's commitment to deliver on that project. We have allocated \$100 million in this year's budget to do the final works around the geotechnical work and the technical studies and assessments. Then we will be engaging, in July or August, in community conversations and consultation before selecting a preferred route to recommend to government later this year.

Of course this is on top of the \$850 000 in safety improvements that are happening on Rosanna Road today; the truck curfew that has been delivered — an election commitment that continues indefinitely; the \$100 million Chandler Highway bridge duplication that starts this month; the \$395 million Hurstbridge rail line upgrade that is underway; the Darebin-Yarra trail missing link, which is being completed for \$18 million; and \$10 million for the Bolton Street upgrade. So get on board, it is getting done in the Ivanhoe electorate.

### Mars Petcare Australia

**Mr TILLEY** (Benambra) — Mars Petcare Australia has long been part of the Australian pet care landscape. The head office in Wodonga is where they opened their first manufacturing facility in 1966. On 28 March 1967 cans of pet food started rolling off the line at the Wodonga factory. They have since expanded to include a world-leading manufacturing site in Bathurst, New South Wales, and sites in Wacol, Queensland, and Whanganui, New Zealand, and are exporting Australian-made products to more than 26 countries.

The confidence shown by the Mars family in the border region is very much appreciated by the community — the 500 employees of the company located at the Wodonga facility, the ongoing financial contribution to the community that this provides and the offshoot benefits to other supporting industries in the area. Also,

1.3 million cans still come off the production line every day and a million single-serve trays every week, with a second line to become fully operational later this year.

Mars enjoys 47.7 per cent of the dog food market in Australia and 42.4 per cent of the cat sector, testament to the quality of their products and the company's continuing innovation. No matter what kind of animal you have at home, as an Australian pet owner there is every chance that you have purchased a Mars product — Advance, Chum, Dine, Exelpet, Good-O, Kitekat and Trill just to name a few of the Mars brands.

I wish to congratulate the Mars family on their 50-year achievement and thank them for their ongoing faith in the Wodonga community.

### **Maribyrnong defence site**

**Ms THOMSON** (Footscray) — For well over 10 years Bill Shorten and I have been working to ensure the defence land site at Maribyrnong is developed by what is now known as Development Victoria. We heard on federal budget night that this is now going to be negotiated with the highest bidder and that there is a proposal to put 6000 dwellings on a site that has no hope of taking 6000 dwellings. This is a travesty.

In 2010 there was a shared vision released by VicUrban. It was a shared vision with the community of Melbourne and the surrounding defence land site for an appropriate development of this site that would blend and work with the community. What we are seeing is a total overdevelopment that will ensure transport blockages every day of the week. It will ensure that people will not be able to move in and out of the site. There will be exclusivity within that site rather than opening it up to the rest of the community to enjoy the Maribyrnong River and all that it has to behold.

It is a great site with great potential, but the federal government needs to work with the Victorian government and with Development Victoria to ensure that they are the preferred developers and that they deliver for the communities of Footscray and Maribyrnong, for the community of Essendon and for the community of Niddrie. I urge the commonwealth government to rethink its position on the Maribyrnong defence land site.

### **MyEnvironment**

**Mr BLACKWOOD** (Narracan) — I again raise concerns about the claims being made by the radical environment group MyEnvironment, and I question why the Premier continues to take advice from this extremist radical green group. Sarah Rees, representing

MyEnvironment, continues to spread lies and misinformation about the operations of VicForests and the Victorian native forest timber industry. In recent weeks Sarah Rees has been quoted in the media making false statements about koalas. She has alleged that they are threatened with extinction due to timber harvesting.

Sarah claimed that dead koalas have been found on logging coupes on the Baw Baw plateau. This is nothing but a blatant lie — and believe me, she has form in this space. MyEnvironment were involved in a court case in 2012 challenging the management practices of VicForests in relation to Leadbeater's possum habitat. They lost the court case and subsequent appeal and were ordered to pay VicForests' court costs of \$1.235 million. They have not complied with that court order, and MyEnvironment are in breach of the Corporations Act 2001 by trading while insolvent.

Ms Rees has consistently publicly attacked the timber industry and VicForests with unsubstantiated and false claims over many years. She has shown no respect for the 23 000 Victorian timber industry workers or their families with her false and defamatory claims. As a director of MyEnvironment she has refused to pay more than \$1.2 million as directed by the Supreme Court in March 2015 — money owed to the people of Victoria. The Premier and the Minister for Energy, Environment and Climate Change continue to engage with Sarah Rees and MyEnvironment, putting green preferences first and legitimate Victorian jobs last.

### **Broadmeadows Revitalisation Project**

**Mr McGUIRE** (Broadmeadows) — The Andrews Labor government has delivered a strategy to again provide hope in our postcodes of disadvantage. The suburban development portfolio is making a significant change in the way the Victorian government delivers services and infrastructure. The portfolio will oversee the establishment of metropolitan partnerships, one for each of the six metro regions of Melbourne, that bring together local government, industry and the community sector to advise on initiatives that will attract investment, create jobs and improve viability. The suburban development portfolio will establish plans for each region that will outline the Labor government's approach to addressing its specific needs and facilitate cross-government opportunities and projects that will capitalise on strengths and attract investments.

This is vital for my electorate of Broadmeadows, and I am delighted to have been appointed chair of the Broadmeadows Revitalisation Board. I am looking to work collaboratively with the federal government as well, because coordinating the three tiers of

government, business and civil society will maximise the opportunities and help postcodes of disadvantage again become postcodes of hope by creating opportunities to build smarter, healthier, better connected and sustainable communities.

Therefore it comes as a shock and a shame that the Australian government is going to build a detention centre for ‘hardened criminals’ at the Broadmeadows compound, where the army camp was. It trained our diggers, Light Horsemen and Victoria Cross winners, and sent them to Gallipoli. This detention centre is the last thing we need. We need investment for — dare I use that three-word slogan? — jobs and growth.

### Crime

**Ms RYALL** (Ringwood) — Victoria is in the grip of a crime wave like at no other time. There has been no other time like this, where our communities have been plagued by violent thugs committing senseless acts of violence, targeting innocent community members in their own homes, on the roads, in their streets and at their businesses.

Crime rose 18.8 per cent in Maroondah in 2016 according to the latest crime stats available. Residents in the Ringwood electorate speak of fear and worry for their safety and that of their families in their homes, their cars and as they go about their daily lives. The Coghlan report into bail identified a wait of around 35 weeks for a one or two-day contested hearing to be listed at the Ringwood court. That is approximately 35 weeks when perpetrators are not called to account for the acts they have committed and when so many are out on bail only to reoffend.

Then last night we had a violent yet preventable act of terror in Brighton, where one man tragically lost his life and three special operations group (SOG) officers were shot in an attempt to neutralise a violent criminal who should not have been on the streets. His crimes included bashing people in their own home, 16 priors for burglary, 15 for theft and aggravated burglary, attempted armed robbery, firearms offences, intentionally causing injury and arson in jail. Why should our courageous and brave police and SOG officers sacrifice their safety and put themselves in the firing line when this Premier fails to acknowledge that there is a crime problem, making sure that people who should be in jail stay in jail?

### McKinnon Secondary College

**Mr STAIKOS** (Bentleigh) — We recently turned the first sod on the new \$9 million Victorian certificate

of education (VCE) centre at McKinnon Secondary College, as promised by the Andrews Labor government at the last election. It follows a strong Labor record of investing in this fantastic local school. In fact every Victorian Labor government throughout McKinnon secondary’s 63-year history has invested in new school buildings.

The new VCE centre will be the first of its kind in our area. It will be three storeys and will include classrooms and learning areas, a year 12 centre, a physics and chemistry centre, administration areas and amenities. It will include specialist teaching areas, like the chemistry and physics centre, with laboratories and prep rooms. There will be a year 12 centre complete with study, lounge and amenities so year 12 students can have a space to study, socialise and call their own in their important last year of high school. Nine new classrooms will replace some of the older rooms that are currently in use, and a larger flexible space will cater for large exam sessions, open learning, after-school revision and various other activities. The new building opens in 2018.

### Georgia Shepherd-Petrocco

**Mr STAIKOS** — Congratulations to Georgia Shepherd-Petrocco from Our Lady of the Sacred Heart College, Bentleigh, on completing the Rotary Adventure in Citizenship program, which took her to Canberra during budget week. Thanks to the Rotary Club of Cheltenham for their support of Georgia. Georgia does work experience in my office every Wednesday and is currently working on a project to provide care packs for women in need in partnership with the South Eastern Centre Against Sexual Assault and Family Violence. What an impressive young lady.

### Victoria Police Blue Ribbon Foundation

**Ms STALEY** (Ripon) — Recently I attended my fifth Victoria Police Blue Ribbon Foundation annual gala night at the Ararat branch — another roaring success for the branch and for the East Grampians Health Service, which is the beneficiary of the Blue Ribbon Foundation’s magnificent fundraising efforts. Every year the dedicated team led by Terry Weeks delivers an enjoyable evening geared to raising the most money possible. This year was no exception, despite a change of venue.

I was very pleased to meet David Mann, the new Victoria Police Blue Ribbon Foundation chairman, and hear him speak. He came to Ararat and he told us about all the great work that he and his committee do. He did a really special thing. He presented Rowly and Judy

Patterson with a gold community service medal in recognition of their outstanding service to the Ararat and district community, the Ararat branch of the Victoria Police Blue Ribbon Foundation and the East Grampians Health Service. Rowly and Judy are indeed worthy recipients of that medal.

Then I was very privileged to join in presenting the silver award to Ace Radio. Ace Radio has been a huge supporter of Blue Ribbon over many, many years and has been instrumental in that organisation raising hundreds of thousands of dollars.

### **National Rugby League State of Mind program**

**Mr CRISP (Mildura)** — I would like to pay tribute to the National Rugby League for their visit to Mildura for the State of Mind mental health program, where they encourage younger people to take their issues on the field off the field and look after their friends — —

**The ACTING SPEAKER (Ms Thomson)** — Order! The time for making statements has now ended.

## **FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2017**

### *Second reading*

### **Debate resumed from 25 May; motion of Mr MERLINO (Minister for Emergency Services).**

**Mr WALSH (Murray Plains)** — I ask that the reasoned amendment in my name be circulated. I move:

That all the words after 'That' be omitted with the view of inserting in their place the words 'this bill be withdrawn and redrafted to:

- (1) retain the provisions providing for the presumptive rights of firefighters; and
- (2) take into account further consultation with Volunteer Fire Brigades Victoria, volunteer firefighters and other associated organisations about the proposed amendments to the Metropolitan Fire Brigades Act 1958 and the Country Fire Authority Act 1958.'

How have we arrived at the situation we have here before us today a bill to smash up the Country Fire Authority (CFA)? If you look back at the history of this particular bill — and it goes back a long time — I suppose in more recent times the first chapter in this very sorry and torrid time would be the enterprise bargaining agreement (EBA) with the Metropolitan Fire Brigade (MFB) back in 2010, I think it was. The

board and senior managers at that time were very concerned about the rights of veto that were inserted in that EBA, which did make it very, very difficult for them to run the Metropolitan Fire Brigade, because effectively the United Firefighters Union (UFU) and particularly Peter Marshall had to tick off on all the different management decisions that the MFB wanted to make through that time.

I can remember a time when we were in government in the last Parliament when the MFB introduced some new fire appliances into their fleet, and the United Firefighters Union did not want to tick off on those particular fire appliances. From memory they sat in a shed gathering dust for something like two years while there was an argument backwards and forwards between the United Firefighters Union and the MFB about getting those appliances actually used. Those sorts of issues were something that were very concerning to management and the board of the MFB over that time, as was their ability to actually run the MFB as they would have liked to see it, as emergency fire services here in Victoria.

I suppose with that background and that knowledge the CFA were very determined in their enterprise bargaining agreement with the United Firefighters Union and particularly Peter Marshall that they were not going to find that they got into a position where they had issues that actually limited their role as management and as a board to fulfil their obligations under the Country Fire Authority Act 1958 (CFA act) and particularly under the CFA charter, when they were there to make sure that the volunteers' rights were respected and looked after because the overwhelming majority of firefighters for the CFA are volunteers.

There were a number of years of negotiation around that particular enterprise bargaining agreement. We have all heard the debate, but it is useful to put something on the record today about who was actually going to be in control of a fireground if this enterprise bargaining agreement went ahead. Was it a professional paid firefighter with six months fire experience who would be running a fireground rather than an officer who might have 20 or 30 years experience? They were the sorts of issues that were bouncing back and forth on this. Particularly from a volunteer's point of view, I have the utmost respect for the office-bearers — the captains, the lieutenants — of our volunteer fire brigades because they actually have the experience and the local knowledge, and because of how they run the services on a particular fireground.

One of the more contentious issues in that enterprise bargaining agreement came out of the leaked documents around the enterprise bargaining agreements: whether there had to be seven paid firefighters on a fireground before volunteers could actually attend fires or whether it was just the fact they actually had to be dispatched before the fire could be fought — all those were issues underlying the negotiations in the EBA. It was effectively all about power to the union rather than the best outcomes in fighting fire over that particular time.

You then come to the 2014 state election, and you have Peter Marshall, as the secretary of the United Firefighters Union, bragging about the fact that he had paid firefighters. Admittedly they were not in their actual uniform; they were in a uniform that was made up, that was just slightly different enough that they could say they were not in their firefighters uniform, but for all intents and purposes for a person on the street they looked exactly the same as a paid firefighter. Peter Marshall then bragged in a left-wing journal that those firefighters doorknocked 43 000 homes during the 2014 state election. He also bragged about the fact that he believed he had 700 firefighters in those mock-up uniforms actually man pre-poll polling stations on that particular day.

That is some of the background to this bill. I can remember during the election going out and doing an event with the Liberal candidate for Yan Yean, who was late to the function we were having. When he arrived he was physically and emotionally shaken because he had been to a pre-poll and there had been a scuffle with those people I talked about in those particular mock-up uniforms. As has been reported and as was reported to the electoral commission, there was a fair bit of push and shove at those places, and we know who instigated those particular actions.

This is the background to where we are today, where we actually have a Premier who is indebted to Peter Marshall and to the United Firefighters Union to be in government, let alone all the other rumours that people circulate about what Peter Marshall has got on the Premier. I do not know any truth to those rumours, and I am not going to repeat them in this place, beyond the facts reported by Peter Marshall about the number of houses those United Firefighters Union members doorknocked, and the number of United Firefighters Union members who manned booths for the Labor Party both at pre-poll and on the actual election day.

This is what we have with this piece of legislation before us, which is why we actually want to have the

bill split. I do not think there is any argument across both sides of the chamber that we do need to have presumptive rights legislation here in Victoria. I think there is heated agreement about that. There will be some debate on the margins about how it is actually implemented under legislation, but on our side of the house, we very much believe that presumptive rights legislation should treat paid firefighters the same way as it treats volunteer firefighters, given the conditions that they may serve under.

With the legislation that is actually before us today there are some views that the current legislation around presumptive rights does not treat volunteers equally to paid firefighters. I think that is an issue that can be debated at another time. From our point of view, which is why I have moved the reasoned amendment, let us split the bill, let us actually get on, let us debate the presumptive rights legislation, and let us get it passed and make sure those rights are there for both paid firefighters and for volunteer firefighters in the future. So from the Liberal-National Party point of view there is no argument about the legislation for presumptive rights. Where there is debate is on the issue of the splitting or the breaking up of the MFB, the formation of Fire Rescue Victoria and the role that volunteers will play into the future. There is a range of issues before the house.

I suppose when you come back to talking about the splitting up of the CFA there are a lot of people whose careers have effectively been terminated or trashed through this particular process, and they are the people that stuck up for the rights of the volunteers and actually stuck up for the fact that they had responsibilities under the CFA act to make sure they fulfilled their roles under the CFA act.

If you look at the list of people that were involved in that, it includes the former Minister for Emergency Services, the member for Brunswick, who was forced out by the Premier because, as is the folklore now around this particular issue, she would not roll over and force the enterprise bargaining agreement onto the CFA board at that particular time. The former board was dispatched. The former CFA chief officer, Joe Buffone, someone who has spent his whole life in the emergency services and firefighting system, had his reputation absolutely trashed by the Deputy Premier and current Minister for Emergency Services. What the Deputy Premier and Minister for Emergency Services did to Joe Buffone is absolutely wrong. Someone who had dedicated his career to firefighting had to leave under the cloud of those very, very cruel and unkind words by the Minister for Emergency Services. The former CFA

CEO, Lucinda Nolan, someone who had had a very distinguished career in the police force and was recruited to run the CFA, was forced out. As has been said in this place, no-one knows why the Premier seems to have this aversion to strong, capable women and does not want them in positions of authority in this state. The fact is that he forced out the former Minister for Emergency Services and he forced out Lucinda Nolan. The Premier has an issue that he personally has to deal with about this particular fact.

Turning to the former MFB chief officer, Peter Rau, again the government says, 'Don't look here — no issues here'. Peter Rau's wife has said that one of the reasons he resigned from the MFB was his health, and his health issues were brought on by stress because of bullying by the United Firefighters Union and Peter Marshall. Again, someone who had a very distinguished career in the fire services was forced out by the bullying and intimidation of the UFU. In relation to David Youssef, the former deputy chief fire officer of the MFB, a similar story. With the change through this legislation Jim Higgins will lose his job, and the list goes on and on.

So quite a few people — very distinguished people with very long careers — believed that what was being talked about was wrong and should not proceed. To their credit, they had the strength of their convictions to stand up and be counted on this. It cost them their jobs, their careers, but we do thank them for at least having the intestinal fortitude to do what they did because they believed that what was going to be done was wrong.

What is before this house today is wrong when it comes to the structure of the fire services in Victoria. As I said, we accept the presumptive rights part of the legislation the government has put forward. If they want to split the bill, we will be very happy to have that debated and passed today and sent to the upper house; it could all be done before Parliament rises at the end of June. If you go through the legislation in detail, and if you think about this, James Merlino, coming up to the last election, said that he would have presumptive rights legislation before the Parliament in the first 100 days — well, I think we are a little bit later than the first 100 days — —

**The ACTING SPEAKER (Ms Thomson)** — Order! The member should refer to titles.

**An honourable member** interjected.

**Mr WALSH** — Two years and 100 days, is it? All right.

The issue with breaking up the MFB, forming Fire Services Victoria and having the CFA as a volunteer-only structure, particularly in the 35 integrated stations in the outer metropolitan area, is there is a very real concern that Victoria will actually lose its surge capacity when it comes to fighting fires — —

*Honourable members interjecting.*

**Mr WALSH** — Particularly when it comes to fighting campaign fires we need that surge capacity, when the volunteers spend three, four or five days away from home, fighting those campaign fires. There is a very real concern among the volunteers that that capacity will be lost over that particular time. We can all remember the major fires we have had in Victoria in more recent times — the 2002–03 fires, the 2006 fires and then the tragic events of Black Saturday — where that volunteer surge capacity was absolutely critical to making sure that we could actually put enough firefighters on the ground to manage the fires, so there is a very real concern among the volunteers. I note the interjections from the other side of the house saying, 'Well, that's rubbish'. If you actually go and talk to the volunteers — the people who actually do this work — you will find that they say, 'There is a very real risk that we will lose this surge capacity'. Those volunteers will choose to opt out, because it is unclear from this legislation what is going to happen to those volunteers at those integrated stations.

**Mr Edbrooke** — Have you visited an integrated station?

**Mr WALSH** — Yes, I have.

**The ACTING SPEAKER (Ms Thomson)** — Order! The member, through the Chair and without help.

**Mr Edbrooke** — Which one?

**Mr WALSH** — The Acting Speaker will not let me answer. There is a very real risk of losing that surge capacity.

The other issue with the legislation is that under the volunteer charter and under the CFA act there needs to be consultation with the volunteers and particularly the volunteers organisation — Volunteer Fire Brigades Victoria — and effectively there has not been. Last sitting week, when this legislation was introduced, we met with Andrew Ford from Volunteer Fire Brigades Victoria. He had not been consulted about this legislation. If you are serious about making structural

changes to the CFA, you would at least go and talk to the volunteer organisation and talk to the volunteers. One of the things that the former coalition emergency services minister, Peter Ryan, did was make sure that the volunteers charter was actually enshrined in the act. It was there to make sure that volunteers were consulted in the future. There has been a total lack of consultation with the volunteers around this particular issue, and they feel very, very aggrieved about that.

There is plenty of documentation via various newspaper articles and media reports around Victoria about how strongly the volunteers feel about this issue. The legislation sets up a process where the boundaries around what Fire Rescue Victoria is and what the CFA is are yet to be determined. I think what people would like to know around this particular issue is where the certainty is. This is effectively enabling legislation that then sets up panels and sets up committees that actually do things. Given there has been a lack of consultation so far around this particular legislative change, volunteers and rural communities are very concerned that there will be very little consultation and that they will have these sorts of issues forced on them. There is a lot of confusion around those boundaries.

The issue that I talked about in relation to the enterprise bargaining agreement was about the chain of command. There are a lot of unresolved issues when it comes to the chain of command, particularly in those integrated stations, and what role volunteers may or may not have in the future. Volunteers do not believe they will have much future, because they know very clearly the view of the United Firefighters Union about volunteers and particularly part-time staff on that issue.

The other issue that is unresolved in this legislation, which also needs to be resolved, is what happens to CFA volunteer assets. Quite a lot of the assets of volunteer stations have been bought through fundraising. They have been bought, effectively, by the community, and they want to make sure that those assets are maintained into the future.

It is not just the opposition that is highlighting these particular issues; there are quite a few very distinguished and respected organisations that are saying to the government, 'Don't do this without proper consultation'. I suppose there could be no more well-respected organisation in country Victoria particularly, but also within Victoria in general, than the Country Women's Association of Victoria (CWA). The CWA state president, Lynette Harris, wrote:

On Saturday 27 May 2017 at the state conference of the Country Women's Association of Victoria Inc, members

voted overwhelmingly to support a resolution to request that the state government put on hold the bill to split the Country Fire Authority until there has been serious and extensive consultation with the Victorian community, and those views have been taken into account.

She went on to write:

The following points were raised by members in relation to this resolution:

Concern that consultation by the government with CFA volunteers, as required under the CFA act and the volunteer charter, has not taken place. We believe that volunteers and communities are feeling frustrated, anxious, undervalued and vulnerable, particularly following the last 12 months of turmoil.

Grave concern was expressed regarding the principle of including the presumptive cancer compensation for firefighters legislation in the same bill when that part has bipartisan support ...

as I have already set out. She continued:

No evidence of data or inquiries has been made publicly available that support the claim that splitting the CFA is about public safety. We understand that there have been a number of major inquiries into the fire services following large fire events, and to our knowledge none of them has recommended the splitting of the Country Fire Authority.

It is obviously a fact that of the eight inquiries that have been talked about, none have recommended splitting up the CFA. She continued:

The proposal as presented to the public does not appear to have been costed, is unfunded and without cost-benefit analysis.

The potential that the proposal by the government to co-locate a volunteer brigade with a paid firefighter brigade when each has their own assets, equipment and vehicles could ultimately see a breakdown in operational procedures and a further loss of goodwill between the volunteer and paid firefighters.

Members of the Country Women's Association of Victoria consider that the proposed changes place the safety of Victorians at risk and urge you —

this letter is to the member for Polwarth —

to support our request for serious and extensive community consultation about this important issue.

I believe the Country Women's Association have got it exactly right.

I move on to the Victorian Farmers Federation (VFF). The government are always very quick to quote the Victorian Farmers Federation when it suits their argument, but I am afraid in this case I think they will probably be fairly silent about the Victorian Farmers

Federation, because the Victorian Farmers Federation does not suit their argument at all.

David Jochinke is the president of the Victorian Farmers Federation and is quoted in a *Corryong Courier* article:

The Victorian Farmers Federation (VFF) farmers fears the government risks gutting the CFA to create a larger MFB —

this is before the Fire Rescue Victoria model was put out —

under its radical new plan to solve the on-running industrial dispute.

VFF president, David Jochinke, said there were issues with the plan to split the rural fire service into two separate entities of only volunteers in one organisation and paid firefighters in a new fire rescue brigade.

He told Victorian Treasurer Tim Pallas that the farmer group has major concerns over the potential impact the plan would have on rural communities, including the slashing of CFA resources and a blowout in the fire services property levy.

'Farmers are worried that any split in the CFA would cripple the volunteer service, creating a second-class organisation that is under-resourced and under-staffed', he said.

It will be interesting to see if government members actually want to quote the VFF on this particular issue, because the VFF is very much opposed to the government's proposal to split up and tear apart the CFA.

On the issue of the fire services levy I note the government has given a commitment that the fire services levy will not increase for two years. Might I remind members of the house and the Victorian public — although the Victorian public do not need reminding — that this is the same Premier who, as Leader of the Opposition, coming up to the last state election said that the east–west contracts were not worth the paper they were written on and that it would not cost one dollar to get out of those contracts. We all know what happened with that promise: \$1.3 billion later the east–west contracts, which were not worth the paper they were written on and would not cost one dollar to get out of, were finally torn up, and Victorian taxpayers are the poorer because of that.

When it comes to the Premier giving a commitment that the fire services levy will not go up for the next two years and that after that it will not go up very much at all, I do not believe him. I know everyone that I speak to in country Victoria does not believe him at all about that promise. I know the VFF does not believe him on that issue at all.

We have all had — and I am sure you have probably had them as well, Acting Speaker — lots of emails from people saying 'Don't do this' when it comes to splitting up the CFA, and particularly 'Don't do this until you've had proper consultation with Volunteer Fire Brigades Victoria and the volunteers'. I suppose a sample of those would be someone from the Sassafras-Ferny Creek brigade:

I am a CFA volunteer of 10 years along with my husband and my daughter. I also have family who have been in in the MFB for over 40 years. I urge you to please look at this MFB/CFA split very carefully before voting for it as if it is not looked at carefully and volunteers aren't consulted they will leave in droves because volunteers will be trying hard to fight fires with a paper bag over their heads and arms tied behind their back. We will not have access to command on demand. We will not have access to equipment, training, et cetera, et cetera ...

That was from a person from the Sassafras-Ferny Creek brigade who is very, very concerned about the splitting up of the CFA. They go on to say:

Since the 2009 fires a lot of volunteers have been struggling with PTSD and morale has been at an all-time low. For the past 12 months the fight to stop the UFU taking charge has resulted on morale going even further down. Now if this split goes ahead without consultation and proper processes I know a lot of volunteers who will walk away, me and my family included. There is no enjoyment anymore to be a CFA volunteer and yes we want to protect our community but we are being set up to fail deliberately.

They are the sorts of comments that have been coming in in emails.

Another one is from a volunteer firefighter from the Emerald brigade, and I take it from the address that if it is not actually in the Minister for Emergency Services' electorate, it must be very, very close by. It states:

I write to you with serious concerns regarding the way the current legislation around fire service reform is being introduced to Parliament.

Despite serving my community as a volunteer firefighter for over 18 years, please don't think that these concerns are based on the loss of CFA tradition and emotional ties — I agree completely that there is a need for a review to ensure all Victorians receive the best possible fire service. However, I am not a fool and I cannot sit back and allow legislation to be pushed through Parliament in such haste.

My objections include:

a total lack of detail on how the proposed structure will work;

no subject matter experts have been consulted;

there has been no opportunity for public scrutiny; and, most importantly,

there has been no consultation with volunteers as required by the volunteer charter and the CFA act.

These are just a sample of the hundreds and hundreds of emails that we have had from particularly volunteer firefighters outlining their concerns about what is going to happen in the future under the proposal before the house.

I urge government members to give serious consideration to the reasoned amendment the opposition has moved. Let us actually split this bill. Let us get on and deal with the presumptive rights legislation issue immediately. We give a commitment to get it through this house as speedily as possible and we give a commitment to support it in the upper house so that it can actually be put in place, and the detail around some of the issues for volunteers can be sorted out later. So let us get on with that, but let us press the pause button on the tearing up of the CFA. Let us have the government actually go and consult genuinely and seriously with Volunteer Fire Brigades Victoria. Let us make sure that the volunteers are actually talked to, and let us make sure that the volunteers are actually shown respect. That is something the Premier and the Minister for Emergency Services seem to find very, very hard to do — actually show respect to volunteers. I ask them to do that.

**Mr EREN** (Minister for Tourism and Major Events) — I rise today to speak on the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017. The purpose of the bill is to ensure that Victoria's career fire service is modernised with clear structures to meet the needs of our growing population.

My electorate of Lara is obviously very important not only in terms of the economic development of areas like the Heales Road industrial precinct and Avalon Airport but also because we have Viva Energy and a number of other important infrastructures like HM Prison Barwon, which is accommodating many people, the You Yangs and many other assets like the Serendip Sanctuary which deserve to be protected. Since being elected to government we have had to battle some of the issues relating to population growth, and as a government there is a lot of pressure on us to ensure that we keep up to date with what is required to keep our population safe.

When I was first elected in 2002 to represent that wonderful area we built a secondary school where there was none before. We also proceeded to build, as a government, a new fire station at a cost of \$1.9 million. We also built a brand-new, state-of-the-art police

station and an ambulance station, not to mention other very important infrastructure. If you build it, people will want to live there, so the anticipated growth in population far exceeds what is there at the moment in terms of time lines, and of course that requires protection. We have to protect homes not only in Corio, Norlane and other populated areas but also in rural and regional areas in my electorate and that very important infrastructure that we have in the electorate of Lara. To that end things need to change, and we know that the structure of our fire service has not changed since 1950.

We have had over eight inquiries — the 2009 Victorian Bushfires Royal Commission, the Jones review, the Cotton review, the Lewis report, the Comrie review, the Hazelwood inquiry, the Fiskville inquiry and the fire services review. We have had all of these reviews. That is enough reviews. We want to support firefighters. That is what our objective is.

I understand the interests of the opposition, because we found out that the Hands off the CFA website directly led to the Liberal Party website. What happened then was that people who actually thought that members opposite were genuine about their position on this issue went to the site and were asked to donate to the Liberal Party. I ask the Liberal Party to assess how much money they have received from these vulnerable people that came to their site thinking that the Liberal Party were supporting them and then give that money to the Country Fire Authority (CFA). That is the opposition's interest — it likes a divided fire service so that it can make money out of it. On this side of the house we are about making sure that whether you are a career firefighter or a volunteer we value your service. There is no question. Both of these services are very important in protecting our state.

We do not have natural disasters like tsunamis or cyclones or earthquakes that other nations are devastated by. What we do have are devastating bushfires, and accordingly you should not play politics in dividing those very important people that actually protect our state, and members opposite know they are doing that. Presumptive rights were nowhere on their radar. In the four years that they were in government not only did they deny presumptive rights legislation to firefighters but they also cut the funding to the CFA. In the four years that they were in government they cut CFA funding by over \$60 million, so members opposite should not pretend with their crocodile tears that they care about firefighters. All the opposition wants to do is profit from firefighters and divide them, and that is not what we are about. Our government is about making sure that we protect the rights of our

firefighters and that we protect their conditions and of course we make sure that we have a healthy base of not only volunteer but also career firefighters.

We are talking about an extra 450 firefighters to protect our state. Not only did they not provide those extra firefighters to protect our state, not only did they deny presumptive rights for firefighters, but they cut the funding to the fire services. They have got the cheek to be pretending today that they care about firefighter services.

Along with the changes that we are proposing today, by and large the legislation has been well received. It has been well received because people are sick and tired of the politics that are being played. People are sick and tired of the Liberal-Nationals coalition making a profit out of those people who think it cares about them. Accordingly, we are providing \$100 million in funding for volunteer recruitment, so it is for training, equipment and facilities. Can I just say that the opposition's behaviour has been appalling.

**Mr Morris** — On a point of order, Acting Speaker, this is a debate on the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017, not the estimates bill. That bill passed last week. Perhaps you might bring the minister back to debating this bill.

**Mr EREN** — On the point of order, Acting Speaker, this is the issue for the opposition: when the truths are told, they hurt. They know that they are lying about this issue, and so I want to just continue on with my submission in relation to the very important bill before the house.

**The ACTING SPEAKER (Mr Carbines)** — Order! I do not believe I need to uphold the member for Mornington's point of order at this time. The minister is in order and will continue.

**Mr EREN** — Thank you. This bill is about strengthening the volunteer base and the career firefighter base. When you consider some of the mistruths that have been told by the opposition, you can see that of course it starts from the top. That is why it is all about dividing the firefighters.

I want to talk about my very important visit with the Deputy Premier and Minister for Emergency Services last night to my wonderful CFA branch in Lara. As I have mentioned, they have been protecting our communities for many, many years. After last night's meeting, the good work is continuing. I want to make sure that they have the best available resources that they

can get, so accordingly last night the minister and I handed the keys over for a \$450 000 tanker which will ensure that the brigade has the tools that it needs to keep the community safe.

Of course the bill is about making sure that we have presumptive rights for our firefighters. I just want to quote the captain of the brigade, who said:

We believe the FRV and the steps outlined in the fire services statement ... will mean that we can maintain our vital surge capacity to neighbouring areas and to Lara's high bushfire-risk urban-rural interface.

It was very well received. There were some very honest questions asked and very honest answers given last night, and they are onto those opposite. The volunteer firefighters are absolutely onto their lies.

Today's bill is about making sure that we enhance the protection of our firefighters, both paid career firefighters and volunteer firefighters, and if those opposite had any decency within them, they would support this bill in its entirety instead of continuing to play politics with this issue. Firefighters have had enough. What they want to do is protect the community. What they want, with a bushfire season coming on, is not to be played politics with. They want to unite. They want to be as one. They want to protect the community, unlike those opposite who try to divide this very important service. It is a service that we desperately need, and what we are doing is actually enhancing it. We are funding it. We are giving it extra money, unlike those opposite who cut funding to it and unlike those opposite who made money out of it and fundraised out of it.

This is a great bill. I support it, and I would suggest that the opposition support it as well.

**Ms STALEY (Ripon)** — I rise to speak on the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017, and I support the reasoned amendment moved by the Leader of The Nationals.

It is disgraceful to link presumptive rights legislation with this change in the structure of the brigades. The access to presumptive rights legislation is something we support. We support presumptive rights legislation and we stand ready to pass such legislation, although we notice that the proposed presumptive rights legislation does discriminate against volunteer firefighters and there are some unfair provisions that are not clear and need clarification before we could even move forward. However, we reiterate that we support presumptive rights legislation. We do not think that it should be

linked to the changes that are proposed in the rest of the legislation in relation to the Metropolitan Fire Brigade (MFB) and the Country Fire Authority (CFA). That might just bring me to the MFB, and I will have much more to say about the CFA from my region in a minute.

Why is the MFB being abolished? That actually is the upshot of this legislation. We have to ask: why would that be? And of course the answer — —

**An honourable member** interjected.

**Ms STALEY** — Exactly. It is to get the United Firefighters Union's (UFU) enterprise bargaining agreement (EBA) through because of course the board of the MFB has said that it will not sign the EBA as put forward. They have also said that they do not think it is legal. With this bill the government seeks to get rid of the MFB board and add them to the list that includes the former minister, the member for Brunswick; the former CFA board; the former CFA chief officer, Joe Buffone; the former CFA CEO, Lucinda Nolan; the former MFB chief officer, Peter Rau; and the former MFB deputy chief officer, David Youssef. We now have added to that list the MFB's CEO, Jim Higgins; the MFB acting chief officer, Paul Stacchino; the MFB deputy chief officer and the board. It all goes back to the demands of one man, and that man is Peter Marshall, who has run an uncompromising campaign, well beyond what reasonable people consider to be a normal industrial campaign.

In fact for many, many months there has been agreement over the proposed pay rises for both the MFB and the CFA. That is not what the issue is here; the issue is that Peter Marshall is demanding illegal clauses that cannot be upheld by Fair Work Australia. He is continuing to put these forward, yet the government has found no way to get past this other than to now sack the MFB board. Of course it is not only the MFB board that is being removed. The whole structure is being changed so that there will only be a commissioner that will presumably be a patsy for the government. I cannot see how taking away the board of the MFB will be an improvement to the safety of Victorians.

It is not just the outrageous clauses that we have seen in the MFB's enterprise bargaining agreement; it is also the outrageous behaviour of the secretary of the United Firefighters Union. The reports of his bullying and of his refusal to behave like a normal professional adult in meetings have been ongoing and sustained. He continues to bully people.

I will at this point note that it is the UFU that has been very vocal in opposing part-time work in the MFB.

Despite the MFB board's desire to increase the proportion of women in the service, it has in fact been Peter Marshall and the UFU who have said that part-time work is not acceptable. This legislation is absolutely about removing the MFB and thus any further opposition to Peter Marshall.

There is a third reason that I want to mention in my contribution, and that is the impact of this bill on volunteers and volunteer brigades, or the CFA side. Ripon's brigades, all 90-plus of them, are not enamoured of this legislation. I have been around the brigades, both before this legislation was released and again over the past week, and I can tell you that not only are the brigades not enthusiastic about this but they are outraged that neither they nor their designated organisation, Volunteer Fire Brigades Victoria (VFBV), have been consulted.

We can see that the Andrews Labor government recognises that it has broken the law and not negotiated as it is required to under the Country Fire Authority Act 1958 when we go to clause 119(6) of the bill, because it specifically says that the part of the current legislation that requires people to be consulted — that is, the VFBV — does not apply. Clause 119(6) states.

Sections 6 and 7 of the Subordinate Legislation Act 1994 do not apply to any regulations made under this section.

The government understands that it has broken the law, and it is now using legislation to get around the fact that it has not consulted with the VFBV or volunteers on the single largest change to the CFA in decades. According to the government, those people do not deserve to be consulted by this government because they do not count. They are just people in the country.

I have to say that true country people do not want this legislation. We heard the Leader of The Nationals speak about the Country Women's Association. That is not an organisation that usually makes political statements. In fact in my experience over many years I cannot remember the last time that the Country Women's Association waded into a current political debate and said, 'This legislation is flawed. It needs to be rethought. It needs to be taken back and consultation take place'.

Similarly the Victorian Farmers Federation (VFF) has serious concerns about this. Let us think about who the members of the vast majority of my brigades are. They are farmers and they are VFF members. The VFF has consulted with its membership, and the membership has said, 'We don't want this. This is not the way that we want to go'.

In addition to this we have thousands of people — including in my electorate — who have signed a variety of petitions opposing changes to the CFA. They want the CFA protected because they understand that the CFA stands between them and the disastrous bushfires and other fires that hit our region far too frequently.

The people who understand, the people on the ground — true country people — do not want this. They have said it in every way that they can. They have said it through newspaper polls. They have said it through letters to the editor. They have said it over and over again. They have asked us as the representatives of country Victoria to stand up for them because this government is not standing up for them, and they want their safety protected. The fact that this government does not want to go there — they want to just run this through for their own base political objectives — tells us a lot. But true country people do not want this. The CFA does not want this. The Country Women's Association does not want this. The VFF does not want this. Thousands and thousands of people in my community do not want this.

The government is pushing through something that is just wrong. It is wrong in practice and it is wrong in execution. If the government were so confident that they had not broken the law, why are they specifically putting clauses in the legislation so that they do not have to consult with the VFBV or the CFA? They know very well that they have not done that, that they have no plans to do that and that this bill is all about rushing through their solution to the MFB's EBA and this enormous political problem that they have created for themselves because they are beholden to Peter Marshall.

**Mr HOWARD** (Buninyong) — I am certainly very pleased to speak in support of the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017, which is a very sound and sensible bill. We know the bill does two major things. One is that it provides presumptive rights legislation for all of our firefighters, not just career firefighters but volunteer firefighters too, something that they have been calling for for a number of years, including during the term of the last state government. We know that the last Liberal state government simply said, 'No, we're not prepared to move this legislation', and of course it did not progress under the last government. But ahead of the last election, as you would know, Acting Speaker Carbines, the Labor Party in opposition said that if it were to be elected, it would introduce presumptive rights legislation.

At the time we said we would be looking at the Tasmanian model, but after further consultation we decided to go even further than that and instead take up the Queensland model, which provides greater support for volunteers as well as career firefighters in terms of the way presumptive rights legislation will work for them. This is because we recognise that in past years our firefighters have been involved in fires where carcinogens have been present, which has increased their chances of getting cancer at a later date. We have seen the sad circumstances where many firefighters have been diagnosed with cancer and have died as a result. We have seen them trying to get appropriate support and compensation from the government and having to go through long-winded legal procedures to get recognition. When you are dying of cancer time is of the essence. Bringing in presumptive rights legislation means that the reasons firefighters contract cancer will be recognised and that they will be able access appropriate support and compensation.

Clearly this is a bill that is going to benefit all firefighters. We do not want to see any of our firefighters contracting cancer as a result of their experiences, and of course our government has been very active in evaluating the issues associated with this bill and all other issues associated with fighting fires to try and make sure our firefighters are kept as safe as possible. But we recognise there is still a possibility that some firefighters who have been out there fighting fires over a long period of time in the past, or even future firefighters, still have to fight fires where they experience chemicals that you would not want to experience and they may succumb to cancer as a result, in which case we want to see them appropriately supported.

That is clearly a key component of this bill, but we know this bill has several other directions to it. We recognise that over a long period of time we have not reviewed the Country Fire Authority (CFA) and looked at how we get the appropriate support for them. When you have a volunteer organisation, as of course it has been historically, in urbanised areas, where it is harder to attract volunteers sometimes or of course you are fighting a different sort of a fire than a bushfire or a grassfire, you are fighting urbanised fire situations and you need greater expertise.

We have had a system where we have had an arrangement to have career firefighters as part of the CFA at designated fire stations. Across my electorate in fact there are no career firefighter stations — there are only volunteer brigades. There is something in the order of 40 brigades in my electorate, although I have not counted them lately — all terrific volunteer brigades

that I have been pleased to work with over a long period of time in supporting them in my role as a government representative and in helping them to get firefighting program funding, which has enabled them to get new fire tankers, new equipment much more quickly than their fundraising would have allowed and new fire stations in so many cases, and I have been pleased to see them being upgraded by our government and to support that work.

I have been pleased to be out there with our fire services ministers on numerous occasions, most recently when the current Minister for Emergency Services first announced this proposed change to separate out our services, having CFA as a volunteer-only organisation and Fire Rescue Victoria as a career firefighting unit. The next week the minister came to Ballarat city fire station — the only integrated fire station in my region, not in my electorate but in the Ballarat region — and I was able to join him there where he met with volunteers and career firefighters from across the region to explain this proposed legislation, to explain the changes.

And I have to say that periodically CFA firefighters have been in touch with me to complain about different things, to express their concerns or ask me to support them for funding, but since we announced this change, I have had just one firefighter email me — one whom I know has been concerned about changes for some period of time. The remainder of my CFA firefighters are pleased to see that at last something is progressing. They are frustrated to see that over the last two years there has been so much talk about what is happening, especially ahead of the last federal election when the Liberal-Nationals opposition used this issue to try and inflame the issues within the CFA, to misrepresent issues, to try and use this issue to the political advantage of the Liberal and National parties. We heard so much misinformation come from Liberals and Nationals at that time.

The volunteer firefighters in my electorate are just looking forward to seeing us get on with it. They understand that nothing is going to change significantly for them. They each will continue on in their volunteer firefighting brigades; they just know that the career firefighters will be supporting them as need be under the different banner of Fire Rescue Victoria. The other thing about this legislation is it finally enacts an issue outlined in the report of the 2009 Victorian Bushfires Royal Commission: their recommendation 63 in which they said that we need to have in place the ability to review boundaries between the CFA and the Metropolitan Fire Brigade.

This allows us to move forward to recognise that those boundaries do need to be reviewed to look at the capacity of the volunteers in an area to meet the needs of that area, and we have to look at it honestly in order to support our firefighters as we will continue to do with this additional \$100 million we are providing to them. But where do we need to see our career firefighters in this? That is, under the new legislation, the Fire Rescue Victoria firefighters. Where do we need greater support from them to come in and deal with providing ongoing support in areas where the volunteer brigades are no longer able to meet those call-out times that need to be met, and so on, to ensure we have a well-coordinated fire service?

I congratulate Craig Lapsley, the emergency services commissioner, on the work that he has done to ensure that wherever we have large fires — where we have career firefighters coming out, volunteer firefighters coming out, Department of Environment, Land, Water and Planning (DELWP) firefighters coming out and other emergency services personnel on the same scene — we have good coordination. We continue to work on the best models to ensure that good coordination takes place.

With this government's new model of having the CFA, an organisation staffed entirely by volunteers, under Fire Rescue Victoria, we will still have that sound coordination because we are still going to have DELWP fire officers in Crown land areas supporting firefighters when they go between those boundaries of private land and Crown land. We do need well-coordinated fire areas. This legislation enables us to deal with the realities of the world — to say that paid firefighters are in a different group when you are dealing with enterprise bargaining agreements. Of course Malcolm Turnbull's intervention has not helped, but this is very sound legislation.

**Mr BATTIN** (Gembrook) — Thank you very much for your support this morning. Yes, it was an interesting morning; there is nothing like a pain in the chest to get you going. I was being told to say I was heartbroken about the split of the Country Fire Authority (CFA). I will not put that on there, though — that would be a bit harsh to go straight out there with — but could I just say thank you very much to the member for South-West Coast, who was with me this morning and gave very good advice. That advice should be for everyone. I know that the member for Gippsland South has had it and others have had it. If you get pains in your chest at all, it is worth getting checked out. My father had pains in his chest when he was 40 and had a quadruple bypass, and that was what probably put the

fear of God into me when I had a pain in my chest downstairs this morning. So I will say that.

I will talk about the bill today. We have got, obviously, some concerns. I will support the reasoned amendment that has been put forward, I think in my name, but I was not here at the time and do not know how that actually worked — whether it was put forward in my name or in the member for Murray Plains's name. Whoever put it forward, I will support it because obviously it is a great idea going forward, and we had it written up before that.

The main part of this is simply around consultation. We want to make sure that we actually have this bill withdrawn until consultation takes place — that is, genuine consultation with the volunteers — to make sure that Volunteer Fire Brigades Victoria has a say in what is going on going forward and that volunteers have a period of time where they can go on record and let the government know how their concerns are going to be raised around the structure of the CFA and around the structure of their local stations. They have got really genuine questions about how it is going to work when we go from integrated stations across to stations that are called co-located stations. You have got an area there where they will be rebranded as Fire Rescue Victoria (FRV), but one of the conditions there is they are going to be put together — all of those — and moved straight across to an FRV environment with a CFA co-located at the station. Do the CFA members have to pay a lease, and will that come out of their operational budget? These are questions that have not been answered.

Steve Warrington was up in Wodonga, and they have asked him about the structure in their local brigade up in Wodonga. When asked about what happens with the hierarchy within the CFA, he has said, 'We may put a captain, we may not put a captain'. If the chief is out there and he is not quite sure how it is going to work, I cannot understand exactly how anybody can see how this is going to go, and that is why it is really important that it goes through consultation. I am not going to stand here and get angry about it today, but I think it is very, very important that those messages are out there about who we need to speak to and that we make sure we do.

We thank the department for the briefing, but during that briefing it was quite interesting to note that the department seemed to be guided a lot by ministerial advisers rather than actually speaking about the facts that were on the table. Some of the areas of concern, which we still have not heard back on, are that the department said they have been writing this legislation for five months and yet the board of the CFA was on

record just a few weeks ago, when they were asked about this, and had no idea. The commissioner for Emergency Management Victoria, Craig Lapsley, was on record under sworn testimony in February this year saying he had no idea and no understanding that they were trying to look at changing the boundaries, so I am trying to work out how a department is going through the process of changing legislation that is going to affect everything that Craig Lapsley does, everything that Steve Warrington does and everything that the chief of the Metropolitan Fire Brigade (MFB) does and yet it appears that none of them were consulted.

The board who is in place at the moment — and we all understand that board is there replacing the board that was sacked by this government — was put in place to deliver on an enterprise bargaining agreement (EBA). There is no other reason. It was a political decision to put them there to deliver on an EBA that Peter Marshall wanted, and that is something that we cannot have. We cannot have a board in place that is there deliberately for one reason, and it is only to deliver an outcome based on union requests. It has got to be based on the best outcome for our community and the best outcome for Victorians, and I think that is one of the most important issues that is on the table at the moment.

There is only one group in the way at the moment when you are talking about EBAs going through. I understand those opposite will be continuously talking about volunteers and how volunteers are stopping the EBA going through. They will blame Malcolm Turnbull; 'Federal legislation is stopping this going through!'. The State Emergency Service (SES) had an EBA go through recently — and they currently have 141 operational staff on the ground — because it still protects and respects the volunteers in that service, whereas this EBA does not.

The MFB have had an EBA negotiation going as well for the same period of time, and they have not signed off on it. Those opposite may need to go back and check the facts, but there are no volunteers within the MFB. There are no volunteers in the MFB, and it is vital that that information is on the table as well. When you are talking about negotiation and you are talking about getting these EBAs through, the only group that is currently stopping any EBA going through is the MFB board, who are standing up and saying it is not good enough. Let us guess what the government is going to do with them. Under this legislation it will be another group of people who are gone. Then you will have lost the CFA board and the MFB board. You have lost chiefs and CEOs. You have lost a minister. The list goes on and on of people who have stood up for

volunteers and who are no longer there now, and this is one of the major issues we have with this legislation.

Obviously I planned for a 30-minute speech originally. I am going to quickly touch on the parts of the speech that I can. One is around presumptive rights legislation. We have said that if you separate this bill, we are more than happy to push through presumptive rights legislation today or tomorrow, however you would like to work it through. I have no dramas on that. We do have some concerns with the presumptive rights legislation on the table, and those concerns are that, whilst they have been saying it is equal for career and volunteer firefighters, that is factually incorrect. They are putting a board in place.

During the briefing the department said the legislation was written the same as Queensland's, which is again incorrect. Queensland's is written in a way that a volunteer firefighter can put forward their concerns. They can put forward their claims, and when they go forward they are basically just proving that they are enrolled as a firefighter. We have actually got them needing to be performing their firefighter duties here in Victoria. I think every person on the other side should be worried about this. When you are talking about performing firefighter duties and the legislation does not exactly define what those firefighter duties are, you should be worried for the volunteers in your electorate. You should be worried that, when they go forward and they put in a claim with presumptive rights legislation, they do not have that presumption because they have got to prove they were performing firefighter duties. That is what the act says. The act is quite clear on that, and that is a major concern for us.

There is also a media release from the government saying it is the same as the Queensland model. It is not the same as the Queensland model; the Queensland model has no restriction of 10 years.

**Mr Edbrooke** interjected.

**Mr BATTIN** — The member for Frankston says it is better. The only person who says it is better other than you, member for Frankston, is Peter Marshall, who came out and said that up in Queensland volunteers should not get access to the presumptive rights legislation. The Queensland model does not have a 10-year restriction on it.

The other concern we have is around the surge capacity across this state. Surge capacity is vital when we have major fire events in Victoria. It is absolutely essential that we have volunteers available on short notice to respond in mass numbers. It is quite simple: if we have

major events, we need them at short notice in mass numbers, and to get them out the door we need to make sure that they are, number one, available.

When you look at the integrated stations which have been successful over all of these years we have had this integrated model and now you are looking at going across to a co-located model; when you are devaluing the service of the volunteers that work at those stations; when the government cannot answer whether they will get called out at exactly the same time and whether they can respond in a Fire Rescue Victoria area without permission from FRV staff including operations managers and when the government is talking about a Country Fire Authority model that is going to be, in their words, a 100 per cent volunteer organisation, again that is factually not true. The CFA will be a volunteer organisation under the instruction and under the power of operations managers and other staff that are all employed by FRV and are members of the United Firefighters Union.

If you want to make that true, then let us put it in the legislation. Why do you not put in the legislation that the chief can choose which staff are employed, and if the chief is not happy with the staff on offer he can go out and employ his own? He can go out and get his own and maybe we can have some lateral entry into the CFA and get people who have been in the service for a long period of time who could work successfully as operations managers in those roles. I think these are some of the major concerns that we have got going forward with that.

The last one I will talk about in the short time I have is the changing of the boundaries. I am not against changing the boundaries but I have concerns with the boundaries you are going to put in place. You are talking about bringing three people in who will not have much fire experience and who will not have a lot of experience in emergency services. They are going to be making decisions on those boundary movements and that is going to create an issue going forward.

They can also put recommendations to the minister and the minister does not have to abide by them. Until we get to a position where we have got legislation and we know what is going to happen in the structure of FRV, I think we need to make sure that we are protecting the boundaries as they currently are and ensure all our volunteers are protected.

Finally, and this is exactly why we are concerned about this, when a letter goes out from the CEO of the CFA that says to volunteers, 'If you do not want to stay at the

station once it becomes co-located, we will work with you to move to another station'. A letter should have gone directly to all volunteers that said, 'If you want to stay at the station you have proudly served, we will work and make sure it is a safe environment for you in the future to ensure the best outcome for Victorians'.

**Mr EDBROOKE** (Frankston) — It is my pleasure to rise and speak on the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017. Today I would like to dedicate this contribution to all the firefighters who have had cancer, are battling cancer at the moment or have lost their battle, including chief Brian Potter, Neil Bumpstead, Graeme Moon and Graeme Thoday — the list goes on. There are too many to mention but they all had one thing in common — —

**An honourable member** interjected.

**Mr EDBROOKE** — Why are you laughing? Are you serious? There are too many to name, but they all had one thing in common and that is that they put their community before themselves.

I lay my cards on the table straightaway. I was a volunteer at Churchill fire brigade for two years and a staff member for 14 years who served with all types and colours of firefighters. Currently I am a volunteer at Frankston and probably always will be. I am also a proud United Firefighters Union (UFU) member and a member of the Volunteer Fire Brigades Victoria (VFBV) by brigade affiliation. For those keeping notes, that is 18 years of fire service for Victoria.

Just to rebut some of the comments that have been made by those opposite. The Leader of The Nationals brought up the fact that there were issues at electoral booths. Yes, that was brought to an electoral issues committee and it was found that those claims of bullying were totally unfounded and the police backed that. I would also say in regard to his comments that if it was not for the UFU, volunteers and staff alike would still be putting fires out with buckets, have no doubt.

I welcome this bill, which has two purposes. It provides a rebuttable presumption to claim compensation under the Workplace Injury Rehabilitation and Compensation Act 2013 for firefighters suffering cancer and it amends both the Country Fire Authority (CFA) and Metropolitan Fire Brigade (MFB) acts to modernise Victoria's fire services. I note that in district 8 alone we have not had any member of the opposition visit an integrated fire brigade — there are 35 of them — in the last couple of years. I have not heard of anyone talking to volunteer and staff firefighters.

**Ms Ryan** interjected.

**Mr EDBROOKE** — Tell me when. The Leader of The Nationals said that he had not visited one. None of them had. In region 8 alone they are the brigades that turn up to 80 per cent of the incidents. That is an 80 per cent knowledge gap. It is just so egotistical of these people over here to think they are informed enough to actually make a judgement on this. The member for Ripon actually said people in the country are against this. The member for Ripon said, 'Real country people are against this'. Last week the *Weekly Times* poll that came out said, 'Do you support the government's fire move?' and 75.3 per cent of country people said yes.

I would say that the presumptive rights legislation as proposed in this bill is better than Queensland's because we have a provision that covers extenuating circumstances or events, which is fantastic. In 1958, when the CFA bill was put forward in Parliament, Australia still had a White Australia policy. Robert Menzies was the Prime Minister and man was more than a decade away from reaching the moon. We sit here today when all of these things have changed, but one thing has not. Our growth is massive in Victoria — 2.1 per cent — and it is ironic that those opposite are actually forming a committee to tackle population growth but ignoring the emergency services required for that population growth.

I reckon I know enough firefighters to add up to about 1000 years or even 100 000 years worth of CFA experience. Many are paid, many are volunteers, but not one of those people say they represent all firefighters, and most support this bill. What does that say about the opposition, who do not support this bill but have not visited any of the 35 integrated fire stations to get some advice on this and talk to the people primarily affected by this bill?

They get their advice from a VFBV representative who is not even a CFA member. I took a quick random poll at some of the brigades in my area and not one person had met the shadow Minister for Emergency Services. That is kind of telling. After weeks of deliberating, the only reason the opposition can give for not going ahead with this bill and not supporting this legislation is eight reviews that have stated there are problems with the CFA, but none of them actually had the scope to recommend changes. What kind of leadership is it in Victoria if we find that there are problems but we do not actually have the guts to do something about it?

This is what happened at Fiskville. It is very ironic because the CFA board under the former government

had five tests about whether there were poisons at Fiskville that were going to affect firefighters and whether firefighters had been exposed to them. There were five tests, but they did not do anything. All the tests came back positive for PFOS but they did not do anything, and here we are with civilians, firefighters and a massive health issue that we are dealing with now.

People in the CFA should not be suffering because of this; they did not have to. You can never repay the debt of the sacrifices these people made for our community, but we do need to do everything in our power to actually look after them. There are literally people — volunteers and staff — who have sacrificed years of their lives for our community.

The opposition would have us believe that this bill is solely about an industrial dispute with firefighters and about enterprise bargaining agreements and whatnot; it is not. Above everything else, it is about keeping our community safe. We owe it to our community to keep them safe. It is about protecting our protectors and respecting the sacrifices they make.

We have seen in the last few weeks the obstruction of this bill. It is not firefighters obstructing the bill, but it is just politics — political operatives, the same people who lied and spread fear. They made statements like: 'Volunteers will be removed', 'The MFB will take over', 'The chief officer will lose his powers' and 'Seven on the fireground'. It was just scaremongering. None of it has happened.

A huge number of volunteer and staff firefighters back this bill, not that those opposite would know, because they have not spoken to anyone in an integrated station. The bill is supported by the Eltham, Corio and Moe South brigades; the CFA chief officer himself; the emergency management commissioner; the Truganina, Wattle Glen, Bayles, Ararat, Allans Flat, Cranbourne, Shepparton, Edithvale and Mornington brigades; and many, many other brigades, which are all full of people with countless experience.

I hear some of the people opposite talking about how they represent 50 000 volunteers because they talk to the VFBV. In light of all these brigades I have just spoken about which support this bill, I find it really odd that the VFBV are briefing the opposition to oppose this bill. I know a VFBV rep personally who supports this bill. Now more than ever, and with good reason, we have a lot of volunteers actually questioning who the VFBV works for, because this is the VFBV executive that supported the same coalition, sitting opposite, that refused to acknowledge a link between firefighters and

cancer. Why in the hell would an organisation that represents volunteers do that? They support the same coalition that rejected presumptive rights legislation three times. They also gave the Liberal Party a nice ad — \$100 000 worth of ad — in the *Herald Sun*. Why would you do that? And they support the same coalition that cut \$66 million out of the CFA budget for training and equipment. The 'Hands off the CFA' campaign, pushed out by the VFBV, actually gives money to the Liberals. It is incredible.

But most incredible is this: that the VFBV still vocally supports the same CFA board which the Fiskville inquiry found knew about the practices at Fiskville that were poisoning firefighters. I quote from the Fiskville inquiry, finding 58:

That individuals at all levels —

including the VFBV representatives, four of them —

of CFA executive management — from those in charge at Fiskville up to the board — had some knowledge about contamination at Fiskville prior to December 2011 when the *Herald Sun* published its first article.

Finding 60 reads:

That the committee doubts the assertions of CFA senior executive managers that they did not know about contamination at Fiskville ...

They have:

... unnecessarily exposed another generation of Fiskville trainees to risk.

That includes the four VFBV members. So why are we taking advice from these people? As a volunteer firefighter I, and thousands of others, actually do not believe that the VFBV are working for me, my safety or my community's safety. It is more like they are working for the coalition.

I would quickly like to touch on presumptive rights legislation. Of course this legislation should have bipartisan support through this house. It is based on evidence in the Monash study, and it takes the burden of proof off people who are suffering cancer. I, like many colleagues, probably have an elevated risk of cancer. Eighteen years fighting fires and training every day, swimming through PFOS that a board knew was poisonous, will do it. The opposition, though, has shown no leadership on this emergency services issue. All I ask is that people opposite actually go out and speak to some firefighters, visit an integrated brigade and have a chat to some people who are not the ordinary apparatchiks inside a political machine. It is crucial that you do that.

In summary, since this bill was introduced to Parliament not one person has presented an argument against all highly populated areas having the same level of fire protection. To those who oppose this bill, you disrespect your community and those who make sacrifices to keep you safe. It is easy to stand up now and talk about it, but now is the time you need to actually show some guts. To those opposite, again, can I just reiterate: I recommend that you actually speak to some firefighters who know the facts, not just talk to some VFBV executive representatives who have their political aspirations. The VFBV talk about 50 000 volunteers that they represent, but I noticed the other day that they have got 4000 Facebook followers. I strongly commend this bill to the house.

**Ms McLEISH** (Eildon) — I rise to join the debate on the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017. I think the title says it all; it should be two bills. The explanatory memorandum also indicates that it should be two bills. The first component of the bill, being the changes to the Workplace Injury Rehabilitation and Compensation Act 2013, is clearly indicative that the presumptive rights compensation is a separate bill, because it has no overlap with the second component, which is to amend the Metropolitan Fire Brigade Act 1958 and the Country Fire Authority Act 1958. This should be two bills.

I think that the government is playing politics with this. They have brought it into the house very quickly, without a lot of work, and in fact the work that has been done seems to have been done in secret. We have previously heard that the emergency services commissioner as recently as February did not know anything about the boundary changes, and apparently this has been worked on for five months. If you go back five months, it is certainly before that time. This bill, as I said, has been drafted quickly, and it leaves too many unanswered questions. It is seen by many to diminish the role and effectiveness of the Country Fire Authority (CFA) and the volunteers, who give all to the protection of their communities.

I will take up the member for Frankston's contribution. He said that perhaps those on this side of the house should not speak to the executive of the Volunteer Fire Brigades Victoria (VFBV) and perhaps should talk to the real firefighters. Well, I will tell him that I have 51 brigades in my electorate, and the information that I get is from my local brigades. I have captains ring me and email me. I have members of the brigade in general who will see me in the street and come and talk to me about this. So I get my information from those on the

ground. I do not get my information from the VFBV, and they are not the ones who brief me.

If we look at the context in which this bill has been introduced, it is at a time when the government is stomping all over volunteers. It has been a time of major upheaval with the loss of key stakeholders, many of them quite senior, including a minister as well. It is a time when volunteers have been demoralised but are certainly not defeated.

I am appalled that the government is playing politics here and has linked the presumptive rights legislation compensation bill to the restructure of the fire services. As I said, there are two components to this bill: the introduction of presumptive rights legislation and the split of the Metropolitan Fire Brigade (MFB) and CFA — in fact the abolition of the MFB — to create the new fire services body, Fire Rescue Victoria (FRV).

I am going to start with the presumptive rights legislation. It is about time this part of the bill was introduced. We expected it quite a long time ago. In fact the minister promised to introduce it within 120 days of forming government. It is now well over two years and 100 days since that time. Even at the first budget hearings the former minister, the member for Brunswick, told a Public Accounts and Estimates Committee hearing that the 'budget acquits every election commitment' that the ALP has made. We know that is not true. We know also that the opposition supports the presumptive rights legislation component, and we stand ready to join with the government should they split it to move that legislation quite quickly through the Parliament.

We also know about Peter Marshall, the Premier's right-hand man, and his views on presumptive rights legislation, in particular his views on presumptive rights legislation and volunteer firefighters. When the Queensland government moved to introduce legislation that ensured volunteer firefighters who contracted cancer on the job would receive compensation, Peter Marshall went on the attack. He did not think there was the same type of evidence or studies for volunteer firefighters. He did not think that volunteer firefighters should be part of Queensland presumptive rights legislation. He was opposed to the change, saying there was no evidence to support it.

I want to now move to the fire services changes, to the formation of Fire Rescue Victoria. We have had over time eight reviews into fire operations in Victoria, and none of them has suggested this split. There has been no compelling reason, not one. The only person who

seems to support this split is Peter Marshall and the United Firefighters Union (UFU), and the power they have over the Premier to get this bullied through and pushed through is really quite extraordinary. We see the UFU out now peddling their ads on TV and radio about the fire services being outdated and about antiquated boundaries. In those ads he actually seems to be putting down volunteers and saying that volunteers at integrated stations are not able to get out and do the job that needs doing.

This restructure, the creation of Fire Rescue Victoria and the split between the MFB and the CFA, is a major restructure. There are core components of restructuring that ensure success, but this bill does not give me any confidence. One of the key components of a good restructure is keeping people informed — people on the ground who are doing the work. This would be regardless of whether it is a government department restructure, a corporate restructure or an incorporated association restructure.

Keeping people informed is the number one criteria for success. We know here that there have been very few people informed. We also know that some time ago the Premier was a signatory to the emergency management volunteer statement, which clearly says that they will:

Work with and support a positive integration of paid and volunteer emergency management workers;

...

Ensure that volunteer views, opinions and concerns are considered before adopting any new or changed policies, procedures or approaches that impact on them as volunteers.

They have not done any of it whatsoever. If it is not done well, this will be another restructure that is ineffective, a huge waste of money and a loss of good resources. We really hope that volunteers do not walk away because, as I have said, they have been demoralised.

With this restructure the coalition have a number of issues of concern, and one of those is governance. Who is pulling the strings and what is the clear agenda? The chief fire officer, Steve Warrington, is unaware exactly what this means.

We also have other concerns about the core components of role clarity, of knowing who has accountability for what. What responsibilities belong where? This is not articulated. The volunteers, particularly those at integrated stations, are very confused about what this means, and while you have this level of confusion where people are unsure about

what is going to happen, it does not lead to positive changes.

The leadership needs to stand up here. If you want to build a strong culture, it needs strong leadership and trust. The volunteers, including volunteers at integrated stations, have certainly lost trust and lost faith in the government. Their spirit is certainly demoralised but, as I said, they are not defeated. If we look at the chain of command at co-located stations, it appears that volunteer firefighters will ultimately have no authority to make decisions in the event of a fire unless at the control or the request of FRV firefighters. We saw earlier with the enterprise bargaining agreement (EBA) changes that were mooted that this was another way to slide these unpopular EBA changes into the mix.

Also, what happens to the volunteer assets? There has been an enormous amount of tin rattling done, sausage sizzles, dinners and things like that. Volunteers at the integrated stations and their own stations have contributed to the cost of their sheds, contributed to the cost of their equipment, contributed to the maintenance of their grounds and contributed to the trucks. They are extremely worried about some of the components here which give powers to seize brigade assets such as vehicles, property and cash. Then beyond 2019 — —

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

**Ms ALLAN** (Minister for Public Transport) — I am very pleased to join this debate on this really important piece of legislation that is about setting up fire services in Victoria for the future. It is about setting up our communities with a modern framework that will protect them into the future, and of course a central element of this bill is also to protect our firefighters: the people who serve our community selflessly, who put their lives at risk to protect ours. The critical part of this bill is the introduction, for the first time in Victoria, of presumptive rights, and that is something contained in the bill we should all be really proud of.

For many years people have spoken of the need to modernise the framework — the governance arrangements is how people describe it — that governs the Metropolitan Fire Brigade and the Country Fire Authority (CFA). This has been spoken of for many, many years, not for the last couple of weeks or couple of months or indeed year; it has been going on for some time. I think there has been acknowledgement for some time that whether it is about the defined boundaries, issues around culture of the organisations, better support for both career and volunteer firefighters, that

change is needed, particularly since 2009 when we had the awful, awful fires of Black Saturday and also fires in the Gippsland area in the lead-up to Black Saturday.

Since 2009 there has been bipartisan support for continuous improvements and reform in our emergency services area. Following the 2009 Victorian Bushfires Royal Commission report that was handed down in 2010 there has been a continuous pathway of improvement. The 2010 bushfires royal commission report recommended the establishment of the fire services commissioner — recommendation 63. The previous Labor government immediately introduced that legislation in 2010. The coalition government went further and built on that fire services commissioner legislation, amending the role to become the emergency management commissioner.

That fire services commissioner and emergency management commissioner legislation had bipartisan support in this place. The bushfires royal commission had an implementation monitor. Neil Comrie served in that role well, and for four years, I believe, there were annual reports presented to this Parliament about how the royal commission recommendations were being implemented. Again that helped with the evolution over that period of time towards this all-emergency, all-response approach. Again I acknowledge a lot of this work was done under the previous government, and it received bipartisan support from this Parliament because we recognised it was a pathway to better coordination of our emergency services, better partnerships for our emergency services and improvements in training and support.

And that is why I am pleased to support this bill, because I see this bill as being entirely consistent with that pathway of improvement that has been in place now for the best part of eight years and because we cannot stand still. We know that whether it is needing to address the issues of growing populations on the metropolitan fringe or indeed in our regional communities or whether it is about addressing some of those areas of rural population decline which mean some of our brigades are finding it a bit tough to attract the volunteers that they want to attract to help with the work in their communities, we need to look at how we can continuously improve and support in this instance our firefighters in the emergency management area.

That is why, as I say, I see that this proposed reform is consistent with the bushfires royal commission recommendations. It is consistent with that pathway that we have been on. There has been much said of the reviews that have been undertaken since the bushfires

royal commission recommendations in 2010. There have been many other reviews, and we have studied those reviews carefully. We have listened, also carefully, to career and volunteer firefighters but also to others, experts in the field like Neil Comrie, like Craig Lapsley and like others who are looking for how as a government we can show leadership and improve the management of our emergency services and provide better support. That is why we have come to this approach. This approach is a moderate approach, it is a sensible approach and it is making the change that needs to be made.

In recent weeks I have spoken a lot to both volunteer and career firefighters in my community, and I will continue to do that. I think for those of us who are proud to represent Bendigo we know that in our community it is already said that we have the arrangements in place where our volunteer and our career firefighters work cooperatively together. They do a great job, but there are areas where there can be improvements. We will most certainly do this, and this package does that. I spoke earlier of some of the issues of population growth and decline, and that is why part of this package — and it is a package of support — includes \$56 million of support for improving training pathways and recruitment pathways particularly in the space of volunteer firefighters.

And certainly volunteers in my area have told me that there are good things in this legislation and there are good elements to this legislation. I can understand that they have questions, and we will continue to discuss these changes with them, but what we have all been collectively dismayed about is the political campaign of those opposite, who continue to see volunteer CFA members as their plaything. They see that somehow they can use them as a political plaything. We have seen already how they are prepared to fundraise off the back of the CFA. Last year the Liberal Party decided to fundraise for their own party purposes off the back of the volunteers' good name.

It was interesting to note that the member for Ripon talked about true country people, like somehow the only true country people are the people that agree with her and her political ideology. Well, I count myself as a true country person, and the true country people I speak to want to talk more about this legislation and can see positive elements in this legislation. And I can tell you what, they reject the division. What has come through constantly and consistently in the conversations I have had in my community is they want the division to end. They want it to stop. They can see the politics for what

they are. I will read you a quote from the Bendigo *Advertiser* of 7 June 2016.

Bendigo leading firefighter Chris Moloney ... firefighter of 15 years accused the state opposition ... of creating tensions.

'They're using us as pawns and creating a divide between us and the volunteers that hasn't been there before', Mr Moloney said.

'We've always worked hand in hand with the volunteers, but now they're being using as a tool against us, basically just for a political end.

...

'But we have a great relationship with all the brigades we work with and our relationship will stay the same — we'll continue to support the volunteers and we know that they support us'.

That is a true country voice. That is another country voice that I wanted to bring to this debate.

In the time I have available I want to touch on the issue of presumptive rights legislation because when I was the shadow Minister for Emergency Services this was an area that we did some work on, and I remember well battling in this place to have the former government recognise this. I am happy to quote from the *Age* of 21 August 2013. I am happy to quote the emergency services minister at the time, the member for Rowville, who said:

We are not convinced that there is a direct link between cancer and the firefighters.

I will repeat that because there are a couple of new members in here who may not have heard this quote:

We are not convinced that there is a direct link between cancer and the firefighters.

That is what the then emergency services minister, the member for Rowville, said in 2013, and that is why we made this an election commitment. That is why we have worked incredibly hard since that time to make sure that we got the model right. And it is a good model. It is the right model. It is the right model for career firefighters and for volunteer firefighters, and that is why this is a proud piece of legislation that, as I said, sets up our firefighting emergency services for the future. It continues that pathway of improvement, change and modernisation that we have been on since those awful fires of 2009 on Black Saturday. It is why presumptive rights legislation is such an important part of this bill as well, and we need this legislation to be passed so that we can provide this support to volunteers. Career or volunteer, we can bring to an end

the division that those opposite want to continue purely for their own political purposes while the communities that I represent are looking forward to the day that that division is ended.

**Ms RYAN (Euroa)** — I welcome the opportunity to contribute today to the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017. The Leader of the House can try all she likes to sell this as a modernisation of the fire services, but we all know why this government is bringing in this legislation, and it has absolutely nothing to do with the modernisation of the fire services.

There is not a single element of this bill that is written with community safety or what is best for volunteers or even getting a fair enterprise bargaining agreement (EBA) for the Country Fire Authority's (CFA) career firefighters in mind. This bill is entirely a political fix for a Premier who has done a deal with one man who exerts an unholy amount of influence over him. Why? That is the question that everybody is asking but no-one is willing to answer. That is the question that my volunteers are asking. Why would you tear apart the greatest volunteer fire service in the world? Why would you do over 60 000 volunteers on the whim of just one man?

As I said, it is not about community safety, it is not about protecting the rights of volunteers — we certainly know that much — and it is not about a fair EBA. It has never been about those things. There is only one motivation for this, and that is to dig the Premier out of the political crisis that he has created by doing a deal with Peter Marshall. We know that the United Firefighters Union (UFU) campaigned for the Labor Party at the last election. In fact there is a convincing argument that the Labor Party holds government because of the UFU and the doorknocking and campaigning they did and the polling booths they manned in key marginal seats. But does that warrant the bullying actions of this Premier, the lengths he has gone to and the people he has sacked to drive through an EBA that is fundamentally just a power grab for Peter Marshall?

Last week I met with volunteers from the Euroa group at Creightons Creek, and one of the volunteers there, Bernie Wallis, actually said to me, 'We never asked for this fight. We have been forced into this by the Andrews government. We didn't ask to leave our jobs in the middle of the day to come and fight for our role as volunteers', but that is the position that the Premier and those on the government benches have put these people in. What is worse is the volunteers feel

completely abandoned. Why? Because the Premier has gotten rid of every single person that has stood in his way and that has fought for volunteers, from the government's own minister right through to the board, the CEO and now the Metropolitan Fire Brigade (MFB), as we see in this bill.

I support the reasoned amendment that has been moved by the member for Murray Plains. I am absolutely disgusted by Labor's decision to tie compensation for firefighters with cancer to this bill. It is absolutely vile. They are playing politics with cancer sufferers, and I cannot think of more of a dog act — that is the only description I can think of. It is absolutely a dog act. It is political treachery. We have said that we are happy to split the bill. There is nothing standing in the government's way of passing presumptive rights legislation today — nothing at all.

We say that with some concerns about the scheme that the government has proposed, which sets hurdles for volunteers in accessing compensation that are not required for paid firefighters. This is not an equal piece of legislation; it does not provide equal access to presumptive rights. For example, the bill provides for an advisory committee that will be asked to offer an expert opinion to the CFA as to whether a volunteer who is applying for compensation has attended fires 'to the extent reasonably necessary' to fulfil their duties as a firefighter. That is very vague. What does 'to the extent reasonably necessary' even mean? The bill is silent on those issues, and it places hurdles in front of volunteers that do not exist for paid firefighters. However, we believe that the cause of presumptive rights legislation is too important to wait.

We have given the government the option of passing that element of the legislation immediately by splitting the bill today. But we know they do not want to do that, because they are playing a political game here where they want the opposition to vote against this so they can run out and tell people that we do not support presumptive rights legislation. That is not the case, and the volunteers that I represent know that is not the case. There has been no consultation over this bill, and we know that the volunteer charter compels the government to consult with CFA volunteers about all matters which might reasonably be expected to affect them. There was no consultation at all with Volunteer Fire Brigades Victoria (VFBV) about this bill and there has been no public scrutiny. This is a comment from the VFBV on the day that the Minister for Emergency Services announced this legislation:

It is important to understand that none of these reforms have been the subject of consultation with VFBV. The minister's comments that we have been consulted are false and misleading.

Despite rumours about the proposed split, circulating for some weeks now, there has been no consultation with VFBV and no briefing of any detail whatsoever.

The government lied about the consultation it claimed to have undertaken. Not only that but, as the member for Ripon said earlier, it knows that it has acted illegally by bringing in this bill. Why else would this legislation basically legislate away the government's obligation to consult with volunteers? That is absolutely disgusting. They have broken the volunteers charter and they have acted illegally. This whole bill has been concocted by a secret subcommittee of cabinet behind closed doors. This is what one of the volunteers from north-east Victoria, Lachie Gales, has said about it. He sent me an email last week. He said:

I'm a senior volunteer leader from CFA district 23 and I'm writing to express my deep concern with the latest Andrews government plans for Victoria's fire services.

He went on to say:

As a CFA volunteer of 30 years, I've undertaken every operational role and qualification there is. I'm currently a level 3 incident controller, accredited by EMV and CFA ... I understand the issues at play here and have independently formed a view that what is happening here is an appalling issue of governance. It will not reflect well on the Victorian Parliament to acquiesce to the kind of abuse of proper process that is occurring here.

He concluded by saying:

All I'd ask for is reasonable consultation, proper process and constructive dialogue with the government. All things that are enshrined under the CFA act.

It's the least our community deserves when the stakes are so high.

But not even that could our government afford our volunteers.

Communities and brigades across my electorate understand the value of surge capacity. We have been the beneficiaries of volunteers coming out of the interface areas of Melbourne in some major, major bushfires — Black Saturday and the Kilmore-Mickleham fires among them. In setting up Fire Rescue Victoria (FRV) this bill fundamentally damages that surge capacity. There is no clarification in this bill as to what the chain of command will be for volunteers who are co-located in FRV stations. It appears that those volunteers will have no authority to make decisions in the event of a fire unless it is at the

control or request of FRV firefighters. If they are not going to be able to make decisions, why on earth are they going to stay? Why are they going to maintain that level of training? It is a simple fact that they just will not. In fact the government knows this, because in its own budget papers this year it has predicted a reduction of 10 per cent within the volunteer CFA numbers just this year — a drop of 4200 CFA volunteers.

There is so much more that I wish I had time to talk about regarding this bill, including the impact on the fire services property levy, but let me conclude by saying this: nobody asked for this. Nobody recommended this. Not one of eight reviews recommended this.

**Mr Richardson** interjected.

**Ms RYAN** — The member for Mordialloc is correct; Peter Marshall did ask for it. He was the only one. We can pass presumptive rights legislation today. No-one is standing in the road of that at all, but we will not just stand by and let you destroy the CFA, one of the greatest volunteer organisations in the world. Shame on those on the opposite side of the house for doing that. Shame on those MPs who purport to — —

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

**Ms THOMAS** (Macedon) — The member for Euroa should hang her head in shame at the divisive role that she has played and continues to play in spreading fear, misinformation and lies in the communities that she purports to represent. I know it is a long way from Fitzroy to Euroa, but let me tell you this: the member for Euroa is doing nothing other than driving a wedge into our rural communities with the absolute nonsense that she is spreading.

I am proud to stand here today, and I commend the Minister for Emergency Services for the work he has done in bringing the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017 to this house. Across Victoria our fire services have served our communities well for many decades, but just like the minister, I am a firm believer that there is always the opportunity to do something better. We should always be striving to improve our emergency services, and that is what this bill is about.

When it comes to public safety, we should never stand still. Our population, as we all know, is growing. More than 100 000 new people a year are choosing to call Victoria home. We are seeing this also in our regional

centres. As you well know, Deputy Speaker, Bendigo is now pushing a population of 100 000 people. In the 1970s it was just over 50 000, so it has more than doubled in that time.

I might also say that this year, as we know, tragically we experienced our first-ever thunderstorm asthma event. The impacts of climate change, including severe weather events, continue to be keenly felt across our state. It is for these reasons and more that we must continue always and assiduously to look to see where we can improve and reform our emergency services.

What these events mean are new challenges for our first responders. As we saw only last night here in Victoria, we are not immune from the spectre of terror. Our police can never stand still. They are always looking to learn and improve. They are making sure the right people with the right skills and experience are ready to be deployed as required. Victoria Police look to us to make certain there is the right legislation in place to enable them to do their work. Similarly our record investment in police and our landmark community safety statement are making sure that Victoria Police are well-equipped by this government to do their important work.

While we are doing this, those on the other side of the house take the opportunity to denigrate Victoria Police at every turn. This morning's extraordinary performance in question time was yet another example of this. The shouting outrage from the Leader of the Opposition with his backbench in full voice was, in my mind, entirely disrespectful of those people — our special operations group members — who were severely injured less than 24 hours ago. An innocent victim lost his life last night, and yet we have this faux outrage from those on the other side. If you want to talk about serious matters in this place, as it is appropriate to do, can you do it with some dignity and some respect? But, no, that is not how they operate on that side of the house.

**Mr T. Bull** — On a point of order, Deputy Speaker, I believe the member is straying a long, long way from the bill, and I encourage you to bring her back to the bill. This is a bill about the Country Fire Authority, not the unfortunate incident that occurred last night.

**Ms THOMAS** — On the point of order, Deputy Speaker, I am speaking about the many ways in which this government has served to support our emergency service workers, including our Country Fire Authority volunteers and our career firefighters, so my contribution, I believe, is entirely in order.

**The DEPUTY SPEAKER** — Order! I would ask the member for Macedon to speak directly to the bill.

**Ms THOMAS** — Thank you very much, Deputy Speaker, but I think the point is that there is very much a pattern here. It is in the way those on the other side of the house are treating our emergency service workers, be it police, who they denigrate at every step of the way, or be it paramedics. Of course we will never forget the war on our paramedics under those on the other side of the house — —

**Mrs Fyffe** — On a point of order, Deputy Speaker, I believe the member is defying your previous ruling. Would you ask her to come back to the bill?

**Ms THOMAS** — On the point of order, Deputy Speaker, I am speaking to this bill, which seeks to reform our fire services, and in doing so I am demonstrating how we have successfully done this with our ambulance services and with Victoria Police — important emergency services providers in our state — who have been attacked and denigrated by those on the other side at every opportunity. It is an entirely appropriate contribution.

**The DEPUTY SPEAKER** — Order! The member for Macedon is using examples of other emergency services in her speech, but I do ask her to return to speaking to the bill.

**Ms THOMAS** — I am very happy to speak directly to the bill. Can I say that it was a great opportunity only last week for the Minister for Emergency Services, who attended my electorate with the chief officer of the Country Fire Authority (CFA), Steve Warrington, to speak to many of my volunteer brigades. I was delighted that CFA brigades from Gisborne, Riddells Creek, Kyneton, Carlsruhe, Darraweit Guim, Romsey, Benloch, Blackwood, Mount Macedon, Malmsbury, Macedon, Spring Hill, Woodend, Hesket Kerrie, Lancefield and Clarkefield all took the opportunity to come and listen to the minister outline what I have to say was a very compelling case for much-needed and overdue reform of our fire services.

Let us not forget that there have been eight reviews into our fire services, including the royal commission after Black Saturday. The reform that the minister has presented is exceedingly comprehensive, in my mind, and builds on so many of the recommendations of so many of those reviews.

In doing so, let us have a look at the priorities and what this bill is enabling. The first priority is to restore the CFA to a volunteer and community-focused

organisation. Is that not what everyone has been telling us that they want, including those on the other side, the Liberals, The Nationals and the Volunteer Fire Brigades Victoria (VFBV)? Is that not what they have been telling us they want? Well, here we are doing it, and not only that, we are putting in a \$56 million CFA support fund to strengthen volunteer recruitment and retention, to increase training options, to expand brigade support and to develop brigade leadership. This of course responds directly to the Jones inquiry, to the fire services review and to the CFA Performance and Policy Consultative Committee. We are establishing Fire Rescue Victoria to lead firefighting in major regional cities and Melbourne. This in turn responds directly to recommendations of the Black Saturday royal commission. We are planning and building for the future, and we are valuing our volunteers.

The reforms contained in this bill are long overdue. Chief officer Steve Warrington also spoke to my volunteers on that evening, and it was fantastic to have him there. I must say, he spoke in a very direct and pragmatic way about the reforms. He used an analogy from Jim Collins's *Good to Great* management book and talked about the need for people to get on the bus. He said that unfortunately there are too many people out there — and I put everyone on that side of the house in this boat — that do not want to get on the bus; they just want to blow up the bus. They want to keep the fight going for their own purposes and for their own needs.

We have seen them out there campaigning. The VFBV met with me also. They are at pains to point out that they are not behind the 'Hands off the CFA campaign', that it is the Liberal Party. They told me it was the Liberal Party. Why do they not come clean and claim and say that they are out there and fundraising on the back of CFA volunteers for the 2018 election? The behaviour of those on the other side of the house on this has been nothing short of disgraceful. They care not one iota for community safety. All they care about is driving a wedge through our regional communities. They are not interested in volunteers. They have shown no interest in delivering. They had the opportunity to deliver on presumptive rights; they failed to deliver, so they are a disgrace. This is a bill that I commend to the house. It is about time everyone got on board with this important reform to our fire services to keep Victorians safe.

**Mr MORRIS** (Mornington) — This has been an interesting debate so far. I did not quite catch it, but I believe I was accused by the member for Mordialloc of being a coward a little bit earlier. I am not quite sure why. Perhaps because I might have had my back to him

because of the drivel that was being talked on the other side. Can I say that there is only one group of cowards in this house, and they are the people who sit with the government and who are not prepared to adjourn debate on this bill for a decent period of time and have appropriate consultation with the people most affected by it. There is only one group of cowards in this house, and they are all on the government side.

The second point I want to pick up on from the debate was from the member for Frankston, the self-professed expert on the Country Fire Authority (CFA). He waxed lyrical about his own service. He also talked about the foundation of the CFA in 1958. Well, the member for Frankston may not be aware, but there was a consolidation of the statutes in 1958. That is why many acts are dated 1958, but in fact the CFA was founded on 2 April 1945, so he might want to go back and rethink that portion of his speech. He knows so much about the CFA, but he did not even know which decade it was founded in.

This bill is very much the curate's egg. It is mostly bad. There is an element of good, and that of course is the aspect of presumptive rights legislation. That is the good part. That could do with some considerable improvement, but that is the reasonable part. The rest of course is totally objectionable, and what is even more totally objectionable is the decision of the government to combine these two separate parts. These are two totally different matters. One is about compensation for an injury in the workplace, whether it be in a volunteer capacity or in a paid capacity, and that is reflected in the proposed amendments to the Workplace Injury Rehabilitation and Compensation Act 2013. That aspect is entirely and appropriately presented. But then part 3 of the bill is about the restructure of the fire services.

The only thing that those two matters have in common is the fact that they relate to people, to volunteers and to career firefighters who fight fires. There is no other connection at all, and it is a cynical political exercise to combine those two matters and to say, 'Yes, this is all about fire services'. One of them is not. One part affects a particular group of people, the presumptive rights legislation, while the second part of the bill is entirely about structure.

With regard to part 2 of the bill — the presumptive rights for firefighters — there was a commitment from this government that it would introduce presumptive rights legislation within 100 days of taking office. The government took office on 3 December 2014, and 100 days later was sometime in March 2015. It has now been 552 days since the government took office, and

the bill has only just come into the house, and as I mentioned, the government is trying to rush it through. The usual adjournment period has been foreshortened, and it will be dealt with this week.

As I said, I have no problem with the presumptive rights legislation provisions of the bill. To put paid to another mistruth — because to say 'lying' would be unparliamentary, of course — the claim that the coalition is opposed to presumptive rights legislation, there was a very clear commitment from the coalition in 2014 to presumptive rights legislation for firefighters. The announcement at the time indicated that the final model would not be determined until the release of the Monash University firefighters health study, and that study was not to be released until December 2014.

The legislation was then going to be drafted in consultation with the Metropolitan Fire Brigade, the CFA and Volunteer Fire Brigades Victoria (VFBV) and with consideration of legislation in other jurisdictions. To suggest that the coalition has anything other than a total commitment to the concept of presumptive rights legislation is frankly nonsense.

Time unfortunately does not permit a detailed discussion of those aspects of the bill. It is a step in the right direction. The reasoned amendment proposed by the member for Murray Plains would allow this part of the bill to be split off and dealt with straightaway while the more contentious parts of the bill are dealt with in an appropriate time frame.

I am happy to support this aspect of the legislation in principle. I have two concerns: one about people and one about money. My concern about the people is of course far more important, and that is the aspect of the bill that treats volunteer firefighters in a different manner to career firefighters and, to my mind, in a discriminatory fashion. If we are going to have a presumptive right for firefighters, the same rules should apply for all firefighters, regardless of whether they are paid to turn up to a fire or they do it because of a sense of obligation to their community.

With regard to part 3 of the bill, which is of course about the creation of this new body and about splitting the CFA, I firstly indicate that this is, as far as I am concerned, simply about eliminating whatever residual opposition there is to the preferred reforms of the United Firefighters Union (UFU). The list of casualties is long. A number of my colleagues have read through it and I do not intend to repeat that, but this is about putting the final nails in the coffin of our volunteer fire services, particularly in the interface areas, and about

implementing the vision of the UFU for the creation of a totally unionised fire service in this state. It is a political fix. It is a simple matter of the Premier having to deliver on an election commitment to the UFU and to his mate Peter Marshall. It is a loss to the community, and it is a great loss in terms of a very proud institution in the form of the CFA.

Briefly, to turn to local impact, an allegation was made again by the apparently not-so-well-informed member for Frankston that coalition members do not visit integrated stations and do not visit integrated brigades. If he had listened to my members statement last week, he would have realised that I attended the 100th dinner of the Mornington fire brigade just the Saturday night before.

We have an integrated station in Mornington, as I have recently mentioned. We also have Mount Eliza, Mount Martha and Moorooduc brigades, which are entirely volunteer brigades. They work exceptionally well with Mornington. I also make the point that Mornington paid career staff and Mornington volunteers have worked exceptionally well together for the entire time the station has been an integrated station. Unfortunately, as a result of this legislation, that harmonious relationship will come to an end because we know that there are problems with the chain-of-command arrangements.

Once Mornington and the station go into the Fire Rescue Victoria area, we do not know whether the volunteers at Mornington are ever going to get called out again. We do not know whether Mount Martha, Mount Eliza or Moorooduc will get called again. Will they be asked to assist the career staff at Mornington? We simply do not know. Will they be sitting on their backsides wondering why they are no longer being asked to contribute to their community? We simply do not know. I take this opportunity to again thank those volunteers who have done such a fantastic job for so many decades. I also acknowledge the terrific relationship between the volunteers and the career staff that we have been fortunate enough to have at Mornington since integration in 2008.

I conclude by saying to government members: it is not too late to avoid tearing apart the CFA. It is not too late to avoid becoming complicit in the destruction of a great organisation with a very proud history. They have given terrific support to our communities. The opportunity is there in the form of the reasoned amendment moved by the member for Murray Plains to split the bill. The coalition is happy to pass the presumptive rights part today and then talk to the

VFBV, talk to the volunteers, do the consultation, rejig the bill and get it right.

**Mr J. BULL** (Sunbury) — I am very pleased to have the opportunity to contribute to the debate on this important bill, the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017. This is a landmark bill. It will modernise, enhance and bring our firefighting services into the 21st century. This bill is fundamentally about safety and about security, and it is a bill that addresses the changing nature of our great state.

Before I go to the key changes in the legislation this afternoon I just want to put on the record my thanks and appreciation for the hard work, dedication and commitment of every one of Victoria's hardworking firefighters. Our Metropolitan Fire Brigade (MFB), our Country Fire Authority (CFA) paid staff and our CFA volunteers all do an incredible job in serving and protecting our communities. These men and women run towards danger, not away from it, every single time that danger presents.

We have a very proud record in this state of some incredible firefighters. No matter the danger, no matter the risk, they turn up and do their job week in, week out. I want to particularly thank the Tullamarine MFB and the Sunbury, Diggers Rest, Bulla and Wildwood CFA brigades who all serve our community proudly. These brave men and women, many of whom I know, are there when our community needs them the most. I also want to put on the record my thanks to all of our emergency services, including Victoria Police, Ambulance Victoria and the State Emergency Service.

I have known Brian Scown of the Sunbury CFA for many years, and Brian is someone I respect immensely. He has served his community with passion and dedication for a number of years. I would also like to thank my great friend the member for Frankston, who I know has served his community for 18 years and has a great deal of knowledge in this area. He is a person of great integrity and a member who has been through a lot during his career.

Similarly I would also like to acknowledge the hard work of and my appreciation for the member for Yan Yean, who has served her community proudly as a volunteer for over 12 years. She has always passionately dedicated herself to her community.

The Andrews Labor government is committed to ensuring that all firefighters are protected and ensuring the safety of all Victorians. A number of members this afternoon have spoken of our significant population

growth. We know that as our state evolves our fire risk increases and our environment changes. The safety of our people and our assets is paramount and this underpins everything that this government does. Even those opposite have to agree that a government's first priority is the safety of its people.

Where this legislation is critical and so fundamentally important is that we know that world-class firefighters need a system of support around them that modernises the structures and that reflects the changing risks and the changing nature of our community. It is no secret that over the past 10 years there have been eight reviews into our firefighting services and that it has been made clear that our system needs to change. We know that a number of the mechanisms in relation to our firefighting services were set up in the 1950s. There are certainly some who think we are still there, but this is 2017, and with that comes much change in terms of technology. If we think of mobile phones, computers and all the things that we use each and every day, we know that we have experienced much change over this 67-year period.

One of the first things that struck me about the changes outlined in this bill is that both the Metropolitan Fire Brigade Act and the Country Fire Authority Act are from 1958. In 1958 Henry Bolte was the Premier of Victoria, Dwight Eisenhower was the President of the United States and Harold Macmillan was the Prime Minister of the United Kingdom. We also know that Elvis Presley, Billie Holiday, Frank Sinatra and Ella Fitzgerald were all outstanding singers of the time.

**Mr Pearson** interjected.

**Mr J. BULL** — The member for Essendon just said that they are all on his iPod and that he comes in each morning with those singers, ready to go. When you think about 1958, that is certainly something to think about. We know that the Vietnam War had just begun. Believe it or not, Melbourne Football Club was a powerhouse in the VFL in the 1950s.

If we fast forward to 2017, we see that Victoria's population is growing faster than any other state or territory in the nation. Last year Victoria grew by 127 500 people in the year to 30 September and reached 6.1 million, as reported by the Australian Bureau of Statistics. Critically the bulk of this population growth is within Melbourne and on the outer metropolitan fringes and growth corridors — Sunbury being one of those. We know that as our state grows and changes, the demands on our fire services will

continue to mount. These challenges have been highlighted in the reviews that I mentioned earlier.

The changes in this bill will ensure that we build on the great strengths and expertise of Victoria's firefighters and fill the gaps and fix the flaws that for too long have inhibited their work. Fundamentally these changes will better support the men and women, whether career or volunteer, who keep Victorian communities safe. Volunteers are, and will remain, vital to our response. Under these changes the Country Fire Authority will revert to a volunteer firefighter organisation.

We will also create Fire Rescue Victoria (FRV), bringing together Metropolitan Fire Brigade and CFA career firefighters from the existing 35 integrated stations. FRV will service metropolitan Melbourne and our major regional centres. For our career firefighters this reform will mean that resources, structures and working conditions do not depend upon an arbitrary distinction between city and country. My area and a number of other areas are reflective of this. This will mean that Victorians can rely on the best fire and emergency service response, regardless of where they live. In the future our firefighting services will be able to adapt as Victoria grows.

On top of this the bill delivers to career and volunteer firefighters who access claims for cancer compensation a legal presumption that the cause of their cancer was firefighting. These laws recognise the invaluable service provided by firefighters, which often require them to work in inherently dangerous situations. The program will be administered through WorkSafe. The new scheme will apply to career and volunteer firefighters who have served as firefighters for the relevant number of years, depending on the cancer type.

This is an incredibly important piece of legislation, one that goes to the safety, the protection and the inherent value of the critical work that our firefighters do right across the state, whether it is in the city, whether it is in the country or whether it is in the regions. I am incredibly proud to speak on this bill. It is an incredibly important piece of legislation.

The government will also create a dedicated assistance fund to support the very small number of people who may not fit the criteria of this scheme. These rights, as I just mentioned, have been long awaited, and I am incredibly pleased that they are being delivered in this bill this afternoon.

I do not want to spend too long talking about those opposite in my contribution because the changes in this bill are far more important than scoring political points.

However, I think this needs to be said: those opposite should hang their heads in shame for the way they have politicised our fire services and filled people's heads with fear and misinformation on this matter. Misinformation such as the false claim that this government is not supporting the CFA is fundamentally wrong, as is the misinformation put out by the member for Gembrook. This is increasingly erratic and desperate behaviour by the Leader of the Opposition, which is incredibly worrying to me, the people in my community and the people on this side of the house. We are starting to see a desperate Leader of the Opposition who is more than happy to attack our emergency services. In uncertain global times our community needs strong leadership and not reactionary and inflammatory language that only makes matters worse.

In my view, and certainly in the view of many on this side of the house, those members opposite need to discuss these statements with their leader. They need to discuss the things that he is saying that fundamentally go to the heart of our emergency services and the hard work that these men and women put in each and every day to keep us safe. It is incredibly disappointing to see a lack of leadership on that side of the house.

I commend the Premier and the Minister for Emergency Services for doing an outstanding job. This government gets on with the job. We are here for all Victorians. Our priority is to support the critical contribution of volunteers and to remove the barriers that inhibit the work of our firefighting services to date. Most importantly, this is a piece of legislation that will keep Victorians safe. This is a good bill, and I commend it to the house.

**Mrs FYFFE** (Evelyn) — Normally you rise to say that you are pleased to speak on a bill. I am not pleased to speak on this bill; I feel quite despondent about it. After Black Saturday many fine words were said in this house by people from both sides. Fine words were said in praise of everyone who came out to help — all the volunteers, all the paid people, no matter what service agency they came from. Fine words were said about everyone, with consideration and with respect.

I have a great deal of respect for my Country Fire Authority (CFA) branches. During the Ash Wednesday fires I worked closely with them, cooking over a thousand meals. The Dandenong Ranges fires and the High Country fires were responded to by so many from every station in Victoria. They are all good, decent people.

I have heard comments from government members who say they have not been approached, that they have not received emails or phone calls about this issue. When people from outside my electorate have come to me with concerns about the CFA I have said, 'You should go to your local Labor member or the upper house member, or go to the crossbench members, because they are the ones who will decide on this'. They have responded, 'What is the point, Chris? They won't listen because they've decided'.

I have been asked to present the opinions of the people from my CFA branches who are exhausted by all of this — absolutely so, and I quite understand it. It has gone on and on and on. The fact is they feel that they have not been and are not being listened to. They feel that they are not being asked the questions they should be asked to do with whether they are comfortable with this legislation.

I support the reasoned amendment moved by the Leader of The Nationals on behalf of the member for Gembrook, who was taken to hospital, that we should split this bill and make the presumptive rights legislation completely separate.

An article in the *Herald Sun* of 28 May quotes the son of a former CFA chief who exposed serious cancer risks in firefighting as saying:

One part of the bill is about the health and wellbeing of firefighters injured in the line of their firefighting work; the other is about a structural change in the fire service.

The article goes on:

He said the two issues were unrelated and should never have been included in the same piece of proposed legislation.

Last Saturday I spent 2 hours — 1 hour at Wandin North and 1 hour at Mount Evelyn shopping centres — just meeting people, ordinary people, non-CFA members, to find out what they thought. That was the main message that was coming through. They saw it as very cynical that the presumptive rights legislation, which they totally supported, has been tied in with this bill that they, through talking to families and friends, know has to be held up, has to be debated further, has to be explained further. So I 100 per cent support the reasoned amendment.

I also had a letter from the Country Women's Association, as I am sure quite a few members did. They say in this letter that:

Grave concern was expressed —

at a meeting —

regarding the principle of including the presumptive cancer compensation for firefighters legislation in the same bill when that part has bipartisan support.

It certainly does, and if the bill was split and the presumptive rights legislation was presented separately, that legislation would go through very, very quickly.

Some of the reasoning for these changes has been a safety issue, that some of the safety equipment the firefighters operate is not working. Some of the CFA members have taken offence at that. Coldstream CFA brigade captain Shaun Bethell, a second-generation firefighter, is a lovely bloke; I have known him for quite a while. He has been a volunteer for about 35 years and he disagrees. A *Leader* newspaper article states:

He said CFA equipment and crews are world class. 'This thing of being stuck in the 1960s is a load of crap' ...

He said he hoped his brigade would not be affected by the boundary changes, but he feared Lilydale could be in the firing line.

He is very right on that, because the website operated by the United Firefighters Union (UFU) definitely has Lilydale and Chirnside Park listed as not being adequately looked after by the CFA. So they are certainly in the firing line. Lilydale brigade captain Warren Davies said that while he could not comment on the proposed legislation, 'You shouldn't fix something that is not broken'. He went on to say:

We have always provided great service to the community ... We're not failing, we're professional firefighters.

In an article in the *Weekly Times* people have taken umbrage at the suggestion that safety equipment in the CFA was outdated. They are hurt by that because they raise money to replace equipment, they maintain the equipment and they look after the equipment.

If I just mention the equipment, I was approached on Saturday by a paid firefighter, a Metropolitan Fire Brigade (MFB) member and a member of the UFU. He was actually very polite. In contrast to many other UFU people who have attacked me when speaking to me both online and in person, he was very polite. When I asked him, 'Why is there this objection to women joining the MFB?', he said quite honestly — and he meant it sincerely — 'It is because they cannot handle the mechanical side of the service, they cannot handle the connecting of all of the hoses and all the different things we have to do under pressure'. Which I have to say is a load of BS because women have no different technical or mechanical aptitude to men; it is purely having that experience of doing it.

There was an article in one of my local papers that talked about the combining of the presumptive rights legislation with the fire services legislation amendment. It was in response to comments by the Leader of the Opposition where he said that we support the presumptive rights legislation and that if it was kept separate, it would pass the Parliament this week. The article quotes the Premier defending making the changes together and saying:

We don't run our agenda based on what the opposition might vote for, or vote against.

We certainly know that. We know that the Premier runs his agenda on what Peter Marshall wants, what he says to do and when he tells him to do it.

I had a lot of questions raised, as I said at the very beginning, and I am going to have to go fast because I am not going to get through them all. I have got three pages of questions that we have taken from CFA members, who have raised them with us because they feel they cannot ask them of any Labor members. They include: will it be made totally clear to everyone who is in control, because no-one seems to have any idea so far? Why has there not been any consultation with volunteers, Volunteer Fire Brigades Victoria or any of the other organisations? Why has everything been and continues to be secretive? Will this split give everyone, including volunteers, a voice? How are you going to make sure that the volunteers will work closely with Fire Rescue Victoria (FRV)?

Other questions include: will you stop the UFU defaming the CFA volunteers? When the secret deals were being done in the FRV negotiations when did the UFU know, as so far they seem to be the only ones who were given a heads-up? Was the CFA act or charter considered or consulted? How much money will be allocated to recruitment? How much money will be allocated to equipment? How much money will be allocated to support services for CFA volunteers who struggle with post-traumatic stress disorder? How long before the fire services levy will be like our electricity prices — unaffordable?

How many CFA personnel will lose their jobs? What will happen to our junior brigade members and their funding? What restrictions will the UFU and the FRV place on our capacity to fundraise? And that is a very serious question, because at Nunawading a local CFA brigade set up to cook sausages outside Bunnings and the local MFB people came down and told Bunnings that the CFA had to stop because it was not a CFA area. Sadly, the Bunnings management at Nunawading gave in and the CFA had to move away.

Another question: how much money has been allocated to community education? And so on. I have got another 30 questions here that we have collated from members of the CFA and members of the community. One interesting one is: what radio channels and radios are we going to be using, as no-one seems to know? Another one is about all the state laws and a further question is: will each brigade's call-out stats be looked at before the decisions are made? Is there going to be any consultation about the boundary changes? Who is going to be on the panel for the boundary changes? Will they be people nominated by Peter Marshall? Will they all have to be UFU members?

I am going to run out of time but I have got another 20 questions here. The other matters raised include reductions in volunteers. There are 4200 firefighters less now, as highlighted in the Victorian budget for 2017–18. Looking at the boundary changes that I just mentioned, they used to have a procedure through local government. This way it is going to be done direct for whoever wants it. As I said, we are very concerned about Lilydale and Chirnside Park. There is reference to the chain of command — it is not clear who is going to do the chain of command. The issue of volunteers' assets has been raised by others. They have slaved to raise the money, they have done sausage sizzles, cake stalls, nights, dinners and so on to raise money for equipment. What is going to happen to all the CFA assets?

As I said at the very beginning, it is with sadness that I speak on this bill, not with pleasure as I normally say at the start of my speeches.

**Mr RICHARDSON** (Mordialloc) — Unlike the member for Evelyn, it is a pleasure for me to rise to speak on the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017. Some of the significant reforms that will take place for the Country Fire Authority (CFA) have been a long time in the making, with the abolition of the Metropolitan Fire Brigade (MFB) and the establishment of the new Fire Rescue Victoria. They are reforms that have been many, many decades in the making.

In particular, presumptive rights legislation finally gets to see the light of day to show the service of firefighting. No matter whether you are a volunteer firefighter or a career firefighter, the injuries you sustain, be they cancer or others on the defined diseases list, are recognised, and people will get the care and support that they need and deserve for their service to their community.

I recently had the opportunity to attend my local brigade, which is a fully volunteer brigade of over 110 members, nestled between the MFB in Mentone and integration inland with Dandenong and stations in Springvale, Noble Park, Parkmore and also the integrated station at Patterson River. We spoke about these reforms with the emergency services commissioner, Craig Lapsley, and took questions for a good hour and a half from volunteers. This is a fantastic brigade that has served our community for well in excess of 90 years — the Edithvale CFA brigade. They have worked alongside career firefighters, both MFB and CFA, for many, many years.

The comments of those opposite seemed to suggest that there is a differentiation in boundary when there is a fire or when there is an incident with a critical response. The person at the other end who is at grave risk of danger does not differentiate a volunteer from a career staffer; they want that protection and that support. Our volunteers and our career staff out in the south-eastern suburbs of Melbourne do exactly that each and every day. But in some areas there are concerns about service delivery standards, so where we have a situation where call-outs are not being met or where volunteers are not able to attend, then we need to be able to see how we support volunteers to meet those requirements and what other things we can do.

That is not the story for Edithvale CFA, which turns up to more than 300 incidents each and every year, and has a fantastic record of service and a fire station that we are rebuilding, which will be fantastic for our local community. We are setting up a volunteer business hub, an innovative concept to support volunteers to be on-site and be in their community, something that we led out of our area in the Mordialloc electorate. They are first, leading principles for the CFA and something that is very exciting for all of our volunteers.

I must say as well that we do not always agree with the various stakeholders who come forward and offer their views. I have extreme differences of views with Volunteer Firefighters Brigades Victoria, and I have extreme differences of views on particular issues with the United Firefighters Union (UFU). One of those concerns that I have had, and have raised with the UFU and with the Minister for Emergency Services' office, is the campaign that says that Edithvale is out of a safe zone.

I completely disagree with that. It does not stack up with the service provision and the outcomes that are being met, and it goes towards some of the divisive conversation that we are having. It needs to be based on service delivery standards, and that will always be the

expectation. That will be the expectation in the Mordialloc electorate and for all of my community. They are in a safe zone. Their volunteers, their integrated station at Patterson River and their career staff across the board, linking with volunteers, protect their community. They are safe each and every day because our volunteers and career staff work so well together.

We have seen one of the most divisive campaigns by those opposite, who in desperation are trying to link their electorate outcomes and fortunes to this issue, so much so that the Victorian division of the Liberal Party decided it was in their interests to fundraise on the back of the CFA campaign. To this day the director of the Liberal Party, Michael Kroger, has refused to return the money outstanding that they fundraised in the name of the CFA.

Today we again renew those calls. While he can go and try and sue a range of people that he thinks should be donating to the Liberal Party, on first principles and in first interests he should return the money to CFA volunteers today and declare how much money was raised from their fraudulent website which suggested that people were supporting the CFA when they were in fact supporting the Liberal Party's campaign interests.

We also need to address the fact that for weeks now we have not had a clarification from the member for Gembrook on his damaging comments about Black Saturday heroes. When he demonised Black Saturday heroes he cast one of the worst moments of the 58th Parliament in our state. He demonised career firefighters by saying that they did not serve for the first 5½ hours of Black Saturday. It is one of the most despicable acts, and I think it has disqualified him from being a minister of the Crown ever in the future. He certainly cannot serve in any capacity with emergency services because if someone is that loose with the truth and that keen to undermine trust and confidence —

**Mr Edbrooke** — Twice.

**Mr RICHARDSON** — and do it twice, then we need to be looking at exactly his service. I think the Leader of the Opposition needs to call for the member for Gembrook to resign. He needs to step down from that position. He is not fit to lead as shadow Minister for Emergency Services anymore.

Importantly as well, the Leader of the Opposition has also put himself forward, criticising Victorian volunteers and being blatantly misleading about the number of volunteers who serve in the state of Victoria. They are an opposition that is playing loose with the truth and misleading time and time again. They have a

record of denying the link between firefighting and cancer. They cut the CFA budget drastically and then refused to implement a key recommendation of the 2009 Victorian Bushfires Royal Commission — an extra 380 firefighters. That was recommended by the Black Saturday royal commission, and those opposite did not implement that key recommendation.

That key recommendation also goes to the training of volunteers. The 380 firefighters goes to the heart of training and needs and providing surge capacity. That is an absolute fact: if you are not putting in the resources put forward by the royal commission, then you are blatantly undermining the CFA.

Those opposite will not address that. Those opposite will not recount for the record their flawed record on the CFA until there is a political headline to grab. There are currently 1220 CFA brigades, 35 integrated. There are 1220 brigades that will continue to serve their communities. For those opposite to suggest that volunteer members will abandon their brigades, that those volunteer members will give up their posts and walk away from the many years of service they have put forward, is an absolute disgrace. Not one volunteer in the Edithvale brigade has said to me that they will leave the CFA — leave the dedicated service of their community. It is an absolute slur on their service to suggest that they would walk away from their communities, that they would not serve their communities anymore, that they would get into the grubby politics of those opposite. Those volunteers have served their communities, some of them for decades, and to suggest that they would simply walk away from their communities is without fact and completely baseless, like the allegations that have been put forward by the Leader of the Opposition and the attack by the member for Gembrook on career firefighters.

This bill has been a long time coming, and importantly this bill will set the pathway forward for our community. Metropolitan Melbourne's population will continue to grow, and we must always look towards service delivery standards and saving lives, and protecting property and protecting lives. If that is undermined, if we are given information that suggests that that might not happen, if we have an incident and we knowingly see that there is a risk that there will not be turnout, then we are just one inquiry away from another investigation, one inquiry away from saying that we should have acted sooner to address the service delivery standards that are not being met. To not do that as a government is to not act in the best interests of the people of Victoria.

The independent boundary review is something that will address those service delivery standards. If volunteer brigades are not meeting those requirements, then what we will do is see how we can support those volunteers and those brigades to do their very best to meet those standards. This bill is landmark, it is courageous and it puts forward important reforms that our state drastically needs. I commend the bill to the house.

**Ms KEALY** (Lowan) — It is interesting to hear members on the other side of the chamber, the government, saying, 'Isn't it terrible, these grubby politics which have been at play?'. We need look no further than some of the commentary that we have heard today and in the media, pushed by the United Firefighters Union (UFU) on websites or even on ads run on the same day as the bill was tabled. How interesting that the UFU got information about that. I will tell you where the grubby politics are. It goes right back to the last election, when the UFU handed out how-to-vote cards for Labor. It goes back to when the UFU doorknocked 43 000 homes to help people like the member for Mordialloc get elected. So there is absolutely no doubt who is the grubby politician in here. Perhaps he is walking out of the chamber because he does not want to hear that story today.

I do support the reasoned amendment that was put forward by the member for Murray Plains in regard to ensuring that we finally consult with volunteers about how the Country Fire Authority (CFA) should be structured into the future, that we consult with Volunteer Fire Brigades Victoria (VFBV) and other associated organisations, because that is what we should do. We should be consulting with the people who work within these organisations as volunteers and not just listening to the union, the UFU, to understand what it wants to get through its grubby deal. We also need to ensure that we do support the right for volunteers and career firefighters to access presumptive cancer legislation. That is very important. We have supported that, as we will continue to do. I am one of many members on this side of the chamber who two years ago signed a number of pledges at our local CFA brigades to ensure that we do have those rights for volunteers.

I think perhaps the grubbiest thing of all is the feedback I have received from so many of our CFA volunteers who have come forward and said, 'Do you know what, Emma? I don't care that we've finally got some legislation up that would support presumptive rights to compensation. I actually would like you to vote against this because we don't want a grubby, dirty deal which would destroy the CFA. We are being held to ransom to

access cancer compensation which we deserve to access as a right. It should not be in alignment with the destruction of the beloved CFA that we have worked so hard for over so many years'. So I ask people on the other side of the chamber who say that this is not political to urge their other party colleagues to split this bill. You know full well that if this bill were split and you took out the presumptive cancer legislation elements, it would get through today.

We could have presumptive cancer legislation that protects the right of career and volunteer firefighters to get the support and counsel that they need when they are suffering from and dying of cancer. Think of all of those firefighters who have passed away from fire-related cancers over the past 800-odd days — the 800-odd day gap between when the Minister for Emergency Services stated that she would table this legislation and when it was actually done two weeks ago. The politicisation of this issue has not been on this side of the table; it has always been with the Andrews Labor government. Linking the presumptive cancer legislation to the destruction of the CFA is absolutely reprehensible and quite a vile thing.

**Mr J. Bull** interjected.

**Ms KEALY** — The name of a website has just been yelled out to me by the member for Sunbury. Perhaps we could talk about the website that was launched on exactly the same day that the bill was tabled in this Parliament. The VFBV had not been consulted about the elements of this bill until it was tabled that day, and yet the UFU were able to launch a website that exact same day. They were able to put out an advertisement on TV that night, which coincided with the evening news. You cannot tell me that there is not a strong linkage there in the UFU's influence over elements of this bill, while the VFBV, the volunteer firefighters, were not consulted. I think that is an excellent point made by the member for Sunbury and something that certainly needs to be pointed out.

When I speak to constituents, that is one of the key elements that they are so concerned about — that they have not been asked about this. Whether it is through regular brigade meetings or whether it is through the government speaking to the VFBV, at no stage have they been consulted by this government. It is an obligation under the volunteers charter that volunteers be consulted about changes to the CFA. Through this legislation the government are essentially writing out volunteers and therefore overriding their obligation under the volunteers charter to consult with volunteers. That is a disgrace, given the CFA is our largest

volunteer organisation in the state, and a disgrace for my local CFA members.

The electorate of Lowan has 110 CFA brigades. We do not have one integrated station. We have volunteer firefighters, but we also have two training grounds: one in Penshurst and one in Horsham. We have a number of people employed at those training grounds, obviously. We also have a number of administrative staff who are employed, particularly in the Horsham area, and these are essential employees because they are people who provide on-ground support when we have our large bushfires, particularly in our national parks. In Lowan we have of course got the Grampians National Park, the little and big deserts and the Wyperfeld National Park. It is essential that we do have that localised support.

One of the concerns around this bill and how the structure of Fire Rescue Victoria will operate is that we will lose every single paid employee of the CFA. We will lose all of our administrative support. There will be nobody within the CFA — no organisational structure — above a brigade captain or group officer, who are active firefighters. This is a key concern, and I would like to refer to a submission that was made to me by a local volunteer firefighter, Rodger Bethune. Rodger is a member of the Horsham headquarters brigade and has been a volunteer for more than 10 years. I will add that I am also a CFA member with the Horsham brigade. Rodger outlines his concerns around this loss of administration and management staff, and I quote:

Without an administrative network across the state as is currently the case the CFA will be no more than a disorganised and uncoordinated group of well-meaning volunteers, without its own logistics, communications or administrative backup. This is the scenario the government has planned to cause a forced reliance of the CFA and its volunteers upon the new Fire Rescue Victoria, an organisation it has no formal connection with other than a working relationship in times of emergency.

Rodger then goes through the different elements in which the members of Fire Rescue Victoria will continue in their roles. Some of those employees will be seconded to the CFA, and we will end up with a permanent cycle of secondment. CFA volunteers will have no input into their own organisation and its resources and management, which will be controlled by an outside and unconnected Fire Rescue Victoria. This is just ridiculous when you consider that we are basically cutting off the whole of the support structure for the CFA. This is why none of the eight reviews of the CFA have included this model that is being put by the government.

I refer back to Rodger's submission:

Through these changes the union will get control of Victoria's fire services by stealth, it tried and failed in the CFA EBA, now the Premier and emergency services minister have worked out a way to give it to them by unlawful means.

Rodger goes on that this matter should be referred on to the Independent Broad-based Anti-corruption Commission, and I quote:

Like all Victorians I am sick of suffering under a corrupt government administered by corrupt ministers who act improperly in office using their position to breach statute to achieve results and effectively block those of us who play by the rules and respect laws of the state.

The anger from Rodger is absolutely palpable, and I completely understand that, because this is all about payback for the unions and all the support they have provided to the Andrews Labor government in helping it get into office in the first place. I get the question asked to me so often: what does Peter Marshall have on the Premier? There are many speculative ideas around that, but I am not going to go into those.

I do have a number of other key concerns, including the impact on surge capacity. We will not have as many volunteer firefighters in metropolitan areas if they are never called out. This will impact country volunteers. Also, where will the volunteer assets go — the sausage sizzles, the fundraisers — that they have used to raise their own money to pay for their own appliances? Within this legislation these assets will be transferred to Fire Rescue Victoria.

Will jobs for our local CFA staff be relocated to the nearest integrated station in Ballarat, a couple of hundred kilometres away? Will we lose jobs in country Victoria yet again under this government? We will be lowest on the list for asset renewal. There is no doubt new brigades, new stations and new appliances will go to areas where there are union members, and what will the cost of this be with the fire services property levy looking to skyrocket after two years? This government must oppose this bill. It is an absolute disgrace.

**Ms HALFPENNY** (Thomastown) — I rise of course to fully support the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017. I have to say that I have listened to a number of opposition speakers today on this bill, and I have never heard such untruths and misrepresentations. As the saying goes, do not let the truth get in the way of a good story. That is exactly what we are hearing today.

This legislation looks at two things. One is presumptive rights legislation to protect and compensate firefighters. The bill clearly states that there is a link between particular cancers and the chemicals that firefighters are exposed to. The legislation also looks to modernise the fire services and in actual fact support and uphold the value of volunteers, recognise their skills and expertise and modernise the service. This is completely against what has been said here today by the opposition.

I was the chair of the committee that inquired into Fiskville. The committee found that it was very clear that there were links between chemical exposure and cancer. It was also found, without question, that executive management within the Country Fire Authority (CFA) were aware of this exposure, allowed it to happen and did nothing to support and help volunteers. But when the report on Fiskville came out there was also a minority report provided by members of the opposition in response to the report.

I just want to quote from that minority report, which attempted to bring into question the findings of Fiskville about connections between cancer and illness and to bring into question the knowledge of CFA executives and their conduct in relation to the known exposure of chemicals to volunteers and others that were training there. Here is the quote, and I think it is very apt in terms of what we are talking about today:

... there are a number of organisations and entities in Victoria who either derive their livelihood from proclaiming that the 'sky is falling' and then offering their services to address the perceived crisis or alternately, seem to never miss an opportunity to turn any incident into an occasion to advance a political agenda or ideology ...

That is exactly what the opposition is doing here today when they oppose this legislation that supports volunteers and supports the rights of firefighters to compensation when they get ill and often lose their lives in the course of their duties in saving us, the people of Victoria.

I will just give a few examples of the mistruths spoken by the last two speakers. The member for Euroa talked about the number of volunteers having decreased by 4200 in the past year. This is absolutely wrong. In fact the CFA annual report shows that the number of operational volunteer firefighters actually increased by 429, so we had 35 796 in the 2015–16 year.

The most recent speaker, the member for Lowan, complained that there was going to be a loss of corporate staff to support the volunteers in the new structure that is being proposed in this legislation. Again, absolutely wrong. The legislation — if perhaps

she read it, and obviously she has not — is very clear in saying that there will be paid staff to support volunteers where necessary. This is not going to be an organisation that does not provide the support that is required to allow volunteers to do their job to fight fires and promote their skills.

When talking about this legislation the only thing I can hear from the other side, other than these mistruths and peddling of all sorts of rubbish, is that there has not been any consultation. Again there has been a lot of talk and a lot of discussion about presumptive rights legislation. There has been a lot of talk about issues confronting a modern fire service around the interface where we have the growth boundaries forever pushing outward and rural areas becoming urban areas, and the need to look at the fire services in those areas. There has definitely been a lot of talk. It is ridiculous for the other side to say they have not been consulted. This is all about bringing down good legislation, fearmongering and, as I said in the quote from the minority report, trying to create incidents 'to advance a political agenda or ideology'.

This legislation, when it comes to presumptive rights legislation, is something that I have not heard one criticism about from the other side in terms of the proposals for it and its support for volunteers. Yes, there is talk about 'Well, maybe we shouldn't have done this or that'. But, as I understand it, the model being used is one that Andrew Ford of the Volunteer Fire Brigades Victoria previously suggested should be the model for presumptive rights legislation that would place volunteers on an equal footing to paid firefighters. This is what the presumptive rights legislation we talk about today is all about.

In terms of the modernisation or the restructuring of the fire services, yes, the legislation that we are bringing in and that will be passed in the lower house, I believe this week, is a proposal where we will continue to value and support volunteers, but they will be part of a separate organisation to those paid staff — again, something that the opposition seems to have been arguing should have happened some time ago because they did not believe that paid firefighters were able to in some way support, help or work with volunteers. In fact any enterprise agreement or any actions by the paid firefighters were going to somehow impinge on, disrupt or belittle the volunteers. Here we have a system that allows volunteer brigades to flourish and to provide their fantastic service saving lives and property but which also allows the paid firefighting services to do the job they are required to do.

In terms of this debate, I think the opposition is just completely irrational in their blind hatred for the United Firefighters Union. So everywhere they look they see skeletons under the bed, somebody is going to do something, Peter Marshall is hiding around the corner. Really, let us be serious here. There needed to be change. We know, again from the Fiskville report, that there have been many, many reviews of the CFA. Every time something terrible happens, some disaster, whether it is volunteers tragically burnt or trapped in fires, we have reviews of the CFA.

One thing that came out of Fiskville was that whilst the reviews were accepted at the board level, the fact is the recommendations to make a safer CFA have been completely ignored and were never implemented. This is fantastic legislation that goes to both supporting and protecting volunteer firefighters, as well as of course supporting and remunerating paid firefighters in the way that we believe is the fit and proper way they should be remunerated.

When looking at this legislation I think it is important to see through the smoke and mirrors, and the supposed worries and concerns of the opposition. There is not anything to be found here. I think once this legislation is passed and implemented, we will look back at the history books and the opposition will be seen to be a laughing stock in the things that they raised, in the fearmongering they attempted. In fact this will be seen as a much better, more efficient fire service both for volunteers and paid firefighters, as well as for the community, who of course they are all there to protect.

**Ms VICTORIA** (Bayswater) — We have got the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017 before the house tonight, and the games behind this bill are exactly what Victorians have come to expect from this dreadful Andrews Labor government. This is a Jekyll and Hyde bill, or as Gertrude Stein once very famously said, 'A rose is a rose is a cabbage', which means, for the uninitiated, all is not as it appears.

Rather than presenting one bill on presumptive rights compensation, which we totally support, and one bill on fire services legislation that is, in parts, highly questionable and creates huge uncertainty for our tireless Country Fire Authority (CFA) volunteers whilst pandering to everything the United Firefighters Union (UFU) could ever dream of, the Andrews manipulative Labor government has put the two together so they can say we oppose both or support both.

Fortunately those in the media and the community can see through the purely political motivations of Dodge Dan. They are all waiting on the truth about what Peter Marshall has over the Premier. Believe me, when it is finally exposed heads will roll. How bizarre and contemptible that the protection of one man's job is taking priority over the respect of tens of thousands of selfless Victorian volunteers.

Bills like this do nothing for the credibility of the Parliament or for parliamentarians. So let me make it very clear for the record: the coalition proudly supports presumptive rights compensation. However, we very loudly oppose some of the provisions in the fire services legislation, which is designed to rip apart the CFA. We will be pushing for amendments to this bill in this house, and may shame and electoral backlash be upon anyone who blocks those changes.

I am going to concentrate most of my contribution on the aspects of the bill that impact the CFA. My electorate has three fire stations: at The Basin and Bayswater, which are both CFA, and at Boronia, which is an integrated CFA station. Labor has partly backed down from running the knife deliberately through the CFA in one swift action by saying that the CFA will remain, but I do not trust these conniving weasels. Who knows what may happen if they win government again in 2018?

Currently Labor is saying that CFA stations will remain CFA stations, except perhaps where they choose or are forced to no longer co-locate in the integrated stations. What this ambiguity does is create uncertainty. If the Metropolitan Fire Brigade, soon to be Fire Rescue Victoria, want the CFA out of their integrated station, pushing will occur. But where this gets even trickier is with the Fire District Review Panel. Labor are setting up a panel — probably of their mates — to review fire districts. I am not naive enough to expect a totally independent review. The independent panel, I am confident, will just do the minister's dirty work for him.

Why do Labor want to remove the CFA volunteers? Well, because the CFA volunteers are not part of the United Firefighters Union, whose members raise funds for Labor election campaigns, knock on doors during elections, do surveying for Labor and hand out how-to-vote cards for Labor on election day. The UFU is simply a branch of the Labor Party. Their best recruitment method is to expand their full-time fire brigade so more people are forced to become card-carrying union members to get a job. An ongoing attempt to indoctrinate them with union propaganda until they become active unionists and Labor voters will no

doubt occur, but thankfully most of the volunteers and some of the career firefighters I have had the pleasure of meeting are strong-willed and intelligent people. But it is not the volunteers that will necessarily be targeted. This tactic is simply an extension of the dodgy red-shirt army rort, which rorted hundreds of thousands of taxpayer dollars at the last election. Perhaps this could be called the red-jacket army.

The threat of all this is impacting the CFA. The state budget reveals that the emergency services are already 4200 volunteers short of what was expected this financial year. Labor is sacrificing the CFA to create more unionists. The CFA deserves far more respect. Where would Victoria and Australia be without volunteers? Organisations like the CFA, surf lifesaving clubs, the State Emergency Service, Red Cross and thousands of other organisations thrive because of volunteers, but this Andrews Labor government is putting its own political interests ahead of volunteering. It is wrong, and it is un-Australian.

Not surprisingly, CFA volunteers have been contacting me in droves. The vast majority are furious that the government continue their mission to destroy the CFA. I am going to share with the house the anguish of my local volunteers. These are extracts from their words, not mine. A CFA volunteer of nearly three decades said:

What is a CFA volunteer?

To me, a CFA volunteer is a person who belongs to an organisation that we are all proud to be a member of. To a volunteer, it's like belonging to a close-knit family.

If you asked 100 members why they joined or why they remain in the CFA then you would probably get 100 different answers, but the common thread that runs through us all is that:

We belong because we can, and because we want to.

We are a strange breed of person (to the outside world).

We don't get paid.

We give our time freely — weekends and nights.

We don't take holidays ...

We leave our families ...

They leave their roasts. They leave their nice warm beds. They leave all of that:

... because we are a CFA volunteer.

They do all that. They fight fires, they come back to the station, they:

... stow the truck and put it away for the next call —

and then they go back to whatever was happening in their life beforehand.

This person also said:

When I'm crawling around drains or looking at a wall of flames or sleeping under a tanker because it's the safest place to sleep, do I check my sanity meter, sometimes, but then I remember I belong to a special group of people who are trained and willing to give their time freely, to help someone else in the community, because I am a CFA volunteer.

They do not look for the accolades or the tag of 'hero'. Another high-ranking person who has been in that position for many years said:

My main concerns for feedback to Parliament are:

There has been no consultation at brigade level prior to the announcement of the proposed legislation.

The statement and advertising campaigns that have been launched saying we are a 1950s organisation is completely incorrect and is generating fear in Victorians, which is completely unfounded and unacceptable. I request an independent inquiry be held into who has launched this and that they are held to account, as it's defamation of the organisation and insulting to all members of CFA.

CFA has evolved to address the needs and risks in the community ...

They go on and on about the fact that they take huge insult to the fact that paid staff are referred to as 'professional'. This person said

... so what does that make a volunteer? We all deliver the same quality service. We are all 'professional'!

The presumptive legislation needs to be split from the proposed FRV bill. I question the integrity behind this. If anyone in this government has some sort of integrity they will ensure this is split!

In regard to presumptive legislation, it is (supposed to be) based on ... Queensland ... but ... Queensland ... doesn't have the same conditions ...

And this person wants greater review of that. An officer from a local CFA said:

Please do not sign the Premier's new proposal to split the CFA.

The Premier and Mr Merlino have both shown their desperation to force this issue by deliberately pushing through a massive change that will affect the majority of Victorians, and have sold it on deceit and lies. The presumptive legislation should be handled as a separate bill, and I plead with you to please introduce a new bill that just covers the presumptive legislation for all firefighters and have it submitted to address this ASAP. I have lost a few friends due to cancers that have been caused by fires ...

And they go on about how heart-wrenching that is. That person has been a very proud firefighter for a very long time but has recently taken a step back because of the toll it is taking on them and their health. The person says they find what is happening to be 'disgusting' — their words, not mine.

Volunteer Fire Brigades Victoria said that it is very important to say that there was no consultation. It said:

This is a serious failure to consult with CFA volunteers in accordance with the CFA act and volunteer charter. It beggars belief that such major reform could be contemplated for CFA without detailed assessment and advice about operational impacts, volunteer capacity impacts, cost impacts —

et cetera. A professional volunteer firefighter goes on to say:

I love what we do as volunteer professional firefighters; we do a professional job, in professional uniforms, working with professional equipment and hold ourselves to an exceptional and extremely professional standard. For all intents and purposes we are professional.

The difference between our professionalism and the career firefighter's professionalism is that they get paid for what they do; they make it their career. We are professional; we just do it for free ... same job, same risks, same results and same expectations from the community.

This person says that it is absolutely atrocious to even consider splitting the family of 60 000-odd people. They said they have lobbied and they have done all sorts of things.

I think I can fit in one more quote. This is from Geoff Stewart, and he was proud to put his name to this. A trained and educated firefighter with 44 years volunteer service from the Bayswater fire brigade, Geoff said:

The word professional used to distinguish between volunteers and paid career firefighters is incorrect.

The word professional relates to work that needs special training or education.

Having the qualities that you connect with trained and skilled people, such as effectiveness, skill, organisation and seriousness of manner.

Having the type of job that is respected because it involves a high level of education and training.

We are all professional firefighters and the simple difference is some of us are paid and some of us are not. So how about the UFU and government stop making the public think they are in danger of not having fire protection in their area.

Again, I want to thank Geoff Stewart after 44 years of being a firefighter for bringing that to my attention. So they cannot all be wrong; the local volunteers cannot all be wrong. This government is being pig-headed, and I

will not support this bill while it stays with the two components banded together.

**Ms COUZENS** (Geelong) — I am delighted to speak on the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017. I want to begin by thanking the Minister for Emergency Services for the work he has put into developing this bill and making our community safe, but I also want to thank our firefighters, both career and volunteer, who have been subjected to a whole range of inappropriate and basically outrageous situations caused by those opposite, which have clearly been unnecessary.

We went to the election promising to resolve this issue. I think this is the best possible outcome for both career firefighters and volunteers. These are outdated services, and I think everybody has acknowledged that. But the misinformation that has been put out there by those opposite to try to create division and split even further volunteers and career firefighters has been absolutely outrageous and unacceptable.

This bill reforms and modernises the structure and governance of Victoria's fire services, and that is exactly what we need. The issues around community safety are really a no-brainer. In Geelong we have two integrated stations and one volunteer station. Obviously Geelong is a growing city, and our suburbs are spreading out more and more as the years go on. For our community to be adequately serviced there is a huge need to expand those services. The other side to that is that around regional Geelong we have stations that require integration, in particular the Lara station. I know there has been a great deal of discussion with the Lara community and the volunteers there around implementing that integration. From what I understand, that has gone very well. Comments by the shadow Minister for Emergency Services inflamed the situation and stirred up issues. In the Lara station, as we heard in recent sitting weeks, claims of a statutory declaration about the member for Lara making comments to the volunteers were just outrageous. It is that sort of inflammatory behaviour that not only I but many people in Geelong find completely unacceptable.

People are more concerned about community safety and having the confidence in their fire services, regardless of whether they are volunteer or career, to get to their house fire, an accident or an emergency — whatever it is — as quickly as possible —

**An honourable member** interjected.

**Ms COUZENS** — That is right; as long as they see those red trucks and hear those sirens, that is all they are worried about. They do not really have a great interest in whether the Country Fire Authority (CFA) is separated from the career firefighters. They do not care, to be honest. The only response I have had from my community has been positive. The firefighters, whether they be volunteer or career, have made it very clear that they actually support this bill. Just yesterday I had emails from Paul in Geelong, Brendan in East Geelong and Sean in Manifold Heights — and the list goes on — saying, ‘You have to support this bill. We want this bill to go ahead, because we see it as the best possible outcome not only for Geelong but for all Victorians’. Again, there are issues around keeping our community safe, which is what this bill is all about. It is about addressing the outdated services and ensuring that our volunteer services in particular get the equipment and resources they need to do their job.

What the opposition have been bantering around for the last couple of years, but in particular the last few months, is an absolute disgrace. They are union bashing. There may be comments around the union having some sort of control, and that is just something that we expect from the opposition, but these people are firefighters. These are people who put their lives on the line every day, career firefighters and volunteers who are out there. They care about their community. They support their community. They do not want to be having internal fights or fights with government when they are trying to do the right thing. The union bashing has got to stop. The attacks on career firefighters, and on volunteers to some degree, have to stop. This bill allows that to happen. It gives our community confidence. It gives our community the view that we care about their safety and the importance of getting to fires and emergencies on time, with the best possible equipment and resources and highly trained firefighters, regardless of whether they are career or volunteer, to get on and do the job.

As I said, these are very caring people. They are not used to having these sorts of dirty fights. They do not want it. They have had enough. What they want is to be able to get on with their job of caring for their communities and saving lives and property. We want them to have the best possible resources and the best possible equipment so that they can get out and do their jobs. We need to stop the division that has been created by those opposite.

This legislation also enables us to look at getting more firefighters, both career firefighters and volunteers. From talking to volunteers, I dispute what the

opposition is claiming in terms of what volunteers are saying, because all the volunteers I talk to in my community — and outside my community in fact — very strongly support this bill, because they do want to get on with the job. They are saying there is more equipment, more trucks and more volunteers that we want to recruit. They see this as an opportunity to be able to recruit more volunteers.

I know this is not what the opposition want to hear, and that is why they are opposing this bill, but the reality is that my community of Geelong feel very strongly about this. They are saying, ‘Just get on with it’. We need to have a much better system in place, particularly in urban areas like Geelong — we are only talking about 35 stations here, not the whole of Victoria. The country CFAs will be able to continue to do what they do, and they do a fantastic job, particularly in country areas where there is always a risk of bushfire. They are dealing with that on a regular basis, particularly during our summer months. I am very proud of our career firefighters and our volunteers. I am proud to have them in my electorate, and I am proud to support them as the member for Geelong and to ensure that they have what they need.

The other side to this is that the government is delivering its election commitment to introduce a presumptive rights compensation scheme for both volunteer and career firefighters. That is something we went to the election with. It is something that I personally think is a fantastic move. We have known for some time that sadly our firefighters are exposed to various chemicals and things in fires — we know that. To identify that and to put measures in place to protect them is, I know, really valuable to them.

I have spoken to many career firefighters, some of whom have experienced different cancers, and they see this as a great move. It is a great Labor policy that they are very happy to see. I have talked to the volunteer community as well, and they also feel very strongly about it. I know there was stuff put out there by the opposition that we were not going to include the volunteers in this legislation. As you can see, we have included them, and we always intended to include them. I think the opposition need to pull their heads out of the sand and start thinking about what our communities really need, and to support both career and volunteers.

**Ms BRITNELL** (South-West Coast) — I rise to speak on the Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017, a bill that plays

politics with cancer and has created confusion and trepidation among Country Fire Authority (CFA) volunteers. Today we are debating a bill that will have huge impacts on fire services, a bill that is being rushed, a bill that aims to break up an iconic organisation, a bill that divides people based on status, and a bill that has left volunteer firefighters feeling confused.

My electorate includes two integrated stations, one in Portland and one in Warrnambool. Both will be handed to the proposed Fire Rescue Victoria (FRV). My electorate also includes about 50 volunteer brigades, and the captains I have spoken to in the past week all have the same feelings: confusion and concern.

I quickly want to make mention of the Fire Services Victoria website. This site is touted as a place where people can find answers to the questions they have about these reforms, but it only adds to the confusion. A fact sheet about the Portland station begins by saying:

As the population of Ballarat expands ...

Ballarat? A city some three hours away? It also says the Portland CFA has been serving the community since 1937, despite the Portland fire brigade having been established in 1857. The Warrnambool fact sheet at least gets the city's name right, but it says Warrnambool has been served by the CFA since 1991. The Warrnambool brigade was established in 1863. These might seem like small issues, but these little anomalies add to the confusion. After all, they come from a page entitled 'fact sheet'. Are the dates of the service simply talking about the first paid officers coming into the brigades or are they a mistake? How can we expect people to feel confident in what is being said about the biggest shake-up of fire services in Victoria's history when there are anomalies like these, no matter how small?

It just shows that this legislation is being rushed through without due process. The question is why. Why are we debating this bill today? Why did the government not consult Volunteer Fire Brigades Victoria, as it is required to do and as is laid out in section 6G of the Country Fire Authority Act 1958? Why is it being tied to presumptive rights, a completely separate issue?

The presumptive rights issue is causing concern among volunteers. To start with they are disgusted that it has been tied to the fire services reform legislation, and they are very concerned the proposed structure of this system is a watered down version of what has been promised. Last Monday's *Herald Sun* featured an interview with Mark Potter, the son of former CFA

chief Brian Potter. He believes the government is politicising this issue and that presumptive rights should not be linked with splitting the CFA because they are two completely separate and unrelated issues.

This view is shared by one distinguished CFA member from my electorate who said most of the members of his brigade do not want to see presumptive rights legislation go through in this way because they are linked to a completely unrelated piece of reform. What does it say when the people this legislation will directly benefit, who have been campaigning for it for so long, would rather see it lost? It says they can see through the grubby game that is being played. This is simply a tactic by this government so they can send out media releases saying those on this side of the house do not care about those fighting cancer.

I was not a member of this place when this was last debated, but I have survived cancer. I have had the treatments, and I understand the gravity of a cancer diagnosis. I back all firefighters who are fighting a battle with cancer. I want to make that absolutely clear. But I cannot back this legislation as it stands because there are far too many questions about how the proposed FRV will work. The reforms are being sold as the modernisation of Victoria's fire services. They may well be, but if we truly want to modernise fire services, we should look at significantly improving small brigades.

In my electorate there are a number of brigades that do not even have power connected to their shed. They use the torch on a phone to back a fire tanker in after they have been called out at night. This is unbelievable. We are proposing to spend \$5 million on new uniforms and rebranding, but we have rural brigades who cannot even turn on a light in their sheds.

Heywood's fire truck cannot be kept in the station — there is no room for it there. Across district 4, which covers the western part of my electorate and is characterised by native bushland and large timber plantations, there are 18 tankers that are more than 25 years old. Government members will be quick to say they are putting \$100 million into the CFA, but how far will this go when we have 18 tankers in just one district that are ageing and need replacing now or in the near future at a cost of around \$400 000 each?

Another major concern of volunteers I have spoken to is that the chain of command is unclear. No-one understands what will happen when they require specialist equipment that will be controlled by FRV. They want to know if paid staff will answer to

volunteers. We have been told things will stay the same, that the chain of command will not change, but I am sure we have all seen the emails from volunteers coming in over the last week reiterating this point.

The chief officer visited South West Coast last week and told the Warrnambool *Standard* that nothing will change for CFA firefighters. He said if there is a house fire or grass fire at Koroit, a town a few kilometres away from Warrnambool that is serviced by an active, skilled, professional volunteer brigade, the Koroit captain would be in charge of that fire. He said if the Fire Rescue Victoria truck turns up, the volunteer captain of Koroit is still in charge. But in my consultation with volunteers in my electorate who, incidentally, have been told not to speak to me, I have heard numerous stories of this not being the case. Four separate volunteer captains told me of difficulties they have already had maintaining the chain of command at various incidents — and this is even before the organisation has been split.

There is confusion over CFA volunteers co-locating with FRV career firefighters, as will happen in two locations in my electorate. Will the CFA volunteers be able to fight fires in the FRV district? Section 93B of the Country Fire Authority Act 1958 states it is an area of concern. Put briefly, it says CFA brigades need permission or a specific request to be able to fight fires outside the CFA district boundary, be that interstate or within the metropolitan fire district. This bill does not seek to amend that section of the CFA act, meaning that section stands as is.

Under these reforms Warrnambool and Portland will become FRV districts. With section 93B remaining unamended CFA volunteers in Warrnambool and Portland will ultimately have no authority to make decisions in the event of a fire unless they are under the control or request of FRV firefighters. Does this mean volunteers in Warrnambool and Portland will have to sit by and wait for a request to be able to put out a fire within the FRV boundary?

Craig Lapsley was quoted on this issue in the *Herald Sun* last Tuesday, saying:

I'm solid in the sense that the legislation supports us working together and I think the legislation does that ...

So on the one hand he is solid that the legislation supports CFA volunteers and FRV paid staff working together, but then he only thinks the legislation does that. Is there any wonder there is confusion?

Clause 48 stipulates the CFA chief officer has control over co-located volunteer brigades, but there is no clarification on the chain of command on the fireground and in the stations between the CFA and FRV.

The bill also sets out that officers and staff from the newly created FRV will be seconded back to the management of the CFA. To me this is baffling. On the one hand the bill is saying that we need to split up the fire services to improve safety and response times, but on the other hand it is saying that the services will have to share staff to make sure both services are adequately supported. This means that the claim that the CFA is 100 per cent volunteer is false. The frontline officers might be volunteers, but there will be staff who have been seconded from a second organisation in control. This is where we see the true purpose of the bill. It simply creates one organisation for paid staff and a second for volunteers in order to get the enterprise bargaining agreement passed.

Clause 38 of the bill states:

... an officer or employee ... of Fire Rescue Victoria made available to the Country Fire Authority ... remains an officer or employee of Fire Rescue Victoria and is not an officer or employee of the Country Fire Authority.

These staff will be seconded to the volunteer organisation at top dollar, using money that should be going to volunteer resources, but will the CFA volunteers or board have any say in which staff are seconded to them?

The entire bill is nothing more than a political fix to a dispute with the union. It again removes people who do not agree — namely, the Metropolitan Fire Brigade board — and in essence hands control of fire services over to the United Firefighters Union and Peter Marshall. After all the bluster and all the hype about enshrining the rights of volunteers into law, what we will see are volunteers reporting to staff seconded from the new FRV.

There may be some merit in this bill, but why is it being rushed through? Why is there no consultation with volunteers or their associated bodies, despite it being a requirement of any proposed changes? Why is there no impact statement of the changes? Why is cancer legislation being tied into what is a completely separate issue? This raises alarm bells, and I cannot support this bill in its current form. It is not too late to prevent this bill from tearing apart an organisation that has a proud history of skilled, professional members who have given so much to all of our communities. South-West Coast and its 55 brigades need to receive more respect than what this bill is delivering them.

**Ms WARD** (Eltham) — To begin, and in support of this bill, I would like to channel the member for Essendon, who loves to quote the classics and delve into history. Sir Walter Scott said, 'Oh, what a tangled web we weave when first we practise to deceive'. And what a tangled web those opposite have indeed woven. What they have created is an absolute mess of their own making, and the fact that they cannot see a way out is not the fault of this side; it is a fault of their own.

The fact that they are prepared to use volunteer as well as career firefighters as collateral damage in their political ambitions and political games is nothing short of outrageous. And they have practised to deceive this community, and I will give a great example: their website, which was made to appear as a volunteer firefighter website seeking support and people's views on this issue, when in fact it was a fundraising arm. Have those opposite actually given back to the community the money they took from them with this deceitful website? No, I do not believe they have. In fact what they can only concentrate on is fallacy. They do not want to let reality get in the way of their twisted web of lies around this issue.

I want to read from Mooroolbark Country Fire Authority (CFA) brigade submission to the fire services review. They outline issues affecting volunteer recruitment or retention and enhancing workplace culture. They say there are double standards between staff and volunteer station facilities, they say there are double standards between staff and volunteer stations around health and safety, they say there are double standards between staff and volunteer station equipment and vehicles, and they say there is a lack of action from the state of Victoria regarding the presumptive rights legislation cancer laws. That is exactly what we are currently addressing.

We recognise — and volunteers firefighters have told us time and time again — that volunteers feel that the career staff get a lot of the attention and a lot of the services, the equipment and the supports they need. They recognise that one of the reasons they get that support is because they are members of a union, and that union stands up for them and gets them the services, the supports and the equipment they need. The problem with agencies like Volunteer Fire Brigades Victoria (VFBV) is that they are not actually able to do that. They have not helped get volunteers in this state the essential items and support that they require. This bill will actually help negate that. This bill will help give our CFA volunteers the real support that they need, including for my local brigades, which are very excited about the \$100 million that we are investing in

our CFAs and the \$44 million for capital works. They are very pleased to hear that.

I thank the minister for coming to my brigade in Eltham a few weeks ago and speaking to a number of brigades throughout the Diamond Valley area. He talked for about an hour about this legislation, and they were interested in it. They were polite, they were receptive and they really wanted to know how this \$44 million could be spent and how they could take advantage of it. Already we are rebuilding and reinvesting in our local fire brigades. This includes the new truck that has been received at Research, plus \$50 000 for new buildings. It includes the rebuilding of the Plenty CFA and it includes new trucks for Diamond Creek CFA — and the list goes on. Wattle Glen CFA is also getting an extension. That is what we are doing now, and this is before the \$44 million actually kicks in, so there is a lot being done by this government to support volunteer brigades. This government stands with volunteers just as much as it stands with career firefighters.

The former Auditor-General noted in the Victorian Auditor-General's Office review in 2014 that the CFA does not know how many volunteers it needs. The Auditor-General missed the point dearly. It is not about how many volunteers the CFA needs; it is about how many Victorians want to volunteer for the CFA. They should all be supported and their volunteerism should be embraced — and we are doing exactly that. We want to help and encourage our volunteers. We certainly do not want to play the games of division, fear and hatred that those opposite continually play. For two and a half years those opposite have worked incredibly hard to divide our fire brigade. They have worked hard to hurt people. They have worked hard, as the member for Bayswater illustrated in her speech, to pay back the career firefighters who dared stand up to them while they were in government and tell them that they had it wrong, that they were not supporting them, that they were not giving them what they needed and that they were not paying them accordingly.

The member for Bayswater called it out, and she is exactly right. That is what this is. This is about payback to career firefighters. This is about those opposite wanting to harm and hurt career firefighters and using — and I use that word advisedly, Acting Speaker — volunteer firefighters for their own base political needs. It is absolutely outrageous that they would continue to use people in this state as they are.

The Hillcrest fire brigade's submission to the fire services review said:

Interoperability between MFB and CFA is integral to achieve a harmonious working relationship. It does seem ludicrous

that each agency has different types of radios, different escalation arrangements and different incident command structures and different equipment. While interoperability is about more than just equipment, it would be great place to achieve some efficiencies.

Let us do that. Let us make our fire services efficient. Let us make them all communicate properly with each other. Let us have them all work well together. That is what this legislation does. Those opposite do not recognise that there are challenges with how this works. They do not recognise how frightening it would be for a firefighter to be in a fire and to be on one radio frequency trying to communicate with another career firefighter on a different radio frequency. How do you do that in a room full of smoke and fire? How do you protect each other in that? They need to be able to have similar operations and they need to work well together.

In fact it does strike me as quite surprising that in my own community suburbs like Montmorency — the community you yourself grew up in, Acting Speaker Spence — are divided between the CFA and the Metropolitan Fire Brigade, as is Greensborough. Greensborough is also part CFA and part MFB. This is ludicrous. The growth that is occurring in our suburbs and the number of challenges that are experienced by two career agencies working together in built-up suburbs needs to be addressed, and that is what this legislation is doing.

I want to talk about the VFBV submission where they said, regarding the Fiskville inquiry, that they are:

... alarmed at the lack of progress on the ongoing issue of presumptive legislation in Victoria.

Andrew Ford goes on to say:

I could not miss the opportunity today to talk about the fact that we and the United Firefighters Union have been pursuing that issue since that legislation was introduced nationally many years ago ... We now find Victoria being one of only two states in the country that have not addressed that issue. I would ... say when there is so much attention to the safety of firefighters, so much attention to the exposure that firefighters face in their day-to-day work and in their hot fire training scenario, why is that issue still not progressing?

That is exactly right. Why is this issue not progressing? Today it is progressing. Today presumptive rights legislation will be addressed and it will happen, and it will happen because this government is making it happen. Those opposite had four years when they could have addressed that issue. They had four years when they could have introduced this legislation. They said there was no link. They said they did not need to introduce presumptive rights legislation. Well they were wrong. Their inactivity and inaction did not reflect

the needs of our firefighters, volunteer and career, and they should be ashamed of themselves.

The VFBV on their own website say, regarding presumptive rights legislation:

Your local MPs need to know that volunteers are tired of waiting and will not accept being treated differently just because they are not paid.

They should not be treated differently. This government stands by that truth, and we will not treat them differently. We will support presumptive rights legislation. We will — —

**Mr T. Bull** interjected.

**Ms WARD** — It is funny that you should say that because that is what many of them are telling me. These people do not go out and talk to their firefighters. They do not know what is really going on in communities. As we have seen with the shadow Minister for Emergency Services who just makes stuff up — including the attendance of paid firefighters on Black Saturday, for which he has still not apologised — they make it up as they go along, and they should be ashamed of themselves. These people risk their lives for us day after day, and those opposite want to treat them as collateral damage in a political fight only to advance their own base political needs. It is disgusting, and they should be absolutely ashamed.

**Debate interrupted.**

## DISTINGUISHED VISITORS

**The ACTING SPEAKER (Ms Spence)** — Order! Before calling the next speaker I would like to acknowledge in the gallery the Honourable Marilyn Warren, Chief Justice of Victoria, and her judicial officers of the Supreme Court of Victoria. Welcome.

## FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2017

*Second reading*

**Debate resumed.**

**Mr T. BULL** (Gippsland East) — I am very sorry you had to hear that ridiculous rant. It is a pleasure to rise to make a contribution to the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017 and support the reasoned amendment from the member for

Murray Plains. Much has already been said about this legislation and how it arrived in the house, but one area on which I wish to focus many of my comments relates to consultation. We heard from the member for Eltham the claim that we are somehow using firefighters. All I can say is that when I have got firefighters — Country Fire Authority (CFA) members and volunteers — coming to me, complaining in droves and wanting me to object to the way this is being done, I am not sure how that is using them. These people are coming to me, as have captains of local CFA brigades.

Let us just overlook for a moment the differing views on elements of this bill and focus simply on what is a reasonable level of consultation, which was promised in the volunteers charter which was signed by the Premier of the day. Volunteer Fire Brigades Victoria (VFBV) has informed me that it has 95 per cent brigade affiliation. It told me that last week. It is therefore the peak body representing brigades and obviously a major player and stakeholder in relation to fire services in Victoria. The VFBV was not consulted in any level of detail about this new legislation, so it is basically this government saying, 'Look, we know that you're a major player, but we know that you're not going to agree with what we're trying to do here so we're going to ignore you and leave you out of any discussions that we're having'.

Have a look at the various inquiries that have been held — eight, I think, was the minister's commentary. They were reviews into the fire services. The minister was asked four times whether any of these reviews recommended splitting the fire services, and all the minister could say was:

You will see with each of these reforms, the genesis of them will be in the reviews ...

In other words, there was nothing to recommend that we split the fire services. So while none recommended the split, let us have a look at what the 2009 Victorian Bushfires Royal Commission said. It said that expanding the Metropolitan Fire Brigade (MFB) boundary would 'probably decrease the critical surge capacity of the CFA'. The bushfires royal commission said that. Can we get any more independent than that?

So while we are told to believe these reforms are a good idea by a minister who cannot cite which of the fire reviews specifically recommended the split, let us have a look at who has been sacked or forced to resign for opposing these reforms. The former Minister for Emergency Services is number one. The former CFA board did not agree with these reforms — out the door. The former CFA chief fire officer, Joe Buffone, and the

former CFA CEO, Lucinda Nolan — both gone. The former MFB chief officer, Peter Rau, the former MFB deputy chief officer, the MFB CEO, the MFB acting chief officer, the MFB deputy chief officer and the MFB board are all gone because they questioned this reform. All those people opposed or questioned the reforms and they are gone.

Volunteer Fire Brigades Victoria, which has 95 per cent brigade affiliation, has not been spoken to, and the bushfires royal commission warned against it, but we are told to believe that this is all in our best interests and is all good and all from consultation with union members who stood at 40 polling booths at the last election. Peter Marshall clearly states that.

Let us look at some comments from volunteers. The member for Eltham said that we are using volunteers. These are some of the emails that have come to me from volunteers.

I write to you with serious concerns regarding the way the current legislation around fire service reform is being introduced.

Despite serving my community as a volunteer for over 18 years, please don't think that these concerns are based on the loss of CFA tradition and emotional ties. My objections include:

A total lack of detail on how the proposed structure will work.

There has been no opportunity for public scrutiny and, most importantly, there has been no consultation with volunteers as required by the volunteer charter and CFA act.

Another said:

I am not deceived by the lack of detail offered. It can only be one of two things — either it is an intentional strategy to gloss over the serious and detrimental impact this reform will have or, just as worrying, the detail actually is still undecided.

I am also disgusted that the government thinks it is appropriate to use presumptive legislation as a 'sweetener', not allowing one part without the other.

Another volunteer said:

This legislation is barely a shell, with no details provided for anyone to make an informed decision about. No-one from the government can answer questions about how it will work, so how is it possible to read, understand and pass this legislation?

Another email I received said:

Surely you can acknowledge that pushing this legislation through is completely ignoring the volunteer charter and CFA act requirement for consultation. Volunteers are going to be

affected and, despite being contrary to what Minister Merlino states, there has been no formal consultation process.

Another volunteer said:

If Daniel Andrews had even a shred of decency, he would immediately split these bills and put people before politics.

Another one said:

Volunteers do not oppose change. All they ask for is to be part of a comprehensive consultation process, in unison with all key parties and the public prior, with the objective of implementing an improved fire and emergency services.

These are all comments from volunteers.

We have been confronted with a misguided and rushed-through arrangement, cobbled together for political ends without any consultation or public scrutiny. This proposal is underlined by a serious failure to consult with CFA volunteers in accordance with the Country Fire Authority Act 1958 and the volunteer charter.

Perhaps the final comment should belong to Mark Potter, a former CFA employee and son of Brian Potter, who lost his life to cancer. Mark spent a lot of time working with the CFA in Gippsland. I have gotten to know Mark pretty well and cannot speak highly enough of him as an individual. Mark said that his father would have been bitterly disappointed that the proposed cancer compensation laws have been attached to a politically divisive bill to restructure the state's fire services. I quote from the *Herald Sun*:

'I genuinely believe the government is politicising the serious issue of cancer in firefighters', Mr Potter said. 'One part of the bill is about the health and wellbeing of firefighters injured in the line of their firefighting work; the other is about a structural change in the fire service'.

He said the two issues were unrelated and should never have been included in the same piece of proposed legislation.

Mark's comments are very pertinent.

Before I conclude my contribution, I also want to make some comment on a comment that is continually repeated in this chamber. We heard it earlier today from the member for Lara, and we have heard it over previous sitting weeks from a number of members on the other side, and that is that when we were in government we cut the CFA budget. I have some figures here. Labor's last CFA budget in 2010–11 was \$398 million — it was actually just under that, but I rounded it up to \$398 million. Every year of the coalition government it was well in excess of that total, peaking at \$537 million in 2011–12, when the bulk of

the recommendations of the bushfires royal commission were implemented.

**Mr Pearson** interjected.

**Mr T. BULL** — You can get up and squawk all you like over there, member for Essendon, but every one of our budgets in government was higher than your last one in 2010–11. That is absolute fact, and it needs to be put on the record. Every one of our budgets was higher than the last Labor budget. That needs to be recognised by people who want to peddle mistruths and absolutely twist the truth. There needs to be recognition of that.

Winding up, I strongly support the reasoned amendment from the member for Murray Plains. This bill should be split. These are two areas that should not be combined into one piece of legislation. It has been well stated on this side of the house time and time again that we will support the presumptive rights legislation element of this bill. This is absolutely playing politics. This bill should be split. I encourage the members of the government to split this bill so that by the end of the next sitting week we can have presumptive rights legislation for both our paid and volunteer firefighters right throughout Victoria, which is what they deserve.

**Mr McGUIRE** (Broadmeadows) — Stripped of rhetoric the reality is that the Andrews government is delivering the best presumptive rights scheme in the country, with equal coverage for career and volunteer firefighters; returning the Country Fire Authority (CFA) to a volunteer-only organisation, with more legislative protections and better support; creating a modern, professional paid fire service, bringing all paid firefighters throughout the state into one organisation; and delivering on recommendation 63 of the 2009 Victorian Bushfires Royal Commission. These are critical and necessary reforms.

Let us look at the overall package. The government made a commitment before the last election to introduce presumptive rights legislation for firefighters. This commitment was made because it is the right thing to do. Despite scientific evidence showing that a number of cancers can be caused by firefighting activities, under current laws firefighters have to go to great lengths to prove that their firefighting is the cause of their cancer. The government has acted on this proposition, and presumptive rights will be provided to all firefighters, career and volunteer — whatever the case — on an equal basis.

Legislation will also be introduced to provide firefighters with presumptive rights to cancer compensation. This recognises the challenges

firefighters have faced in accessing compensation for cancer arising from their service.

Labor committed to the Tasmanian model before the election, but it is delivering something even better. The scheme will deliver equal access to compensation for career and volunteer firefighters. That is a critical point that I want to emphasise. It will apply to firefighters who have developed cancer because of their service and have been diagnosed since 1 June 2016.

Rules that require volunteer firefighters to have attended a specific number of fires are problematic, so the scheme will instead mirror the approach taken in Queensland, which has no specific incident requirements. Volunteer Fire Brigades Victoria has referred to the Queensland approach and stated that South Australia and Queensland led the way, with equal treatment for career and voluntary firefighters.

The scheme will also take into account exceptional exposure events, enabling firefighters who have attended such an event to qualify for the presumption, even if they do not meet the minimum years of service — additional benefits that no other scheme has. These are the critical reforms that will be introduced through this bill. How will this be assessed? An expert committee will be established to advise WorkSafe Victoria on these matters. The government will also create a dedicated assistance fund to support the small number of people who may not fit the criteria of this scheme.

Those opposite have refused to act on presumptive rights. This is a critical point of difference. I will not go through the old arguments on that. I just want to emphasise that major point.

Let us have a look at the next proposition. This is about additional support for the CFA. The Country Fire Authority Act 1958 will be amended to enshrine the important role of volunteers in the CFA. Section 6F of that act will be amended to specify that the CFA is, and I quote:

a fully volunteer fire fighting service, supported where necessary by paid staff.

The CFA will continue to be overseen by a board with volunteer representation and a chief executive and chief officer. This will reinforce the CFA board's primary responsibility to support the recruitment, development and retention of volunteer officers. Simultaneously the Victorian government will reaffirm its commitment to the CFA volunteer charter. As part of the Andrews government's \$100 million support package to strengthen the CFA, the government is creating a

\$56.2 million CFA Support Fund to help volunteer recruitment and retention, increase training options, expand brigade support and develop brigade leadership. There is the whole series of initiatives and how they will be unfolded, and critically here are the resources to make that happen.

The government will work with volunteers, with their expertise about what they need on the ground, to determine the best way to spend these funds to help make the CFA an even stronger firefighting force. That is what the community is really wanting to know about. They are well over the politics of this issue; they want to see action being taken and they want their safety secured.

The government is also investing \$44 million in a station building and upgrade program for current integrated stations and volunteer stations so CFA volunteers are working out of safe and modern facilities that accommodate them and their equipment properly. This is a significant investment and it is additional to the existing capital program. These reforms will not impose further costs on the taxpayer — the government will freeze the fire services property levy at its current level for two years, and that is the pledge that the Treasurer himself has made.

Turning to the volunteers and integrated stations issue, let us unpack the proposition there. Volunteers at the CFA's 35 integrated stations will be encouraged to remain and co-locate with Fire Rescue Victoria (FRV) services. As is already the case, there will be different arrangements depending on local circumstances and the requirements of both FRV and the CFA. Priority one will be community safety. This is a practical, commonsense response to try to address these issues.

Information sessions have already begun to work through this accommodation. The government is making significant investments in recruiting additional firefighters to ensure that there are enough firefighters on station and ready to respond as soon as the alarm is sounded. The arrangements for FRV and CFA to work side-by-side at the 35 integrated stations will be determined at the local level and adapt to local demands. The CFA volunteers from these brigades will play an important role in responding to emergencies. This is how it will actually work in practice, on the ground, in an emergency situation. I think that is the critical point the volunteers, the professionals and the community really want to know about.

The \$100 million being invested in the CFA will ensure that these integrated brigades and the 1220 volunteer brigades throughout the state have the support they

need to keep us safe. Integrated stations will transition to FRV but CFA volunteers will be able to retain their equipment and vehicles, which is a critical proposition for them. The CFA will lead a process for determining this, and volunteers at these stations will be engaged, so there is a way of working through these issues with a cooperative and collaborative approach.

The next proposition is that a new organisation called Fire Rescue Victoria will be established to provide fire services to densely populated urban areas throughout Victoria. As we know, this is a critical and fast-emerging issue. I say that as the member for Broadmeadows: in Melbourne's north, the cities of Hume and Whittlesea are going through enormous population growth. Within two decades they will have a population equivalent to the current population of Adelaide. We need, particularly in these areas, a better system, and that is what this bill delivers.

FRV will bring together the Metropolitan Fire Brigade and CFA career firefighters. FRV will service the areas currently covered by the Metropolitan Fire Brigade and the CFA's 35 integrated stations. Any future changes to these boundaries will be a result of determinations by the independent Fire District Review Panel. This is important because it is an independent assessment and it will be delivered.

A new role of fire rescue commissioner will be created to lead this organisation. This is consistent with the recommendations of the fire services review and emergency management best practice. It is also consistent with the model used by other fire services throughout Australia and by Victoria Police. We have the precedents and this should give us the best opportunity to make this work. The FRV commissioners will set the strategic direction and make clear who is responsible when emergencies happen so that action is immediate and appropriate.

This is the suite of reforms that will set up the fire service to deal with the population growth that we are now going through in Victoria. We have thriving economic activity but it also has flow-on effects on a whole range of issues that must be addressed. I think this bill goes to the heart of the matter. When we take out the arguments of politics looking and sounding like two dogs barking, it delivers what is practical and what Victorians want that will make them safer.

**Mr WELLS** (Rowville) — I rise to speak on the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017. This bill is, without doubt, based on a sleazy,

secret deal between the Premier and Peter Marshall in the run-up to the 2014 election. As most people have said, we do not understand what Peter Marshall has on the Premier and why the Premier would stick by Peter Marshall and shaft 60 000 hardworking volunteers.

What did we see on election day in 2014? We saw United Firefighters Union (UFU) members pushing and shoving female members of Parliament at polling booths in the run-up to that election in a disgraceful situation, and then we saw people who were dressed in so-called Country Fire Authority (CFA) volunteer uniforms up in the Monbulk electorate, where the Deputy Premier now is.

It was a lie then, it was more deceit, and today this bill is based on more lies and more deceit. I have great respect for every single emergency services person, whether they be a full-time career firefighter, a volunteer firefighter, with the State Emergency Service, the police, the ambulance — you name it — we all respect them. But this bill is based on deceit, and by putting the presumptive rights legislation in as part of the structural changes — so clever, yet so sleazy and so slimy — this is based on lies.

I have noticed a lot of previous speakers talk about Fiskville. I went back and had a look; it seemed that all the problems happened between 2010 and 2014. The fact of the matter is that between 1999 and 2010, the 11 years that Labor were in power, not one piece of action was taken by the Labor government in fixing Fiskville. How ironic that they are so quick, but when we came into government and saw that there were some issues at Fiskville, we actually — —

**Mr Pearson** interjected.

**Mr WELLS** — How great — 'There weren't any problems'! All of a sudden it just happened between 2010 and 2014. You have got to love how they can rewrite history on absolutely anything.

It was interesting to note that the previous coalition government actually got Professor Rob Joy to do the inquiry. I remember appearing before the Public Accounts and Estimates Committee myself, saying that we committed \$11 million of remediation work to do the work after the Environment Protection Authority and WorkSafe and those people had done the reports to make sure that every single recommendation that was made we actually got onto. We were doing the hard work of fixing it. That is one of the lies that we want to put to rest.

The member for Monbulk, who came in with this bill, has no credibility and has, I would say, at every step of

the way in this process either lied to his constituents, lied to CFA volunteers or not told the truth to Parliament. He said to the CFA volunteers in my area, 'Within 100 days we will bring in presumptive legislation'. That is what he told all the CFA volunteers in the outer east: 'Vote for us, and we will bring in presumptive legislation within 100 days'.

Interestingly enough, there have been some comments about our stance on presumptive rights legislation. We were very clear we were going to wait for the Monash study, the very first scientific study into presumptive rights legislation. We would wait for the results, and then we would make a decision. We waited for the results, and then we made a commitment to every single CFA volunteer that we as a Liberal-National government would bring in presumptive rights legislation. We said that that is what we would do.

The member for Monbulk then went on to tell his own local volunteers that there would be no change to the CFA structure. Can you believe it? He was standing in front of his own CFA volunteers and telling them there would be no change to the CFA structure. It is a blatant lie to say one thing and then to turn around in government and say, 'Look, we're going to change it because we do not have the power or the political will to stand up to Peter Marshall'. That is what all this is relating to — 'We do not have the political will to stand up to Peter Marshall'.

We know what is going to happen to those volunteers in integrated stations, and I know the member for Nepean has an integrated station. The member for — —

**Mr Katos** — Very close, across the road.

**Mr WELLS** — There is one near South Barwon. I have an integrated station. We will watch with great interest, but I assure every member in this house that the volunteers will be booted out of those integrated stations. There is no way Peter Marshall is going to tolerate having volunteers in integrated stations. That is not the way this is going to work. Volunteers under this legislation will be treated as second-class citizens.

The fourth lie is that the Minister for Emergency Services said that they have consulted with the volunteers. When we went to check with the volunteers — 'Have you been consulted?' — they said no. How come on the very first day that they bring in the legislation the UFU are running ads and have set up websites? It just happened that the UFU were well and truly consulted. So it was another blatant lie.

The other lie that they keep regurgitating is that the Liberal-Nationals cut the CFA budget. I am still waiting for somebody on that back bench or the Treasurer — anyone — to show us in the budget papers where we cut the CFA budget. Every single year in a Liberal-National budget we increased funding to a record level. Every single budget in the Liberal-National Party term we increased the CFA budget to a record level.

Do you not just love these ads that are running at the moment — the arrogance of the UFU in the ads, saying that the Liberal-Nationals are running this scare campaign about the surge capacity? 'Don't worry, the CFA volunteers will still be there!' What sort of arrogance is that? They are not going to be there. The CFA volunteers will leave because they are being treated as second-class citizens. You cannot have an integrated station and only give the pages to one section and not the other section.

This is the way I think this is going to work, and it is the biggest lie of all. This is the Andrews plan for the CFA longer term. With the UFU, they will tell lies through their ads and try and convince Victorians that it is all about safety, and they will try and promise the CFA the world. In the unfortunate event — and God help us all in Victoria — that the ALP were successful in 2018, what they will do is, firstly, call for another review shortly after the election, and then announce that all volunteer fire stations in metropolitan Melbourne will close and their trucks will be transferred to Fire Rescue Victoria stations. Secondly, they will boot out every single volunteer in an integrated station. The effect would be that there would be no surge capacity in this state.

Think about the big fires across Victoria. Where do the large number of CFA volunteers come from? It is firefighters in those outer eastern and outer western suburbs and those fringe areas down to the Mornington Peninsula that get on those trucks, which a lot of times have been provided through fundraising by the local community, to go out and fight those fires. Assets will be transferred to Fire Rescue Victoria. All those assets will be transferred. The effect will be that the surge capacity of the CFA for the next big fire will not be there. The volunteers will find other things to do. Even now, can you believe it, a volunteer cannot even travel in the same truck as a career firefighter. Why would you treat the volunteer differently? When that surge capacity is not there, all Victorians will know who to blame, and that is Premier Andrews.

**Mr DIMOPOULOS** (Oakleigh) — It gives me great pleasure to speak briefly on the Firefighters' Presumptive

Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017. This is another election commitment delivered by this government. This bill does two very significant things. One is obviously to deliver on our election commitment to a presumptive rights compensation scheme, a compensation framework for firefighters. The other is to reform and modernise the structure and governance of Victoria's fire services, as announced by the Premier and the Minister for Emergency Services the other week.

The bill abolishes the Metropolitan Fire Brigade (MFB) and establishes Fire Rescue Victoria and makes other consequential changes to positions and titles. The bill also provides for the transfer of all relevant operational staff from the existing 35 integrated stations of the Country Fire Authority (CFA), as we have heard before. The bill, something that those opposite neglect to mention, strengthens the role of volunteers by inserting an additional objective for the CFA board to support the effective and sustainable recruitment, development and retention of volunteer officers and members to deliver capability in the provision of the authority's services. And that is not all in terms of volunteers. There is a whole range of other things, and I will get to some of the commitments shortly.

But the part of this bill of which I am proudest is the presumptive rights aspect. The bill will apply a presumption to compensation for both career and volunteer firefighters who develop one of 12 cancer types and who meet the qualifying period by cancer type. This scheme will apply to eligible firefighters diagnosed on or after 1 June 2016. So we are true to our election commitment in terms of that time frame. The bill also provides for an advisory committee to support the application process for volunteer firefighters and provide an expert opinion to WorkSafe on special consideration claims made by exceptional exposure events.

This is profound change, and it is a shame that it has taken this long to get it done. We are the second last jurisdiction, I understand, to make this change. It is not surprising to me that this change is being made by a Labor government, because generally compensation schemes and progressive measures like this for emergency services are made by Labor governments. The fire services statement the minister made when he announced these changes with the Premier also supports the Country Fire Authority significantly with \$100 million in new assets and supports and a dedicated \$56.2 million CFA support fund to provide additional brigade and volunteer support, improved health and safety and training.

Of course we are beefing up what the opposition called surge capacity, something they would not know much about because they chronically underinvested in fire services. We are boosting the availability of appropriate fire services across a larger part of Victoria than ever before. This is on top of all the other investments we are making that we announced prior to the election — the 450 additional firefighters, CFA trucks, expanding emergency medical response and increasing the fire services budget from about \$930 million under the former coalition government to \$1.1 billion in the 2016–17 budget and \$1.14 billion in the coming budget.

We also closed Fiskville and remediated the site. We have bought the land for the new training facility, a \$40 million allocation. We have made a whole range of other investments around supporting the CFA, the MFB and fire services generally, so it is quite galling to listen to those on the other side talk as if they are the best friends of the firefighter and the best friends of the CFA and volunteers generally, particularly the member for Lowan who I think said, 'We could have had presumptive rights by now', and the member for Bayswater who said, 'We proudly support presumptive legislation'.

I draw on an article by Richard Willingham and Henrietta Cook in the *Age* of 21 August 2013 — so under the previous government — that says:

The Napthine government says it is not convinced there is a link between firefighting and certain types of cancers, despite international research and state government-commissioned studies finding a direct link —

and despite the commonwealth already implementing a scheme by the time this article was written. For a direct quote, because I think one of the opposition members said that is not accurate in an earlier contribution, I refer to this statement:

We are not convinced that there is a direct link between cancer and the firefighters.

Says who? The previous speaker and then emergency services minister, the member for Rowville, said that on Wednesday morning in the week that article was published.

That is why it is just galling for those opposite to say we would have had presumptive rights. No, we would not have; without a Labor government we would not have had presumptive rights. As if in any universe a conservative party — the Liberals and The Nationals — would introduce workers compensation schemes. The workers compensation framework we have in Victoria was introduced by the John Cain Labor

government in 1985. This presumptive rights legislation and this framework of compensation are again being introduced by a Labor government. There is clear evidence here that the other side denied or — if I am historically accurate — cast enormous doubt on a link between Fiskville and cancer when everybody else knew it existed.

With those few words, I commend this bill to the house. I commend the care, dedication and diligence of the Minister for Emergency Services, the Premier and the government when it comes to the frontline services that support us in times of need.

**Mr KATOS** (South Barwon) — I rise to make a contribution on the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017. Can I say from the outset that I support the reasoned amendment that has been moved by the member for Murray Plains. It is a logical course of action to split the bill. Certainly we have no issue with presumptive rights legislation being introduced, but there needs to be consultation with the volunteer brigades, which to this stage has not been done.

As time is short, I will keep my contribution to the local Geelong area. Basically the Geelong area has many volunteer brigades, but there are four integrated stations: Belmont, Corio, Geelong City and Ocean Grove. Although Belmont is not in my electorate, it is right on the border with Geelong, so it is just on the other side of Reynolds Road. The ambulance station is in my electorate; the fire station is in the Geelong electorate. I have an integrated station that supports the volunteer brigades — particularly Grovedale and Highton brigades.

I find disgraceful the advertising that the United Firefighters Union (UFU) is putting forward. They will not even put their name to it. My understanding is it has been focus group tested. The focus groups have obviously said, 'Don't put the united firefighters brand anywhere near this because people have got serious question marks about what you're doing'. They are running paid ads like the one I have here, which was in the *Geelong Advertiser* of 26 May: 'Geelong's outgrown its current fire system' is the crux of the ad. It virtually says that if you are protected by volunteers, if you are in a suburb where volunteers are protecting you, you are not safe. That is the crux of the ad, and that is, if you like, the scare campaign that the UFU is running through the 'Fire doesn't wait' campaign.

The member for Geelong is in the chamber. My understanding is that the member for Geelong lives in Geelong West. That is a volunteer station, so is she happy to say that she does not feel safe being protected by volunteers at Geelong West station?

**Ms Couzens** — I didn't say that at all.

**Mr KATOS** — That is the crux of the campaign that is being run here and of the government's proposition — that you are not safe if you are protected by volunteers. People living in my community, such as in Highton or Grovedale or Torquay, are they not safe because they are proudly protected by volunteers? This government and this union are running a disgraceful smear campaign against volunteers. The proposition that you are not safe if you are protected by a volunteer — I just find that disgraceful. If there is a need for reform, as the government and the union are saying, go out into the community and consult. Talk to volunteers. Talk to the community. Talk to career firefighters.

**Ms Couzens** — We have. You obviously haven't.

**Mr KATOS** — Volunteers have not been consulted on these changes; they have said that very clearly. The member for Geelong can yabber all she likes. They have not been consulted on these profound changes. These are profound changes to our system, which has been in place for a long time.

What will happen to our surge capacity? As I said, the volunteers have not been consulted on these changes. The union has, because the website *Fire Doesn't Wait* was registered in April. They had this going for a month before the government announced these changes, so they have been consulted. They have been consulted because they wrote it. These changes are all at the behest of Peter Marshall. For some reason he has a pathological hatred of volunteers; he does not want to work with volunteers. I just do not understand it when we have a system in this state that has worked very well for many years. The integrated model has worked well in Victoria for many, many years during which we have had growth.

If you seriously want to make such a profound change, then this is a conversation that needs to be had with the whole Victorian community. It is a change that should not be rammed through the Parliament in the space of two weeks, with the introduction and passing of the legislation, and then making the most profound changes to our fire services without even talking to anyone in that two weeks. As I said, the only people who saw this bill before it was first read and second read in this place

are the union and the government. No-one has seen it. The volunteers have not seen a copy, and they have stated that on the record. They were not provided with any information. I just find it appalling that the volunteers have been treated like this.

I will finish on this note, because time is of the essence and I know the member for Shepparton is keen to make her contribution on this bill. A volunteer contacted my office last week and said to me that he has been informed that at the four integrated stations in Geelong the UFU members have got a sweep running to see which of those four stations will get rid of the volunteers first, because that is what this is about. It is about kicking out proud volunteers who service their community. It is shameful. That is the mentality and the attitude of this union. Rather than working with volunteers and working with people who support their communities with no expectation of remuneration or monetary compensation of any sort, this is how they are treating them. I find it appalling.

I certainly support the reasoned amendment that has been moved by the member for Murray Plains. This bill should be split. We can put through the presumptive rights legislation, which I have got no issue with, and then have a full consultation with the Victorian community about these profound changes.

**Mr PEARSON** (Essendon) — I am going to make a very brief contribution tonight because I know the member for Shepparton would like to speak on this bill. I rise to speak in favour of the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017. In my very brief time in this place, I have come to realise that talk is cheap. As Robert Caro, a very famous biographer of Lyndon Baines Johnson, wrote, 'Power reveals'. When you have power, that is when you actually discover the true nature, the true essence, of an individual or an administration. Those opposite could have done this work in the four years that they were in power, and they did not for various reasons. I do not profess to be an expert as to why they chose not to do it, because I was not a member of this place at that time and I did not follow the debate particularly closely. But that is the reality: they could have done something and they did not — and we are. We recognise the fact, particularly in relation to presumptive rights, that there is a correlation between exposure to heat and hazardous emissions and certain forms of cancer.

In preparing for this debate tonight, I looked at a July 2016 report from America, *Findings from a Study of Cancer among U.S. Fire Fighters*. This was a study that

commenced in 2010, so clearly in America they had decided in 2010 that this was an area worth exploring. It is a longitudinal study. There were something like 29 993 firefighters in the study, with at least one day of active duty between 1950 and 2009. What they found was that there was a greater number of cancer diagnoses and cancer-related deaths. These were mostly digestive, oral, respiratory and urinary cancers. There were about twice as many firefighters with malignant mesothelioma. The report found that the most likely explanation of this was it was brought about by exposure to asbestos while firefighting. They also found that firefighters who were under 65 years of age had more bladder and prostate cancers than expected. Then when comparing firefighters in that study, so within those 29 000 firefighters, the chance of lung cancer diagnosis or death increased with the amount of time spent at fires. The chance of leukaemia death increased with the number of fire runs. This report does go on to say that they could not determine precisely if an individual specific cancer is service related.

I raise this study just from the point of view that clearly this has been an issue that has caused some concern across firefighting services over many years. We are responding to the evidence and we are making sure that appropriate measures are put in place to protect these workers. You do have to wonder, where you have instances of firefighters who are physically active, who are physically strong: why are they stricken with these forms of cancers? Why are they dying at a greater rate? Why are they afflicted as a result of their service?

I do not want to take up much of the house's time tonight. I think this bill is really important because it honours an election commitment. Again it demonstrates our credentials — that we on this side of the house take occupational health and safety seriously, that we are prepared to intervene via legislation and regulation to address systemic failures. That is why we are introducing this legislation.

In the course of the debate I also listened with interest to some of the comments about modernising the service. I grew up in Wantirna in the 1970s and 1980s, and I remember going out to the Boronia Country Fire Authority (CFA) brigade. I remember at the time that I could not quite work out why we had the CFA in outer suburban Melbourne in the 1970s and 1980s. Certainly it made sense to have a rural response for rural areas, but I could not figure out much difference between Wantirna, which is covered by the CFA, as opposed to, say, Box Hill or Burwood, which are covered by the Metropolitan Fire Brigade. I think what we are trying to do now with the legislation before the house is ensure

that we come up with an appropriate response that reflects the modern, dynamic society that we are living in; the fact that we are looking at a very — —

**Business interrupted under sessional orders.**

**Sitting continued on motion of Mr DONNELLAN (Minister for Roads and Road Safety).**

**Mr PEARSON** (Essendon) — Thank you, Acting Speaker, for your guidance. You momentarily threw me. It is a really important piece of legislation that is before the house, and I am absolutely delighted to, rightly or wrongly, support career and volunteer firefighters through this measure. It is about making sure that we have got a modern, well-equipped fire service to protect our community now and long into the 21st century. I commend the bill to the house.

**Ms SHEED** (Shepparton) — I rise to make a contribution to the debate on the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017. This bill encompasses two major changes to the way Victorian firefighters are managed and cared for, and its intended purpose has been the subject of hot public debate for a very long time. Importantly the new firefighters' presumptive rights compensation act aims to ensure that both career and volunteer firefighters who risk their health for the protection of others are, within the guidelines of the legislation, entitled to presumptive compensation for cancers attributed to their efforts. This is a long-awaited change, and it will relieve a very heavy burden of medical red tape for those battling what are really insidious diseases. The bill also seeks to fundamentally alter the management and operating procedures of this state's fire services. It proposes to merge career Country Fire Authority (CFA) firefighters with their metropolitan counterparts and return the CFA to being a volunteer-run organisation.

In the Shepparton district there is just one integrated station, and that is in Shepparton itself, and it comprises both career and volunteer firefighters. That is part of my electorate. It is part of district 22, one of the districts that forms a part of the north-east region of Victoria. As with the rest of regional Victoria, there are many CFA units and stations within that broader area within my electorate outside Shepparton that are entirely manned by volunteers.

This is a bill that I have had to give a lot of serious consideration and a lot of hard thought to, and quite frankly it has been a pretty serious gig for me. I would have to say, first of all, that I have taken the time to speak to very many people. Not many people emailed

me; I received just a few emails from people in my electorate. I received a number from Volunteer Fire Brigades Victoria people, who genuinely have concerns and expressed those in those emails. But within my own electorate I actually had to go out and talk to people, so I made the effort to do that and spoke to quite a few.

Given the highly politicised nature of the debate, and I have been very privy to that sitting in this Parliament for the last two and a half years — and of course it was going on long before that — I was surprised in talking to the volunteers at the lack of interest in the political issues that go with what is happening here. While a number of them came to me prepared with political speeches and with lists of issues, which were around many of the things that have been discussed in this Parliament, when I said to them, 'Look, I'm an Independent. I just want to talk to you about what this means on the ground. How will this affect us in our electorate? What will it mean for your organisation?', a lot of the argument fell away, and it did come down to probably just a couple of really significant issues. The first was a serious concern about the lack of consultation. That was expressed quite broadly by a number of people. There were concerns about how the reforms would be put into effect on a day-to-day basis and that there has been little opportunity to explore the practical impacts of this legislation.

I spoke with a number of CFA volunteers after the chief fire officer visited Shepparton last Thursday and spoke with a large group of local people. I was told that the chief fire officer had been very positive about the changes, that there did remain questions that even he did not have the answer to in some cases and that there was a recognition that there is still a lot that has to be worked out.

One very senior officer acknowledged that there had been a need for change for a long time and that this reform package provides a framework for how things should happen in the future. Even though substantial resources are coming with this reform package to the CFA, initially concerns were expressed about the future resourcing of the CFA. It was acknowledged that this has always been an issue, that it always comes with ups and downs and depends on the budgetary circumstances of governments from time to time. There was apprehension on the part of a paid CFA firefighter who will be transferred to Fire Rescue Victoria based on the fact that again there just remain questions about what it will all mean to him.

There was some acknowledgement that the CFA, being a fully volunteer firefighting service, will have the

advantage of not needing agreement to a range of their activities which are currently dictated by the United Firefighters Union enterprise bargaining agreement. This was recognised as an advantage of the separation and the independence that would come with it. I was told that there are CFA volunteers who are concerned about their ongoing access to things like training. This is a concern, and it really must be addressed. I think it is a concern now and it will always be a concern, and I trust that this extra resourcing will go to addressing some of those things, because it is essential that our CFA volunteers do have the level of training that they need, and that just continues to grow with the new technology that many of them are being exposed to.

The captain of a small brigade shared some of his concerns, again similar to those I have expressed so far. He really just summarised by saying, 'Sorry, Suzanna; we just feel that we can't trust politicians', while some volunteers had a feeling that change was needed and that they may as well get on the bus and help to steer that change. I think they are the words that Chief Fire Officer Warrington was using in a number of his whistlestop tours around the state. There is a recognition that the organisation does need change, and even though there is that acknowledgement there is a real, genuine anxiety about the lack of detail at this stage.

So I have to come to my opinion. My opinion is that there has been conflict for much too long and that it has to be brought to an end. There has been a complete failure to conclude any negotiations or to achieve an outcome to date. I do not believe that this disputation that we have had for so long should be allowed to continue. CFA volunteers are primarily there to serve their communities and protect them in times of emergency, particularly from fires, although we see them at road accidents and in so many other environments in our communities. They have a long, proud tradition of doing this, and a number have given their lives in the course of undertaking this selfless work. So many are tired of the conflict and the anxiety that has gone on in recent years. They deserve to feel respected and valued, and this must be an outcome of any reform.

I am of the view that when a situation has been allowed to flounder for so long, strong leadership has to be shown, and in this case it has to be shown by the government. The government should have some level of consultation with the partnership organisations. Consultation is important, but sometimes decisions just have to be made. I think about Scott Morrison and the bank levy. He did not consult with the banks. Sometimes when you have got something really difficult to do I think you just have to make a decision and go with it. I believe the general public are really

tired of political parties taking totally opposed positions to each other instead of working constructively to try and resolve issues.

Again at a federal level we see what has been to some extent a federal Labor budget, and yet the Labor Party are vigorously opposing so many aspects of it. Opposition for opposition's sake is a really poor position to take, and I believe the community is sick and tired of it and wants issues that have been around for a long time to be resolved. This Parliament has been unable to do it, and it has not happened outside this Parliament. There have been many opportunities to try and resolve it, and I am not seeing any alternatives presented from anyone. It would be very easy for me as a regional MP to oppose this bill and to support the reasoned amendment, but it is too important to take the easy way out. If this bill does not pass, then we are left no further advanced than where we were two and a half years ago.

The coalition in a press release threatened that they will fight very vigorously at any election campaign any Independent or crossbencher who supports this legislation. In relation to that I say, well, of course they are going to do that anyway, and particularly in Shepparton because we are now a marginal seat and the National Party and the Liberal Party will fight strongly for that seat. It is not going to deter me from doing what I think is the right thing in this situation. I am continuing to talk to people during the course of this week, and I have a number of further meetings organised. I trust that we will get a resolution this week.

**Debate adjourned on motion of Mr DONNELLAN (Minister for Roads and Road Safety).**

**Debate adjourned until later this day.**

## **BAIL AMENDMENT (STAGE ONE) BILL 2017**

*Second reading*

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

**Mr PESUTTO** (Hawthorn) — I am pleased to be able to rise tonight and speak on the Bail Amendment (Stage One) Bill 2017. I can advise the house at the outset that the opposition parties will not be opposing this bill, but I will certainly be outlining a number of concerns about this bill as I proceed. This bill obviously, as we will all recall, followed the tragic events on Bourke Street that harrowing Friday, 20 January, earlier this year. Following that tragedy and

the deep grieving that the state and our country experienced over the following days and weeks, the government announced that it would commission former Supreme Court judge and Director of Public Prosecutions Paul Coghlan to undertake a review into bail. He produced a two-part report, parts of which I will come to in the course of my remarks. This bill is intended to represent the first stage of the government's response to that report.

I have to say at the outset that we are very disappointed that the government has taken so long to bring what appears to be a very modest bill before the house to deal with a fairly comprehensive problem that has faced our community, as many Victorians will know, particularly acutely over the last 18 months to two years. We have been calling out and I have been calling out for the government to do something serious about profoundly changing our system of bail in Victoria to put community safety first. We have been running that campaign very strongly for two years or thereabouts, with strong public support because of course members of the Victorian community are seeing this for themselves. They are seeing the consequences of a weak bail system where repeat offenders are repeatedly securing bail when they should be on remand, if not behind bars.

We now see the government, perhaps five months after the Bourke Street tragedy, introducing a bill which effectively does not alter the substantive content of the tests involved in deciding whether bail will be granted or not. There are some measures that are small steps in the right direction, but this bill does not go nearly far enough in changing our bail system in the way it needs to be changed. While the government will say, 'Well, there are further changes to come', how long are they going to take? Victorians deserve to have a criminal justice system that puts their safety first, and yet we have a bill that is largely tinkering at the edges. Yes, it is making some definitional changes and adding some new offences to the reverse onus bail test — and I will come to those in a moment — but is this what we are getting after five months of urgent calls for profound bail reform? It is deeply disappointing.

We were very determined, in the days that followed the Bourke Street tragedy, to make clear what we would do in government. We understand that the legal framework and the culture around bail have to be turned on their heads if we are to seriously put community safety first. We announced a plan to overhaul our bail system in ways that would seriously implement a credible presumption of remand in cases of violence offences. We would institute a 'one strike and you're out' policy — if you breach the terms of your bail, the

conditions of your bail, then you should not be able to get it in the future unless the most exceptional circumstances are satisfied, and they would be very strictly quarantined to, as I said, very exceptional circumstances. But if you continually breach the conditions of your bail, you would lose it in the future.

We also made it clear that we would reverse the changes that the government recklessly made in 2016 to effectively legalise the breaching of bail conditions by juvenile offenders, one of the worst things the government could have done. We were very clear in our policy. We knew then, as we know now, what needed to be done, and this bill sadly does not go anywhere near what needs to be done. We will not oppose it, as I said, because it is a very small step in the right direction, but it leaves Victorians wholly dissatisfied, I think, about what they are entitled to receive.

One of the key failures of this bill is that it does not in any way even purport to address the growing problem of reoffending by juvenile accused persons who continually breach the conditions of their bail. Just in the budget last month the government had to stump up some funds for a remand court. Why? Because remand numbers are going up — the very thing that we predicted.

If you legalise the breaching of bail by juvenile accused persons, what do you think they are going to do? If you remove the deterrent that is there to drive them towards complying with their bail conditions, they are going to breach their bail conditions. It is no surprise, and it is wholly consistent with the warnings we issued at the time that if you decriminalise the breaching of bail, that would be the result. Bear in mind that the previous coalition governments had seen this problem, and that is why the Baillieu and Napthine governments changed our law so that if you breached the terms of your bail without cause — and I stress those words 'without cause' — then you would be committing an offence. It was an important deterrent. This bill does not even try to deal with that problem. The government continues to have its head in the sand about the message that legalising the breach of bail sent to a whole cohort and generation of young offenders. That is deeply disappointing about this bill.

The other disappointing feature of this bill is that it is incremental — it goes nowhere near the cultural and legal change that we need, and the Coghlan report itself is the basis for that, and it is very much what the government itself wanted. On page 36 of the first report of the Coghlan recommendations, Mr Coghlan wrote this in paragraph 4.24:

I recommend that the current tests for bail be retained but redrafted in clearer terms. There should remain a general

entitlement to bail, unless otherwise provided by the statutory tests.

He went on in paragraph 4.25 to say:

As explained below, I also recommend some minor changes to the unacceptable risk test, and the re-naming of the show cause test to a test that requires the accused to show 'good reason why bail should be granted'.

The report is fairly lengthy, but this just goes to show that the report itself is not calling for wholesale change. It is saying that the current test should be retained with some changes in nomenclature. That is not really going to produce the cultural and legal change that we are all looking for. The minister, the Attorney-General himself, acknowledged in his second-reading speech that this bill is only going so far. On page 3 of his second-reading speech he said:

The bill does not otherwise alter the reverse onus tests which will continue to apply to schedule 1 and schedule 2 offences committed by an adult and a child. The government is still considering Mr Coghlan's recommendations about how these tests could be reformulated. Any changes to the tests will be included in a later bill.

This bill is not dealing with the kernel of the problem, which is the tests themselves and how the tests are to be applied. On page 7 of his second-reading speech the Attorney-General said:

This second bill —

referring to whatever is to come in the future —

will amend the Bail Act to make changes to the unacceptable risk test and reverse onus tests including, but possibly beyond, those recommended by Mr Coghlan. Mr Coghlan has provided advice on how these tests can be strengthened. The government is considering this advice and determining how best to ensure the tests appropriately reflect community expectations about the grant of bail.

What those two quotations should show everybody is that the government has come to this house with a modest bill that does not deal with the very thing Victorians are crying out for: substantive and profound changes to the tests around bail. It is like somebody has reached a deadline, has not produced what they were supposed to produce and is trying to make excuses for why their progress to date should quell any concerns about a lack of process. I think the government stands condemned, frankly, that nearly five months after the Bourke Street tragedy it has not brought in a bill that deals with the very problem that prompted the review in the first place.

The government's ill-preparedness for what is to come, if it does proceed with all this, was further illustrated in the recent Public Accounts and Estimates Committee

(PAEC) hearings when the Attorney-General was asked by coalition members of that committee about the impacts of the changes that Mr Coghlan is making. I will come to those changes in a moment. It is clear that, as modest as they are, the changes which Mr Coghlan is recommending and which the government is accepting in this bill will increase remand numbers. Mr Coghlan makes that clear on page 3 of his second advice. In reference to the changes that are to be made he said:

... the issue is unlikely to be completely resolved, particularly as any reforms to the Bail Act 1977 ... arising from this review are likely to increase the number of prisoners on remand.

What Mr Coghlan was talking about there was the impact, obviously, of these changes on the number of people in remand.

That was put to the Attorney-General at the PAEC hearing on 23 May. I want to take a few moments just to go through some of the questions that were put to the Attorney-General by the member for Mornington. On page 5 of the verified transcript the member for Mornington asks of the Attorney-General:

Can you indicate to the committee where in the budget papers there is a provision for the increase in remand numbers that is identified in the report?

Obviously the member for Mornington was talking about the impact of the Coghlan report and where in the budget papers one would find where the government has made provision for this. It is fair to say that the Attorney-General was sliding all over the road when trying to answer these questions. His first answer — or first series of answers — converged on the theme that there is already existing capacity in the system. On page 6 of the PAEC transcript he said:

There is additional capacity which will be freed up at the Melbourne Remand Centre when the works there are concluded later in the year. There is money in the budget, as I have indicated in my presentation, for CISP and for CROP, and if you look at the Coghlan review, if you look at the Luke Batty inquest, they are significant recommendations in regards to the use, particularly of CISP. There is the funding that has been allocated for the new youth justice facility in the City of Wyndham at Cherry Creek.

And so on, and so forth. The member for Mornington, following his line of inquiry, asks a further question:

So I take it from your commentary so far that while there is money in the budget from, as you said, a variety of things, none of it is new money linked directly to the outcomes of this review.

Again the Attorney-General was trying to seize upon what he identified as existing capacity in the system, saying:

We are keenly aware of that, and as I have indicated both in public commentary and that I repeat today, there is capacity coming online in the system, and if additional capacity is required, then it will be provided.

That is the whole point. The member for Mornington then goes on to ask:

We are now five months on from Bourke Street. We apparently do not have an allocation of funds in this year's budget to address the recommendations of the review. Are you saying, 'Trust us. We'll do it if we need to'? Surely the need is demonstrated. When is it going to be funded?

After some further exchanges, the Attorney-General said:

... I am indicating to you that a combination of things that are already in train and new funding that is provided in the budget will mean that we have capacity to deal with any ... prisoners held on remand as a consequence of the changes that we will be making to the act.

The upshot of that exchange is that although this report will make changes to the Bail Act 1977 that will, on all counts, result in more remand numbers — there being no other changes to the scheme around bail — all that the Attorney-General can say is that the government will fund it if there is a need to. But there has been no attempt by the government in the lead-up to the budget to make some provision for the increase in remand numbers that will follow from that.

One other aspect I want to talk about before going to the bill is at the other end of the question of capacity. Mr Coghlan in his second advice refers to what he considers the need to free up capacity in the system by effectively removing a number of indictable and summary offences from the system of bail. I quote Mr Coghlan from page 4 of the second report:

The changes I recommend —

I will come to those in a moment —

should reduce the number of people on bail and therefore less warrants may issue as a result of failure to answer bail. Allowing some indictable offences to be dealt with in the absence of the accused should also reduce the number of warrants for cases in which a summons was issued.

If less warrants are issued, then less court time and police time will be taken to deal with those warrants, and less custodial places will be required. That should have some positive effect on the numbers in police cells.

So on the one hand we have Mr Coghlan saying, not unexpectedly, that changes in bail will increase remand numbers. That, I think, in all fairness we all have to accept. Although we differ on the extent of the changes that are required, it is clear that toughening up the bail system will see more people on remand certainly in the

short term. Over the long term it should be the aspiration of any sensible government to lower rates of crime and reduce reoffending, but let us put that off to one side.

In order not to overburden the capacity of the system Mr Coghlan is suggesting that we effectively and partially decriminalise a number of offences. What Mr Coghlan is effectively recommending is that where a number of offences under the Summary Offences Act 1966 and under the Crimes Act 1958 are dealt with and often involve bail where people fail to show up to hearings they simply be dealt with on what would effectively be an administrative basis. A number of the offences which Mr Coghlan contemplates as part of this change to the freeing up of capacity involve potentially imprisonment terms of between six months and 12 months. What these changes would mean, were the government to accept them, is that these offences would simply be dealt with by way of a fine and that those who are subject to these offences and found guilty would not even be required to show up.

So effectively what is happening is that because there are a large number of people who ignore the requirements to attend proceedings and create the need for the issuing of warrants, the solution, it seems, according to the Coghlan report, is simply to reward that non-compliance by treating offences in effect as administrative in nature and to effectively in part decriminalise those offences because they would no longer require the attendance of the accused and could not entail an imprisonment term if the person were found guilty and the circumstances warranted it. They would simply be issued with a fine at the maximum. This was put to the Attorney-General at PAEC as a consequence of the Coghlan report, and I will just refer to that. The member for Mornington asks on page 7 of the PAEC transcript:

Attorney, Mr Coghlan suggests in his report that while, as we have agreed, the tougher bail tests will see more people remanded, he is also proposing the government should remove a range of less serious indictable and summary offences from the bail system altogether. Of course that will mean that a number of accused people will remain in the community rather than being remanded. Does the budget account for the effects of any changes that you will be making towards implementing this part of the report?

The Attorney-General responded to the member for Mornington's further inquiry of 'So can you tell us now what offences will no longer be subject to bail?' with:

Well, no, Mr Morris, because I just indicated that the government has not yet responded to that part of the report —

and that is true —

It is important for you to understand what Mr Coghlan was referring to. What Mr Coghlan indicated was that there are some very minor offences which at the moment are treated by charge and bail, and they are at the very petty end of the spectrum. But what happens as a result of — —

Then the member for Mornington interjected with a further question:

Would you consider the possession of illicit drugs to be part of that — consider that to be a petty charge?

The Attorney-General responded:

No, well, what happens, Mr Morris, is that sometimes in these cases people who are charged with minor offences for which they would never normally receive a sentence under conviction, because they are bailed and then may not respond or attend a hearing, are then in breach and then they are remanded. So you have got the system ...

and so on and so forth. There was no satisfactory answer to the question of whether offences like the possession of illicit drugs will be decriminalised effectively by these changes. One suspects that the government is wanting to move down that path, but we will have to wait and see what changes are brought in in any further tranches of changes.

It is a matter of some concern, I have to say, and the government's equivocation on this is a little bit unsettling, because there are a number of offences both under the Summary Offences Act and in the range of indictable offences which are relatively serious, and were they to be in part decriminalised, that would represent a seriously counterproductive message to our community that some forms of serious wrongdoing will be treated with a slap on the wrist, and that cannot be good for our justice system. That is the background to this report.

When we are looking at the provisions that this bill will introduce, it is important to keep these following things in mind: what the bill does not deal with; the fact that the government has not considered what budget impacts will follow on from the changes that this bill will introduce; and that the government is totally either dissembling or flat-footed on the question of what Mr Coghlan's recommendations about partial decriminalisation will entail, what offences they will apply to and when it will happen.

Turning to the bill itself, I want to take some general comments. As I said, we are not opposing the bill, but I do want to note some concerns. The first concern is the commencement date. This bill is intended to commence on a date to be proclaimed, but if not, it will come into effect on 1 July 2018. I hope that does not mean that the government is going to drag the chain on this. It concerns

me that the default commencement date is so far into the future. If the government thinks that it can pass this bill, tick a box and say to the public that it has dealt with the problem, it should think again. I will be watching closely as to when this bill will commence. The government should not take any comfort from the default commencement date being well over a year away.

The second matter I wanted to discuss is clause 3 of the bill, which deals with new sections 1A and 1B. New section 1B introduces new guiding principles, one of which is to maximise the safety of the community. Whilst that is important as a guiding principle, we are looking for something more than that, and the community is looking for something more than that. Community safety has to be a potent factor in every bail decision. With sentencing, we have been calling for community safety to be a mandatory consideration in sentencing, and we have said that of bail as well. It is not enough that community safety is just a guiding principle; it does need to be a discrete and very potent factor in every bail decision.

I turn to clause 5 of the bill, which talks about amendments to section 4(2) of the Bail Act 1977, which deals with exceptional circumstances. This clause will give effect to schedule 1, which contains the most serious forms of offences, and this is set out in clause 13 of the bill. As I said before, whilst we welcome the expansion of the range of offences that trigger the reverse onus test in the case of exceptional circumstances, if you do not deal with the application of the tests and the requirements of the tests, then that is hardly an improvement. If the same kinds of decisions are going to be made with a range of offences that is twice as large for the reverse onus test, that is not going to produce any differences, so I am concerned about that part of the bill and the absence of any stronger test.

I say the same thing about clause 5(8), which deals with changes to section 4(4) of the Bail Act, which talks about the schedule 2 offences. As we know, schedule 2 offences will involve a reverse onus under which the accused has to show a compelling reason for why their detention in custody is not justified. Again, if the tests are not dealt with and the formulation of those tests are not dealt with, then you are not going to see real changes to outcomes on the ground, and that is something of a very significant problem.

In terms of conduct conditions, yes, that will be an improvement. We are not convinced this goes far enough, but as I said at the outset, the consequences that flow from breaching bail conditions for both juvenile and adult offenders need to be serious. We have got to make sure that there is a change in culture

so that, when people are rocking up to courts having breached the conditions of their bail, that really should be a disqualification unless the most exceptional circumstances apply in those cases.

Moving through the bill we note that in the case of schedule 1 offences the Supreme Court, Magistrates Court or County Court would be having to make decisions where bail is sought in respect of schedule 1 offences, and we think that is appropriate, so we welcome that.

Other than that, the changes to the Bail Act represent for us regrettably only a small step in the right direction. We are happy to support them, but again we think the government not only stands condemned for the delay in getting this bill to the house but stands condemned because, in bringing this bill, what is conspicuous about it is what it does not deal with.

We will await the government's further tranches of this legislation in the future. We hope and trust that they will bring before this house, not before too long, changes that will entail improvements to the culture and law around the granting of bail. So on that basis I conclude my remarks and confirm that we will not be opposing the bill.

**Mr CARROLL** (Niddrie) — It is my pleasure to rise and speak on the Bail Amendment (Stage One) Bill 2017. After the tragic events of Bourke Street on 20 January it was incumbent upon the government to have a good look at our system to see how it could be improved, and of course that included the bail system. What happened in Bourke Street was a tragedy. There has been a lot of public debate about it. The recent *Law Institute Journal* for March 2017 was headlined 'Bourke Street atrocity sparks bail shake-up'. I do think it is important, before we get into the bill, to just put on record exactly what occurred on that day to give context to the legislative reform that we are implementing. As recorded in the Law Institute of Victoria journal:

On Saturday, 14 January, Dimitrious Gargasoulas was charged with offences at the Prahran police station. Police opposed bail. A bail justice overruled the application for reasons unknown. The 27-year-old was bailed to appear on 20 January and left the police complex.

Around 2.00 a.m. on 20 January, he is alleged to have stabbed his brother at the family's home in Windsor.

Throughout the morning that same day, police pursued Gargasoulas, only calling off the pursuit when he entered the CBD driving a stolen maroon Commodore.

He then allegedly drove at high speed through the Bourke Street mall, finally stopped before William Street when a

police vehicle rammed the Commodore and Gargasoulas was shot in the arm by police.

He was subsequently:

... charged with five counts of murder. More charges would —

later —

be laid. The accused was remanded to appear on 15 December, and on 1 August for a special mention.

At the current moment:

A criminal brief is being prepared and State Coroner Judge Sara Hinchey is investigating.

We all know the subsequent events, and I know both sides have contributed to the floral memorial that was established down at Bourke Street. I think that was a terrible, terrible tragedy and an incredible criminal offence that occurred that day and is before our courts. I do not want to go into too much more detail than that.

I welcome the opposition's support for this legislation, but you only have to read the title of the bill itself: Bail Amendment (Stage One) Bill. This bill is stage one, and there will be a subsequent stage two. As Justice Coghlan himself has said, bail is a complex area. It is a complex area of law dealing with bail justices, the police, the accused and a whole range of resourcing issues such as: when you tweak the bail system, what are the subsequent effects on resources? I commend the Attorney-General and the work he has done through Justice Coghlan and the review to get stage one before us today, and subsequently we will have a stage two of the legislation. I think it is very important, though, as Justice Coghlan said, to get right 'the balance between community safety and the presumption of innocence' in relation to bail.

The current tests that are discussed in the bill are show cause, exceptional circumstances and unacceptable risk. I think as legislators it is incumbent upon us to recognise that, yes, we are dealing with bail here but that there are a whole range of issues that intersect with the criminal justice system such as mental health and the drug ice. What I really liked when I read through the bill were the reforms we are implementing — and this touches on one of our most critical reforms as part of the Andrews Labor government — in the family violence area, which I will touch on very shortly.

We are very committed to keeping our communities safe. That is why we have introduced stage one of the bail amendment legislation, which will further strengthen our bail system. In his review Justice Coghlan found that our bail system is 'already

arguably the most onerous in Australia', and our reforms will make it even stronger. We will make it harder than ever before for people accused of serious and violent crimes to get bail.

After the tragic events of Bourke Street on 20 January, no matter who was in office, it was incumbent upon the government to have a good look at our system to see how it might be improved, and that included our bail system. We do not want to rush this. It is important to get it right, and that is why Paul Coghlan, the former Director of Public Prosecutions and judge of the Supreme Court and the Court of Appeal, was asked to review the Bail Act 1977 and to report back to government in a timely manner.

The review received 115 submissions and held 39 consultation sessions with 34 different stakeholder groups. Mr Coghlan provided his advice to government on 1 May 2017. The government released volumes 1 and 2 of the *Bail Review* along with our response in early May. The review made 37 recommendations in total. The government will implement or go beyond the recommendations of the first report and conduct further consultation on longer term recommendations, as outlined in the second report. This is the first tranche we have before us of legislation in response to the Coghlan review. In relation to some of the substantive components of the legislation, the bill will amend the Bail Act to implement those recommendations obviously from Coghlan's review and give our advice accordingly.

You are a lawyer yourself, Acting Speaker Kilkenny, and I must say I was surprised to learn that the Bail Act back in 1977 did not actually have a purpose. As we learn in law school, the purpose of the bill and the purpose of legislation is very critical. This bill will introduce a new purposes section and guiding principles to inform the community about the purposes of bail and remind decision-makers of some important considerations relevant to bail. The bill will remind decision-makers of some important considerations in relation to balancing the presumption of innocence and the protection of the community.

The bill will also replace 'show cause' with 'show compelling reason', going to the heart of recommendation 4; create a schedule 1 and 2 to the Bail Act to contain lists of offences where the presumption in favour of bail is reversed, to add further offences to those lists of offences and to make necessary amendments to the Bail Act to support this change, as pursued in recommendations 6, 7, 8, and 10; restrict bail decisions about persons charged with schedule 1 offences to magistrates and judges, or recommendation 14; make amendments to the Bail

Act recommended by the Royal Commission into Family Violence, or recommendations 22 and 23; make other minor and technical amendments to the Bail Act, or recommendations 11, 12, 13, 17, 21 and 24; and ensure bail decision-makers impose bail conditions where necessary.

As I said earlier, I was surprised to learn that the Bail Act does not currently have a 'purposes' or 'guiding principles' section. In line with Mr Coghlan's recommendations there will be a new section inserted.

The bill replaces 'show good reason' with 'show compelling reason'. This will emphasise to bail decision-makers that it is the accused who must convince them that bail ought to be granted, rather than the prosecution needing to establish why bail ought not be granted.

There are a range of other issues and matters dealt with by the bill, including clarifying and strengthening bail conditions and implementing the recommendations from the Royal Commission into Family Violence. On that issue, I think it is very important that the bill will provide that any conduct condition continues in effect until the condition is continued, varied or revoked or the matter is finally determined. The bill also inserts a provision explaining the relationship between bail conditions and family violence safety notices and ensures that bail decision-makers consider the risks of family violence when making bail decisions.

As the member for Hawthorn noted, the second tranche of reforms will be introduced into Parliament later this year and will cover more complex matters, including giving police more powers to remand accused people, clarifying the interaction of the unacceptable risk and reverse onus tests and requiring that a person on two undertakings of bail be brought before a court to seek further bail.

As I mentioned earlier in my closing remarks, I think it is important that when you are tweaking bail reform you are also making changes —

**Ms Ryan** — Acting Speaker, I draw your attention to the state of the house.

**Quorum formed.**

**Mr CARROLL** — In my remaining minutes I should just say that I am proud of the Andrews Labor government, which created a whole policy on the drug ice. The member for Euroa is a regional member. What was Denis Napthine's response to the drug ice? 'We will put eight dogs in regional and rural Victoria'. After the most comprehensive report on the drug ice was

tabled, all he could do was bring in sniffer dogs to combat it.

I am proud of all our reforms. This government, the Attorney-General, the Minister for Police and the Minister for Corrections are all making sure that our criminal justice system has the strongest, the most agile and the most well-funded police system in the whole of the country.

**Ms RYALL** (Ringwood) — I rise to speak on the Bail Amendment (Stage One) Bill 2017. I am just wondering if the member for Niddrie is as proud of the crime wave that has engulfed this state as he is of other things. The bill seeks to change the circumstances in which bail may be granted or refused and determine who may grant or refuse bail, but it falls well short of the urgent reform needed. It has taken so long for this government to act. It sat on its hands for two and a half years and did nothing while a crime wave like none we have ever seen before in this state was unleashed in our city and our state.

Police numbers have been cut per head of population since this government was elected. In question time the Premier today boasted that the police academy was full. The question is, member for Niddrie: what took you so long? It has been two and a half years, and yet those recruits still need to undertake a lot of training.

**Mr McGuire** interjected.

**Ms RYALL** — There is still a lot of training and a lot of experience to be gained, member for Broadmeadows, before those people are actually able to serve as graduated police officers. Our courageous and hardworking police have been worked to the bone. Time and time again they have had to round up the same criminals who have offended and reoffended after breaching bail.

No-one should forget that shortly after coming to government this Premier weakened bail laws. He made it so that youth criminals could not be charged for breaching their bail. There were no consequences, so they went out and did it again. How demoralising —

**Mr McGuire** interjected.

**Ms RYALL** — Member for Broadmeadows, how demoralising for our police do you think it is to be faced with a revolving door of youth criminal behaviour, including aggravated burglaries and carjackings — to have to charge them and bring them before the court only to see them receive bail, breach it, be caught again, be bailed, breach bail and on it goes? How demoralising for our hardworking police, who are

worked to the bone rounding up criminals who continue to breach bail and commit offences. Yet will this Premier admit he got it wrong? Never. Will he rectify his errors? No. Far be it for humility to trump arrogance when it comes to this Premier, even when it is the safety of Victorian citizens at risk. The first responsibility of a Premier and a government is the safety of their citizens. The Premier and his government have failed Victorians.

The opposition will not be opposing the bill, and I will say why: because something is better than nothing, and all we have had on law and order since this government was elected in 2014 is nothing. Victorians will not forget the horror, the terror and the trauma that has been unleashed on innocent Victorians, including aggravated home burglaries. A family in my electorate of Ringwood was woken in the early hours of the morning. The children were asleep in bed. The door was kicked in, and they were confronted by three males brandishing a machete. One was covered in blood. Another had a knife and the other a baseball bat. No-one can understand for a minute the hell that that family went through. The trauma experienced by the parents and their little children has impacted their lives and will continue to into the future.

I can see all those opposite with their heads down. They are not interested in the trauma and the psychological repercussions that victims of crime face as a result of this recurrence of aggravated burglaries and carjackings and the smashing in of jewellers' shops, you name it. They have got nothing to say; they are not interested. I am only talking about one of many aggravated home invasions in my electorate.

This bill is much weaker than the proposals that we put forward in relation to bail. The delay in even getting to this point has left Victorians at risk. The further delay in getting to the next tranche of reforms further puts Victorians at risk. The bill might expand the range of offences requiring the accused to show exceptional circumstances or compelling reasons for why bail should be granted, but that will not guard against the magistrates, bail justices and so forth who have a tendency to grant bail at the expense of community safety.

This government have allowed a major crime wave to sweep across Victoria, and they have failed to act despite everybody pointing it out to them. Everybody has pointed out the problems, month after month. It unfolded right before their eyes, and they did nothing. In fact the Premier still refuses to acknowledge that there is a crisis. He refuses in arrogance to countenance there is a problem. Only recently has his Minister for

Police admitted that people do not feel safe in their homes. I can say that people do not feel safe in their homes. My constituents, after being subjected to an aggravated burglary by those thugs that broke out of Malmesbury, will never forget. The impact has been horrifying and horrendous.

Victorians will not forget what has happened under this Premier's watch. This is a government they cannot trust. This is a government whose arrogance is being displayed along with a lack of humility. They will not admit they have got it wrong. That is why people do not trust this Premier. Victorians do not trust this Premier to deliver a safe community in which they are protected. We have seen more effects of that over recent days, where people do not feel safe: they do not feel protected by the jails and they do not feel protected from those who should be locked up and in fact are free. Certainly in the situation of Malmesbury, in my electorate, people were saying: we were supposed to be protected from these criminals; they were supposed to be behind bars, and they were not; what were they doing at our place? I feel for them, I absolutely feel for them, for the horror they have felt. It is not funny. I will never, ever laugh at the victims of crime.

**Mr Richardson** interjected.

**Ms RYALL** — The member for Mordialloc says, 'Turn it up'. Have you sat before your constituents and listened to them and understood and felt the pain that they have gone through — through the horrendous aggravated burglaries? It does not surprise me, because the member for Mordialloc displays the typical arrogance of this government, and that is to refuse to acknowledge the horror and the trauma that Victorians have gone through in relation to the crime that has swept through this state. It does not surprise me at all, member for Mordialloc, that you think that this is a joke, that you think that it is not worth saying, that you think that no-one should have a problem in relation to the wave of crime that is happening. Quite frankly, I am actually appalled that you would dare to interject and say, 'Enough is enough'. Well, I can tell you what Victorians are saying: 'Enough is enough'.

**Debate adjourned on motion of Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change).**

**Debate adjourned until next day.**

**Remaining business postponed on motion of Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change).**

## ADJOURNMENT

**The DEPUTY SPEAKER** — Order! The question is:

That the house now adjourns.

### Boer War memorial

**Mr WAKELING** (Ferntree Gully) — (12 748) My adjournment matter tonight is for the Minister for Veterans. The action that I seek is for the minister to work with representatives of the Boer War association and work towards an appropriate location for the Boer War memorial, which has been removed from its location on St Kilda Road. The Boer War memorial is a significant memorial that has been located on a triangular section of land on St Kilda Road opposite the shrine since its inception well over a century ago. The Boer War memorial was constructed prior to the development of the shrine in its current location, and as such it is not currently located within the shrine precinct.

With the advent of the works of the Metro Tunnel, the memorial has been moved into storage and is going to be put back in its current place once the works of the Metro Tunnel are complete. There is now an opportunity for the memorial to be relocated to the location of the shrine, and this is a great opportunity for the memorial to be placed alongside other memorials within the shrine precinct. I know that this is a matter that has also been raised in this house before by the member for Pascoe Vale. She and I recently had the pleasure of attending the annual Boer War event at the shrine. Both the member for Pascoe Vale and I have ancestors who served in the Boer War, like many Victorians and many Australians.

There is a great opportunity for the minister to be able to deliver an outcome by working in consultation with the shrine trustees to see if there is the opportunity to provide land within the shrine precinct for this memorial to be placed. There is recognition of other wars within the shrine precinct, and there is also recognition in adjacent areas to the shrine of regiments that operated during the Boer War. I understand that this is an issue that the shrine trustees have considered in the past, and I appreciate that the minister has been working with the shrine trustees to try and find a solution. However, the opportunity is there for the minister, in concert with the shrine trustees, to see if we can identify a new solution.

### Macedon electorate arts grants recipients

**Ms THOMAS** (Macedon) — (12 749) The adjournment matter I wish to raise is for the attention of

the Minister for Creative Industries. The action that I seek is that the minister visit my electorate to meet with some of the amazing artists in my community who have recently been recipients of VicArts and Creative Victoria grants. These include Kyneton Contemporary, a collective of curators, painters and sculptors who are working on something that is going to be quite exciting — an installation in April of next year that is going to use the whole of the Kyneton township as the gallery for their work; the students and artist in residence, Jodie Goldring, at Daylesford Secondary College, who have created the very beautiful Fluctuating Spaces, which I had the opportunity to visit on Sunday; and Dee White, a local author who has just returned from her trip to Europe, where she has been doing some work on a piece of historical fiction based on the true story of how Algerian imams in a Parisian mosque helped save Jewish children during World War II. It would be great to welcome the minister to my electorate.

### **Boronia Heights Secondary College site**

**Ms VICTORIA** (Bayswater) — (12 750) I rise to ask the Minister for Planning to nominate a time and date when he can come to Boronia to attend a public meeting in the next two months where people can put their views on appropriate planning and uses for the former Boronia Heights Secondary College site in Mount View Road.

Boronia Heights Secondary College closed when the coalition built the fantastic new Boronia K–12 College, leaving a unique site in the foothills of the Dandenong Ranges vacant. It is an unusual site because it has significant ecological value. There is remnant vegetation which is recognised in numerous parts of Knox City Council's planning documentation. There is also an oval used by plenty of pedestrian and pet traffic, and is a rare sanctuary in suburbia. There is a mature Lone Pine tree from Gallipoli and an Anzac memorial. Over decades parts of the school grounds were preserved as a natural habitat for native plants and animals.

The old school was the perfect opportunity to practise true recycling. Its multiple brick buildings and well-utilised gym could have been turned into a beautiful aged-care facility or had further educational or community purposes. However, when the old school cohort moved to the new site power was cut to the old campus and the security systems would not work. No matter how many times I pleaded with the Minister for Education the place became a haven for vandalism and wanton destruction. He let the crims take over and then was very quick to put a bulldozer through millions of dollars of solid buildings that were state assets. They belonged to every single Victorian taxpayer.

Last Saturday morning over 150 people came to a public meeting about the site. They were concerned that it would be flooded with high-density housing. The Knox housing strategy of 2015 identifies that the site could cater for about 25 dwellings. Those who attended the gathering scoffed at that number, thinking that realistically the number of dwellings could be three or four times that. Obviously the community would prefer open parkland preserved for future generations. Knox Environment Society says the site contains a number of important areas of remnant vegetation of biological significance; it is an important habitat for local animals, including the powerful owl, many other native bird species and even echidnas; and it provides a very important wildlife corridor for animals moving from the adjacent national park.

Local residents are scared that the state government will not understand that small blocks and houses of at least two storeys will not suit the area, where surrounding house blocks cannot be subdivided below 1000 square metres. Roads will not be able to handle such a dramatic increase in traffic flow, and public transport, other than one bus route, is a considerable distance away. The process is being fast-tracked, which means the minister can make the decision to override current overlays. The project is listed as part of the Victorian government's Inclusionary Housing pilot program, which local residents would like more information on.

Minister, my community want, at the very least, assurances that local planning scheme guidelines for the foothills and the local community will be respected. So again I ask the Minister for Planning to provide a time and date in the next two months when he can attend a public meeting where people can put their views on appropriate planning and uses for the former Boronia Heights Secondary College site.

### **Bus route 823**

**Mr STAIKOS** (Bentleigh) — (12 751) My adjournment matter tonight is for the attention of the Minister for Public Transport and concerns the 823 bus. The action I seek is that the minister change the 823 route to include the Classic Residences retirement village in my electorate. Classic Residences is home to nearly 500 older people. We all know just how important access to public transport is for older people; it is key to reducing isolation. Currently Classic Residences is very poorly served by public transport. A simple redirection of the 823 will mean that the residents of the retirement village will have access to a bus that will take them to a popular destination for them, Southland shopping centre. I ask that the minister authorise such a redirection.

### Construction induction cards

**Mr McCURDY** (Ovens Valley) — (12 752) My adjournment matter is for the Minister for Planning, and the action that I seek is that the minister, in his capacity of overseeing the Victorian Building Authority (VBA), direct them to respect the legislation in respect of accepting interstate white cards for building sites.

Mr Garry Bruce is a member of the Wangaratta community, and holder of a Queensland white card that allows him to have reciprocal rights under WorkCover legislation in Victoria to work on Victorian building sites. The legislation states clearly that a white card from interstate is acceptable and that, alternatively, a builder can complete the relevant course and be issued with a statement of attainment to be allowed on a site.

The VBA is refusing to acknowledge, firstly, that a white card from Queensland is acceptable. Mr Bruce was told that he must complete the Victorian course to be able to work on Victorian building sites. Reluctantly Mr Bruce went and completed the course and submitted his statement of attainment. Yet again the VBA has refused to recognise the statement of attainment and refuses to allow Mr Bruce to commence work until the actual white card arrives. He has now been waiting six or seven weeks for that to come.

The VBA certainly needs to be pulled into line and to, firstly, understand the reciprocal rights that apply and, secondly, respect that statement of attainment. In fact Rachelle Mclean, another member of the Ovens Valley community, has had similar incidents and has gone on to do the course. The trainers have said it is okay to use the statement of attainment, but when people produce that statement of attainment they are then told that is not acceptable and that they have to wait for a white card. It is bureaucracy gone mad.

If you read the legislation, regulation 5.1.24 of the Occupational Health and Safety Regulations 2007 says it is an offence to refuse to accept a construction induction card. It says:

- (1) An employer must not knowingly refuse to accept a current construction induction card from a person as evidence of the registration of that person to perform construction work for the purposes of this Part.

It goes to say:

- (2) For the purposes of subregulation (1), *construction induction card* means—
  - ...
  - (c) a construction statement of attainment issued to a person within the previous 60 day period ...

So I ask the minister to pursue the VBA. Clearly they have been ignoring these rules and regulations, and I ask him to inform us on the outcome.

### Edgars Creek secondary college

**Ms HALFPENNY** (Thomastown) — (12 753) I wish to raise a matter with the Minister for Education regarding the proposed Edgars Creek secondary college. The action I seek is that he visit with me the recently purchased site where building will soon commence.

A secondary school is much needed in this area of North Epping-Wollert, where so many young families are choosing to live. I recently held an education forum with parents of grade 5 and grade 6 students to discuss the new school and its opening. This school will open early — much earlier than announced — in response to community requests. Year 7 students will start next year at Mernda Central College, with free bus transport to and from the school.

The Edgars Creek secondary college will then take students in term 3 of 2018, almost six months ahead of schedule. The design and facilities of the new school are so exciting, and students studying there could only understand that they will learn really well. The Andrews Labor government, I believe, is really demonstrating to young people in Thomastown that they deserve fantastic facilities — only the best — and this will give them the best opportunity to develop a true love of learning.

### Koonung Secondary College

**Mr CLARK** (Box Hill) — (12 754) I raise with the Minister for Education Koonung Secondary College's need for funding or other assistance to fix ongoing water leakage issues at the school, and I ask the minister to provide the school with the funding or other assistance required. The school's library has been unusable all year due to leaking and flooding issues. The school has already incurred huge expenditure in remedying water leaking through its library roof, but now that leaking has been repaired I am told the drains cannot cope with the additional water, which comes up through the library floor whenever there is heavy rain. The school believes the most cost-effective solution would be to install water tanks to capture and hold water flows, which would be better and cheaper than trying to repair or upgrade the drains. The school is also suffering water leakage from cracked or broken water pipes and has incurred large bills for the water lost and in efforts to find and repair the source of the leaks.

The school is not suffering these problems due to underspending of its allotted maintenance funding. Indeed it has spent far more on maintenance than the funding it has been given. Rather, these problems largely stem from the fact that the school needs a major facilities upgrade. This was committed to by the former coalition government but not continued when Labor was elected. Instead of agreeing to the school's pleas for help, the minister has insultingly suggested that because the school has money in its bank account it does not need assistance. The minister ignores the fact that the funds in the school's bank account are already committed to educational programs and other obligations.

The minister has also told the school that it could apply under the emergency maintenance program, but given the minister's dismissive response to date, the school has no confidence that it would receive any help from that program or that the installation of water tanks would qualify. I ask the minister to look at the school's situation again and, if the government still will not fund the major upgrade the school needs, at the very least provide the funding and support needed so students can again use their school library and this ongoing drain on the school's finances can be ended.

### Parkdale Primary School

**Mr RICHARDSON** (Mordialloc) — (12 755) This evening I raise a matter for the Minister for Education, and the action I seek is for the minister to consider Parkdale Primary School for funding to further improve on the building works recently completed at the school. This would assist the school to meet its ongoing needs and the growing aspiration of this fantastic school community. It was a pleasure in the lead-up to the 2014 election to commit to \$500 000 for Parkdale Primary School to update their prep classrooms — creating a 21st century learning environment — and refurbish their toilet block.

This is a fantastic school community led by principal Leanne Bradney and the rest of her team, including Leanne Palazzolo, who are fantastic advocates in their community with Parkdale Primary School accommodating now well over 650 children. Its success is also a challenge and we have to meet that for the future and ensure that this wonderful school and its students get the best education possible. I ask the Minister for Education to consider additional funding to improve this school even further.

### Fire services

**Mr CRISP** (Mildura) — (12 756) I raise a matter for the Minister for Emergency Services. The action I seek is for the minister to provide information on how remote integrated stations will function under the legislation to reform the Country Fire Authority (CFA).

The legislation before the house is not clear on the future of volunteers at integrated stations. Taking Mildura as an example, will the Mildura volunteer brigade have to rent space at the Mildura fire station from Fire Rescue Victoria? Will the volunteers at an integrated station retain their captain? It would be a slap in the face to volunteers if that were not the case, even before we get to the division of assets. How will the assets be divided up and how will those assets be stored in a manner that is accessible to the volunteers? In the past paid firefighters have taken possession of equipment from nearby volunteer stations. With two separate organisations, how will this be managed?

Under the legislation Fire Rescue Victoria will have zone boundaries adjoining those of the CFA. As two separate organisations, how will volunteers and paid firefighters be protected as and when they need to cross those boundaries? I think we get a bit of an indication about how this may progress in a letter sent to me by Mr Stephen Fankhauser, who is a leading firefighter based at Mildura. He states amongst many other things:

Our regular initial response area is anywhere within ...  
40 kilometres of Mildura and frequently up to  
100 kilometres —

which is well outside their existing boundaries —

and it is not uncommon to arrive on scene three up and be the only ones there. The next nearest guaranteed response is 4 hours away at Bendigo.

My estimation is there would be hundreds of brigades within 4 hours of Mildura, so this, too, tells us that the situation requires clarification from the minister. For this and 100 other reasons this legislation should not proceed without consultation and consideration of all the outcomes.

Respecting volunteers and protecting our community should not be left to policy and regulation on the run. The minister needs to stop and think about the impact and the ramifications of railroading this legislation through the Parliament. The community of Victoria has had a little over two weeks to absorb the proposed changes and less than two weeks to study the legislation. The minister is responsible for shattering the CFA and casting the fragments into an unknown sea. Everybody is a loser in these circumstances. The

questions that are being asked run to the very heart of community safety and the very heart of our community's respect. Any government should be better than this.

### **Pascoe Vale electorate employment**

**Ms BLANDTHORN** (Pascoe Vale) — (12 757) I appreciate the opportunity to raise a matter for the attention of the Minister for Industry and Employment.

**An honourable member** interjected.

**Ms BLANDTHORN** — He is in the house. The action I seek is that the minister provide additional funding to Victorian Cooperative on Children's Services for Ethnic Groups (VICSEG) and New Futures Training so that it can further assist local disadvantaged jobseekers to find employment. In the Pascoe Vale district unemployment is 5.7 per cent, youth unemployment is 18.8 per cent and local unemployment in some areas is higher than 10 per cent.

VICSEG New Futures play a crucial role in training disadvantaged jobseekers, in particular jobseekers with limited education, non-transferrable overseas qualifications and English as a second language. As the minister would appreciate, migrants and refugees, as well as individuals from culturally and linguistically diverse backgrounds, often require additional resources and support to prepare them for the workforce. Indeed John and Maree and their teams at VICSEG are relentless in their support of migrants and refugees in undertaking education and training, and they are relentless in seeking to develop partnerships with local employers to help these people get a local job.

In November last year the minister joined me on a visit to one of those partners — Anzac Lodge Nursing Home in Coburg North. The minister heard firsthand about the impact that this important program can have on people who are seeking meaningful work. He also heard how this program benefits partnering employers.

I understand that VICSEG New Futures has exceeded the program's performance targets. Success breeds success and there are people lining up demanding its services. As such, VICSEG requires additional funding to keep up with such demand. I take the opportunity tonight to call on the minister to provide VICSEG with the additional funding it needs to deliver the best services and outcomes for disadvantaged jobseekers in Melbourne's north, particularly migrants and refugees.

### **Responses**

**Mr NOONAN** (Minister for Industry and Employment) — Given the hour I will be brief, but I do want to thank the member for Pascoe Vale for not only raising this matter tonight but for her advocacy in relation to supporting jobs in her electorate, and in particular this initiative. It is appreciated. As the member indicated, VICSEG New Futures are one of the 38 Jobs Victoria providers that have shared in about \$40 million worth of funding announced in August of last year. The aim of that program, as the member indicated, is really to provide opportunities for Victorians who face multiple barriers to employment to get a job and in fact keep that job. We are talking about a range of different types of jobseekers who have not necessarily been supported through the Jobactive network, which is probably more aimed at people who are job ready. We are talking about refugees, retrenched automotive workers, youth justice clients, long-term unemployed people, disengaged young people, single parents, people with a disability, public housing tenants and Aboriginal Victorians.

As the member said, we hosted a visit at the Anzac Lodge nursing home in Coburg last November, and it was a very insightful visit. We got a warm welcome, and indeed it was an opportunity for us to learn of the partnership that VICSEG have with Anzac Lodge nursing home, in particular to provide jobs to many migrant women refugees and asylum seekers across Melbourne's north. I know the member for Bellarine will be very interested in this. Some of those jobseekers, it is fair to say, would be ineligible for any form of federal government assistance, so it was a great pleasure to meet those workers last November who were very grateful to VICSEG for not only securing a job but securing a training opportunity in order to gain the skills necessary to make that job sustainable.

As the member has highlighted, VICSEG have already done an outstanding job, exceeding their allocated number of placements — —

**Mr Richardson** interjected.

**Mr NOONAN** — Yes. The member for Mordialloc is very pleased with that, and I am also pleased to advise the member for Pascoe Vale that this provider will be able to continue their important work in the future. I thank the member for Pascoe Vale for her encouragement in relation to this matter.

I have approved an additional funding allocation of \$550 000 to support a further 150 employment placements. That will ensure that all Victorians share in

the benefits of our economic success. Investments in programs like Jobs Victoria ensure that no-one falls through the cracks when it comes to finding a job and keeping it. I congratulate John Zika, Maree Raftis and the entire team at VICSEG on their fantastic work, and again I thank member for Pascoe Vale for raising this in the adjournment debate. She should be very proud of her contribution in ensuring that the great work of VICSEG can continue.

**Ms NEVILLE** (Minister for Police) — A number of issues have been raised with a number of ministers, and I will pass those issues on.

**The DEPUTY SPEAKER** — Order! The house now stands adjourned until tomorrow.

**House adjourned 8.21 p.m.**