PARLIAMENT OF VICTORIA

PARLIAMENTARY DEBATES (HANSARD)

LEGISLATIVE ASSEMBLY

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Wednesday, 23 May 2018

(Extract from book 6)

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By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable KEN LAY, AO, APM

The ministry

(from 16 October 2017)

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

OFFICE-HOLDERS OF THE LEGISLATIVE ASSEMBLY

FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

Speaker

The Hon. C. W. BROOKS (from 7 March 2017)

The Hon. TELMO LANGUILLER (to 25 February 2017)

Deputy Speaker

Ms J. MAREE EDWARDS (from 7 March 2017)

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

Acting Speakers

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

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 — Acting Clerk of the Legislative Assembly: Ms Bridget Noonan

Council — Acting Clerk of the Parliaments and Clerk of the Legislative Council: Mr A. Young

Parliamentary Services — Secretary: Mr P. Lochert

MEMBERS OF THE LEGISLATIVE ASSEMBLY

FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	McLeish, Ms Lucinda Gaye	Eildon	LP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Merlino, Mr James Anthony	Monbulk	ALP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	Morris, Mr David Charles	Mornington	LP
Asher, Ms Louise	Brighton	LP	Mulder, Mr Terence Wynn[2]	Polwarth	LP
Battin, Mr Bradley William	Gembrook	LP	Napthine, Dr Denis Vincent[3]	South-West Coast	LP
Blackwood, Mr Gary John	Narracan	LP	Nardella, Mr Donato Antonio[4]	Melton	Ind
Blandthorn, Ms Elizabeth Anne	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Britnell, Ms Roma[1]	South-West Coast	LP	Noonan, Mr Wade Matthew	Williamstown	ALP
Brooks, Mr Colin William	Bundoora	ALP	Northe, Mr Russell John[5]	Morwell	Ind
Bull, Mr Joshua Michael	Sunbury	ALP	O'Brien, Mr Daniel David[6]	Gippsland South	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
Burgess, Mr Neale Ronald	Hastings	LP	Pakula, Mr Martin Philip	Keysborough	ALP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Pallas, Mr Timothy Hugh	Werribee	ALP
Carroll, Mr Benjamin Alan	Niddrie	ALP	Paynter, Mr Brian Francis	Bass	LP
Clark, Mr Robert William	Box Hill	LP	Pearson, Mr Daniel James	Essendon	ALP
Couzens, Ms Christine Anne	Geelong	ALP	Perera, Mr Jude	Cranbourne	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Pesutto, Mr John	Hawthorn	LP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Richardson, Mr Timothy Noel	Mordialloc	ALP
Dimopoulos, Mr Stephen	Oakleigh	ALP	Richardson, Ms Fiona Catherine Alison[7]	Northcote	ALP
Dixon, Mr Martin Francis	Nepean	LP	Riordan, Mr Richard[8]	Polwarth	LP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Ryall, Ms Deanne Sharon	Ringwood	LP
Edbrooke, Mr Paul Andrew	Frankston	ALP	Ryan, Mr Peter Julian[9]	Gippsland South	Nats
Edwards, Ms Janice Maree	Bendigo West	ALP	Ryan, Ms Stephanie Maureen	Euroa	Nats
Eren, Mr John Hamdi	Lara	ALP	Sandell, Ms Ellen	Melbourne	Greens
Foley, Mr Martin Peter	Albert Park	ALP	Scott, Mr Robin David	Preston	ALP
Fyffe, Mrs Christine Anne	Evelyn	LP	Sheed, Ms Suzanna	Shepparton	Ind
Garrett, Ms Jane Furneaux	Brunswick	ALP	Smith, Mr Ryan	Warrandyte	LP
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Smith, Mr Timothy Colin	Kew	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Southwick, Mr David James	Caulfield	LP
Green, Ms Danielle Louise	Yan Yean	ALP	Spence, Ms Rosalind Louise	Yuroke	ALP
Guy, Mr Matthew Jason	Bulleen	LP	Staikos, Mr Nicholas	Bentleigh	ALP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Staley, Ms Louise Eileen	Ripon	LP
Hennessy, Ms Jill	Altona	ALP	Suleyman, Ms Natalie	St Albans	ALP
Hibbins, Mr Samuel Peter	Prahran	Greens	Thomas, Ms Mary-Anne	Macedon	ALP
Hodgett, Mr David John	Croydon	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Howard, Mr Geoffrey Kemp	Buninyong	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Hutchins, Ms Natalie Maree Sykes	Sydenham	ALP	Thorpe, Ms Lidia Alma[10]	Northcote	Greens
Kairouz, Ms Marlene	Kororoit	ALP	Tilley, Mr William John	Benambra	LP
Katos, Mr Andrew	South Barwon	LP	Victoria, Ms Heidi	Bayswater	LP
Kealy, Ms Emma Jayne	Lowan	Nats	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kilkenny, Ms Sonya	Carrum	ALP	Walsh, Mr Peter Lindsay	Murray Plains	Nats
Knight, Ms Sharon Patricia	Wendouree	ALP	Ward, Ms Vicki	Eltham	ALP
Languiller, Mr Telmo Ramon	Tarneit	ALP	Watt, Mr Graham Travis	Burwood	LP
Lim, Mr Muy Hong	Clarinda	ALP	Wells, Mr Kimberley Arthur	Rowville	LP
McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Williams, Ms Gabrielle	Dandenong	ALP
McGuire, Mr Frank	Broadmeadows	ALP	Wynne, Mr Richard William	Richmond	ALP

[1] Elected 31 October 2015
[2] Resigned 3 September 2015
[3] Resigned 3 September 2015
[4] ALP until 7 March 2017
[5] Nats until 28 August 2017
[6] Elected 14 March 2015
[7] Died 23 August 2017
[8] Elected 31 October 2015
[9] Resigned 2 February 2015
[10] Elected 18 November 2017

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 Noonan and Ms Thomson. (*Council*): Mr O'Sullivan, Mr Purcell and Ms Symes.

Dispute Resolution Committee — (*Assembly*): Ms Allan, Mr Clark, Ms Hutchins, Mr Merlino, Mr M. O'Brien, Mr Pakula 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 Elasmar and Mr Melhem.

Electoral Matters Committee — (*Assembly*): Ms Asher, Ms Blandthorn, Mr Dixon and Ms Spence. (*Council*): Ms Bath, Ms Patten and 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*): Dr Carling-Jenkins and 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 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 Gepp and Ms Patten.

Public Accounts and Estimates Committee — (*Assembly*): Mr Dimopoulos, Mr Morris, Mr D. O'Brien, Mr Pearson, Mr T. Smith and Ms Ward. (*Council*): Ms Patten, Ms Pennicuik and Ms Shing.

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

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WEDNESDAY, 23 MAY 2018

Wednesday, 23 May 2018

The SPEAKER (Hon. Colin Brooks) took the chair at 9.33 a.m. and read the prayer.

LOCAL GOVERNMENT BILL 2018

Introduction and first reading

Ms KAIROUZ (Minister for Local Government) (09:33) — I move:

> That I have leave to bring in a bill for an act to reform the law relating to local government in Victoria, to repeal the City of Greater Geelong Act 1993, to amend the City of Melbourne Act 2001, the Local Government Act 1989 and the Victoria Grants Commission Act 1976, and to consequentially amend certain other acts and for other purposes.

Mr MORRIS (Mornington) (09:34) — I seek an explanation from the minister beyond the long title.

Ms KAIROUZ (Minister for Local Government) (09:34) — I think the shadow minister has been well briefed, but nevertheless this is a bill for an act to reform the law relating to local government in Victoria, to repeal the City of Greater Geelong Act 1993, to amend the City of Melbourne Act 2001, the Local Government Act 1989 and the Victoria Grants Commission Act 1976, and to consequentially amend certain other acts and for other purposes. Basically it is a new local government bill; 100 amendments have been made to the legislation. This is a new bill, bringing it into the 21st century.

Motion agreed to.

Read first time.

FLORA AND FAUNA GUARANTEE AMENDMENT BILL 2018

Introduction and first reading

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) (09:35) — I move:

> That I have leave to bring in a bill for an act to amend the Flora and Fauna Guarantee Act 1988 to promote Victoria's biodiversity by establishing objectives and principles of the act, imposing additional obligations to consider biodiversity in decision-making, improving transparency and accountability and making various other amendments to strengthen the act, and to make consequential amendments to other acts and for other purposes.

Mr WAKELING (Ferntree Gully) (09:36) — I ask the minister for a brief explanation of the bill.

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) (09:36) — In summary, the bill will strengthen and modernise the Flora and Fauna Guarantee Act 1988 to provide strong and effective protection for Victoria's native species and important habitats.

Motion agreed to.

Read first time.

DOCUMENTS

Tabled by Acting Clerk:

Auditor-General:

> Results of 2017 Audits: Technical and Further Education Institutes — Ordered to be published
>
> Results of 2017 Audits: Universities — Ordered to be published

Gambling Regulation Act 2003 — Amendments of Public Lottery Licence under s 5.3.19 (two documents)

Ombudsman — Good Practice Guide to Dealing with Challenging Behaviour — Report and Guide — Ordered to be published

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

> Banyule — C118, C150
>
> Bayside — C157
>
> Brimbank — GC93
>
> Darebin — C180
>
> Hobsons Bay — GC93
>
> Maribyrnong — GC93
>
> Melbourne — C306, GC93
>
> Moonee Valley — C177
>
> Moreland — C170
>
> Port of Melbourne — GC93
>
> Wyndham — GC93.

FLORA AND FAUNA GUARANTEE BILL 2018

Withdrawal

Ms ALLAN (Minister for Public Transport) (09:37) — By leave, I move:

> That the following order of the day, government business, be read and discharged:

Flora and Fauna Guarantee Bill 2018 — Second reading.

and that the bill be withdrawn.

I appreciate the cooperation of members in the chamber. Just a brief explanation: there was an administrative error in the first reading that was made in this place yesterday; it has been immediately identified and corrected. The minister has first read the correct title of the bill this morning, and I am sure the house looks forward to debating the bill when it comes in future sitting weeks.

Motion agreed to.

Withdrawn.

MEMBERS STATEMENTS

Sports Chaplaincy Australia

Mr ANGUS (Forest Hill) (09:38) — I was pleased to attend the Sports Chaplaincy Australia (SCA) dinner at the MCG last week, which was an outstanding event. The guest speaker was the incoming Australian cricket team coach, Justin Langer. Justin was an entertaining speaker, who spoke in part about his plans for his challenging new role. SCA is a national organisation involved in identifying, training, appointing and assisting chaplains in sports. It currently has over 760 volunteer chaplains throughout Australia across a wide range of sports, including some of my local sports clubs. I congratulate the team at SCA on the great work they are doing throughout the country and wish them every success for the future.

National Volunteer Week

Mr ANGUS — This week is National Volunteer Week. I want to place on record my sincere thanks to the countless volunteers in the Forest Hill electorate. Some of the groups and organisations that rely on volunteers include local sporting clubs, including cricket, football, soccer, swimming, bowls, baseball, basketball, netball, motocross, badminton, tennis, cycling and athletics. There are hardworking volunteers in all of my 21 schools and 21 kindergartens, volunteers who serve on the governing body or who help out in other ways, including in the classroom. There are many volunteers in our service clubs, Rotary and Lions, as well is in our scout, guide and Probus groups. My many churches and support agencies could not operate effectively or provide the numerous services they do without the faithful volunteers who serve tirelessly week in and week out.

Other groups that rely on volunteers include local environmental, benevolent, animal welfare and ethnic groups, as well as Neighbourhood Watch, neighbourhood houses, Meals on Wheels and other community groups. My thanks to all the Forest Hill volunteers for their outstanding work in our community.

Forest Hill electorate kindergartens

Mr ANGUS — Over recent weeks I have been pleased to visit several of the kindergartens in the Forest Hill electorate as part of their annual open days. I congratulate and thank all those involved in this sector, in particular many of the long-serving directors and teachers, as well as the countless parent volunteers.

Little Habitat Heroes

Ms EDWARDS (Bendigo West) (09:40) — In this National Volunteer Week I would like to highlight a group of volunteers in my electorate: Little Habitat Heroes. It started as an idea shared by a group of first-time mums who met through the Castlemaine maternal and child health mother's group. Many were new to the region and felt the need to give something back and connect to the country. All feel passionate about the environment and want to make a positive impact, educate children in the process and learn about local ecology.

They were very fortunate to partner with Connecting Country, also volunteers, who immediately expressed enthusiasm for the idea and worked quickly to find an appropriate site for tree planting that could be publicly accessible and generate habitats. They were blown away by the beauty and unique history of the site — the old silkworm farm on top of Mount Alexander — and felt that they had started a magic journey. They made a flyer and a website and started a campaign asking people to donate in the name of their favourite little person in lieu of a birthday present or Christmas gift, with the motto 'Give the Gift of Habitat'. The results were very satisfying: $4000 raised, 900 trees planted by 100 volunteers and a 99 per cent success rate for the trees, some towering over the children after only one year in the ground.

Throughout the journey they have been supported by partners who have helped out significantly, including the Harcourt Valley Landcare Group, also volunteers; Parks Victoria; VicRoads — with the Ravenswood interchange project offset scheme they donated leftover trees; the Dja Dja Wurrung community; and Loddon Prison volunteers. This group is doing amazing things

in educating young people, and I commend them on their volunteer work throughout Castlemaine.

Northern Victoria rail services

Ms RYAN (Euroa) (09:41) — Another sitting week, and yet another dismal story of train travel in my region, or in this case several stories. Jeff Leask has been in contact with me. His train was an hour late due to signalling issues, which is a common occurrence for those in my region who travel the Seymour and Shepparton lines. A few weeks ago he experienced it yet again when his train broke down at Kilmore East. David Ford has been in touch with me. He saw V/Line blame a delayed service on passengers boarding at Heathcote Junction. On 14 March David boarded the 6.58 a.m. Seymour to Southern Cross train. It stopped just short of Craigieburn station for 15 minutes due to Metro Trains Melbourne congestion, and V/Line updated its customers via social media platforms and by SMS with this:

> The 06:57 Seymour to Southern Cross Station is currently delayed by 19 minutes due to increased customer boarding requirements at Heathcote Junction.

David has told me that there was in fact no discernible disruption at all at Heathcote Junction.

Last night I was contacted by Louise Richards from Wallan. She has described catching the Seymour train as being herded and 'mustered around on old rolling stock' like sheep. The Minister for Public Transport is in this chamber. She is not even listening, and it is time that she did.

Tony Stephens

Ms THOMAS (Macedon) (09:43) — Congratulations to Tony Stephens, captain of the Malmsbury fire brigade, on receiving an inaugural Spirit of CFA Award for individual excellence in inclusion and fairness. Under his leadership the message has been loud and clear: there is a role for everyone in the Country Fire Authority. Tony has transformed the brigade's membership, with 60 per cent of its operational members now aged under 54, and 36 per cent of the brigade's members are women. Tony's commitment to diversity comes from his strong belief that to appropriately serve the community the brigade must reflect the community. This has been achieved while the brigade has responded to more than 160 call-outs in 2017.

As part of his ongoing commitment to community service, thanks also to Tony for agreeing to be one of three community representatives on the Malmsbury Youth Justice Centre community advisory group recently announced by the Minister for Youth Affairs in the other place, Jenny Mikakos.

National Volunteer Week

Ms THOMAS — In National Volunteer Week I want to say thank you to the hardworking members of the Kyneton Cemetery Trust, including chairperson Lindsay Hinneberg; secretary Carol McQualter; trust members Kevin Gill, Kevin Chalkley, Peter Bullen and Max Cornthwaite; as well as long-term volunteers Carl Neilsen, Ron Eppingstal and Tom Porker. As a result of their work and advocacy the cemetery trust will receive a $214 000 grant to rebuild public toilets and utility rooms at the cemetery to contribute to the amenity for all visitors to this historic and exceptionally well-maintained cemetery.

Energy billing

Ms ASHER (Brighton) (09:44) — I was very pleased to read in the *Sunday Age* on 6 May this year that Victoria's Essential Services Commission will carry out an investigation into power companies that have issued bills based on estimates rather than actual meter readings. Many people in this chamber would know this has been an ongoing issue for some period of time. It has been a significant issue for a number of small businesses, and we have seen examples of bills based on estimates being exorbitant and way out of kilter with what the businesses actually used in power previously.

Another significant issue which is not as well known is that by the time some of these electricity companies issue the actual meter reading in their bills, customers are being charged at the following financial year's increased tariffs. It takes someone who is very informed to unravel something like that. I quote from an article on page 7 of the *Sunday Age*:

> The regulator will this month begin auditing energy companies to see how widespread the practice is.

The article goes on to say:

> ESC chairman Ron Ben-David said the regulator would investigate the methods companies use to calculate estimated bills and the proportion of bills they issued based on estimates.

I also read with a considerable degree of pleasure that this audit will be released publicly. This is a major issue for small business and for individuals. I am looking forward to the results of this inquiry and, more importantly, to reform.

Sugar tax

Ms GRALEY (Narre Warren South) (09:46) — I am sorry to say that it is obvious — and there is no nice way of putting it — that we are getting fatter. I need to lose a few kilos myself. The *Medical Journal of Australia* says that obesity in Australia is an epidemic. One in four children are overweight and two in three adults are overweight. Being overweight increases the risk of chronic diseases such as heart disease, stroke, type 2 diabetes and some cancers along with mental health issues. It is estimated that if left unchecked, by 2025, 83 per cent of males and 75 per cent of females will be obese. The cost to our health system, quality of life and economy is enormous and indeed threatening.

The Andrews government is taking steps to reduce children's exposure to unhealthy drinks and has improved the labelling system on packaged food. Nothing gladdens the heart more than seeing students growing, picking, cooking and eating their own food as part of the Stephanie Alexander kitchen garden program. Sugary drinks are the biggest source of added sugar in young people's diets — half of our kids have a sugary drink each day. The World Health Organization recommends a limit of six teaspoons of sugar a day; a serve of Coke has 10 teaspoons and Sprite has 13.

I found it alarming recently to watch the *Four Corners* program 'Tipping the scales', which uncovered the big tobacco lobbying techniques of the food and beverage industry. Despite the call for urgent action from the medical profession, there is fierce resistance from industry to measures aimed at changing our eating and drinking habits. Twenty-eight countries have adopted a sugar tax, recently including the conservative British government. As Jamie Oliver said, Australia needs to pull its finger out on tackling obesity. It is time, before it is too late, to take life-saving and life-enhancing actions on sugary drinks. It will make us all feel better.

Mornington Peninsula environmental water scheme

Mr DIXON (Nepean) (09:47) — The proposed Mornington Peninsula hinterland environmental water scheme will utilise upgraded recycled water from the south-eastern outfall at Gunnamatta Beach and direct it to the farming hinterland of the Mornington Peninsula. At the same time it will reduce the volume of treated class A recycled water exiting the outfall into Bass Strait. It is proposed to extract the recycled water from the outfall at no cost and then post-treat it through reverse osmosis to then pump it to the farming hinterland. Further, the energy provision for the pumping network will be powered by a localised on-site solar farm.

The benefits for the Mornington Peninsula and Victoria more broadly include food security, bushfire protection, green wedge preservation, environmental flows to creeks and streams, TAFE training through the pilot project, future careers in horticulture, regional economic development, reduced pollution into Bass Strait and a guaranteed water supply irrespective of any climate change. It also unlocks prime agricultural soils for food production, is energy neutral through the use of solar panels and provides land value based on agricultural production rather than lifestyle.

Endorsements for the project have been received from 17 groups, including Melbourne Water, South East Water, Southern Rural Water, Environment Protection Authority Victoria, Mornington Peninsula Shire Council, Nursery and Garden Industry Victoria and the Southern Metropolitan Partnership. Apples, strawberries, cherries, avocados, olives, truffles and vines all grow very well in our environment at the moment. New crops that will be evaluated for this project include hops, citrus fruits, persimmons, flowers, hydroponic crops, pomegranates, quinces and tree nurseries.

Unearthed: A Shared Heritage

Ms GREEN (Yan Yean) (09:49) — Today I would like to make the house aware of a magnificent exhibition, *Unearthed: A Shared Heritage*, which is on display in the great hall at the City of Whittlesea for the next six weeks. On Monday I had the privilege of launching this exhibition as part of Victoria's archaeology week. It is the first-ever heritage offset project of a major project in Victoria. The Mernda rail project is simply the gift that keeps giving. Not only is it a transportation project; it is a project that is unveiling and revealing Victoria's colonial history and also bringing together the history of the Wurundjeri people, who have walked this land for 30 000 years.

I want to thank John Holland, the Level Crossing Removal Authority, Heritage Victoria, the consultant archaeologists and the City of Whittlesea's heritage officers, Colleen and Lauren. The City of Whittlesea is one of only three or four local government areas across the state that have heritage officers, and I think other councils should learn from this. The exhibition shows artefacts and items removed from the original Bridge Inn Hotel, which was founded by Moses Thomas in the 1840s on the way to the Ovens diggings. The project has found ancient stone tools and indeed glass tools that Indigenous people fashioned after colonial settlement.

It is an amazing exhibition. I would urge everyone in the house to get along and see it.

Emergency services

Mr McCURDY (Ovens Valley) (09:51) — I rise to support the efforts of The Nationals and the Liberals to stamp out the assault of paramedics and police officers. Our paramedics should be untouchable, and anyone who dares to assault them should be duly punished. The Ovens Valley community has had enough of this government's all talk and no action. I am disappointed that this Labor government chose to vote against real changes yesterday to genuinely support our emergency services workers. The Premier of Victoria has walked all over the Country Fire Authority volunteers, and now he stands aside while others walk all over our emergency services officers. This is not good enough. Do something, Dan!

Eldorado Biggest Morning Tea

Mr McCURDY — Congratulations to the Eldorado community for their Cancer Council Biggest Morning Tea fundraiser. Eldorado have so much energy for a small community, and they continue to impress me with their can-do attitude all the time. Cancer touches all of us in one way or another. It was truly a delight to enjoy a cuppa and a tasty morning tea. Well done.

Victoria State Emergency Service Cobram unit

Mr McCURDY — This week is National Volunteer Week, and I place on record my thanks to all volunteers. Today I continue to lobby this government for a Victoria State Emergency Service (SES) headquarters in Cobram. There is not a day that goes by that our community does not feel safer knowing our SES is there to help, rain hail or shine, 24/7. I will continue to fight for your building that is way overdue.

La Fiera festival

Mr McCURDY — Myrtleford came alive again last weekend with a wonderful celebration of Italian culture coupled with fine food, wine and produce from this area, which included chestnuts, walnuts and red wine, as well as Italian dance, a barista race and grape stomping — such a great day. Michelini Wines are to be congratulated for again being the main sponsor of the festival, as La Fiera celebrates 10 years. This family-owned business continues to back Myrtleford, and it is a credit to each and every member of the family and the business.

Appin Park Primary School

Mr McCURDY — Last Friday I continued the tradition of the Appin Park Primary School bike ride. This a brilliant event for parents, teachers and of course the kids. Congratulations to Wendy Martin and the school for another fun-filled, physically active day.

Macpherson Smith Rural Foundation

Ms KNIGHT (Wendouree) (09:52) — I recently learned of a fantastic scheme that is funded and administered by Macpherson Smith Rural Foundation (MSRF). MSRF has an ambitious vision — that Victoria's rural and regional communities will be thriving, with strong input from skilled, resilient and motivated young people. Established with a grant from the Helen Macpherson Smith Trust in 2008, MSRF has gone from strength to strength and has assisted some wonderful young people over the last decade. MSRF provides scholarships, leadership development programs, mentoring and connections for young rural Victorian school leavers. It is a unique program in that it provides wraparound care for young people as they transition out of school.

MSRF are supporting 22 scholars this year to attend university or TAFE. Over 300 young people from more than 120 Victorian rural towns have participated in leadership development and mentoring programs. These young people are giving back to their communities by mentoring other young rural Victorians in their transition to further education. MSRF have designed and implemented the leadership development program and conduct it for more than 50 young people each year. They have also created the Dream Seeds workshops for year 6 students, helping younger rural Victorians to build aspiration, resilience and connection.

All MSRF activities are focused on building capacity in young rural people so they can be leaders in their communities. I would like to thank the generous donors and the wonderful staff. As politicians we really need to know about these programs. It is great for our constituents, and I would encourage everyone in this chamber to check it out.

La Mama Theatre

Ms SANDELL (Melbourne) (09:54) — Firstly, I want to express how saddened I am that one of Victoria's and in fact Australia's leading cultural institutions, La Mama Theatre in Carlton, was gutted by fire on Saturday night. I love theatre and have spent many days and evenings at La Mama. It really is the

heart and soul of our grassroots theatre culture here in Melbourne.

Thank you to the Metropolitan Fire Brigade firefighters for their fantastic work in controlling the blaze, and my deepest condolences go to La Mama's management and the broader arts community during this really difficult time. Thanks also to all those who contacted me and others to offer their support. I look forward to doing anything I can to make sure La Mama rebuilds and reopens.

Melbourne electorate aircraft noise

Ms SANDELL — While I have time I also want to raise here in Parliament again the issue of aircraft noise in East Melbourne. East Melbourne is too far from the airport for the airspace to be regulated, yet it is so close to major landmarks, which means the area attracts lots of joy flights and sightseeing flights, amongst other flights.

Aircraft noise has significantly increased over the last few years and is significantly impacting residents' quality of life. The only way to do anything currently is to enter into voluntary agreements with private aircraft operators, which is not really working. A bill is being introduced in the federal Parliament by my colleague Janet Rice to create protections for communities affected by aircraft noise. The bill has been referred to a committee for inquiry, and I would encourage members to make a submission in support of the bill. I ask that the state government work with residents to help solve this important problem, as cities like Paris have already done.

Albert Park electorate schools

Mr FOLEY (Minister for Housing, Disability and Ageing) (09:55) — Last week the Premier joined me, members of my local community, school groups, sporting clubs and the Victorian School Building Authority to announce the site of the next Labor state building project in or around my local community, this one being the site for the Fishermans Bend secondary college and integrated sports facilities for community use, which will be on the corner of Graham and Plummer streets in Port Melbourne. This is the 10th building project underway in my community or in fact completed. It joins so far new schools in South Melbourne, Prahran and South Melbourne Park, a new school in Docklands as well as significant expansions and investments in Elwood College, Elwood Primary School, St Kilda Primary School, Albert Park Primary School and Port Melbourne Primary School. This cumulative investment is the biggest ever investment in our education infrastructure and our education community in the history of this state, and it is something that I am incredibly proud of.

La Mama Theatre

Mr FOLEY — I also take this opportunity to send a message to the independent and theatre communities in and around Melbourne to assure them that this government, as I have already indicated to the La Mama community, is right behind them to make sure La Mama's best days are ahead of it, not behind it.

Firefighters presumptive rights legislation

Mr WELLS (Rowville) (09:57) — This statement condemns the Andrews Labor government for voting against legislation to provide cancer compensation for Victorian firefighters. When Labor's destructive and controversial Country Fire Authority (CFA) reform legislation looked like being at risk of not getting through Parliament, Labor, more desperate than usual, resorted to the dirtiest of tactics. The Andrews government linked the CFA reform legislation with legislation for cancer compensation, making sure that cancer compensation would fail if the CFA reform was not passed.

Unlike Labor's appalling tactics, a Liberal-Nationals bill on cancer compensation was introduced with no strings attached. The Liberal-Nationals bill backdated eligibility to those diagnosed with cancer to 9 March 2015, unlike Labor's bill, which only covered firefighters with cancer from 1 June 2016. The Liberal-Nationals bill provided compensation for all firefighters equally, unlike Labor's bill, which would have run volunteer firefighters through a committee process to determine whether they had attended enough fires to qualify.

In spite of the Liberal-Nationals legislation leaving firefighters better off, Labor still voted against providing cancer compensation for firefighters. On cancer compensation, like so much else under this extreme left government, the word of Premier Andrews and the Minister for Emergency Services cannot be trusted. Almost immediately on coming to office Labor were breaking their own promises to firefighters on this issue by failing to introduce presumptive legislation within 100 days as they had promised.

Oakleigh electorate schools

Mr DIMOPOULOS (Oakleigh) (09:58) — Glen Huntly Primary School is in the top 10 per cent of schools in Victoria, and happier kids you will not find,

but their oval is full of dust and holes. Last Monday I was pleased to go and tell the students, teachers and school council that the Andrews Labor government will invest over $300 000 to fix that oval. I have heard a lot about that oval in the last three and a half years on my many visits to that school. Our $300 000 investment adds to the $290 000 we gave in the budget two years ago for building works.

When kids graduate from Glen Huntly Primary School they can attend Glen Eira College. Glen Eira College has just been refurbished to the tune of $10.1 million by the Andrews Labor government. The kids could also choose to go to Bentleigh Secondary College, a school we have invested in to the tune of $13.4 million. In the four years of the previous government, schools in my community benefited from investments of about $544 000. In the three and a half years of the Andrews Labor government, schools in my community have benefited to the tune of $56 million. That is 103 times more. That is our commitment to education.

Burwood police station

Mr WATT (Burwood) (09:59) — In what would be well suited to be in an episode of *Yes Minister* or *Utopia*, it appears that the Burwood police station is the cleanest police station in Victoria, with locals reporting that the station is cleaned three days a week even though it has been closed for three years. I have been fighting to have the Burwood police station reopened since its closure by the Andrews Labor government. The Burwood police station has, by the minister's own admission, been unstaffed since July 2015, resulting in a massive crime spike, with burglaries up 29 per cent and theft up 41 per cent.

The Premier has ignored the people of Burwood while our homes have been invaded and our businesses terrorised. I have had recent reports of break-ins or attempted break-ins at the post office, the pet shop, the newsagent, the local petrol station and more. A closed police station frequently subjected to graffiti and vandalism sends the wrong message to criminals.

Last week, the Leader of the Opposition and I, along with the shadow Minister for Police, visited the closed police station and announced that a future Liberal government will provide funding of $2 million to upgrade and reopen the closed Burwood police station. This will allow police to once again directly engage with the local Burwood community and provide improved community safety through a proactive, visible police presence.

Burwood electorate kindergartens

Mr WATT — I recently visited the Ashwood Memorial Kindergarten and spoke to Robyn, who is the coordinator there, about some of the challenges they are facing at the kindergarten. I want to thank Robyn and all of her staff for all of the great work they do at the kindergarten. I also visited Wattle Hill Kindergarten on their open day. I want to thank Sofi and all of her staff for the great work that they do.

Tullamarine Community House

Mr J. BULL (Sunbury) (10:01) — Recently I was delighted to visit Tullamarine Community House, which was delighted to learn of our $21.8 million budget allocation. This of course is the biggest ever funding increase to neighbourhood house coordination hours. What we know is that 160 neighbourhood houses across the state are currently funded for 25 hours per week or less. These neighbourhood houses will now be eligible to increase their funding, with an additional 76 000 hours per year across the state being provided.

The Andrews Labor government is a proud supporter of neighbourhood houses. We understand the important role they play in our local communities, and that is why we are backing them. This is a record funding boost that will ensure neighbourhood houses across Victoria can continue to provide the vital services that people need. Can I take the opportunity to thank Cheryl and the entire team at Tullamarine neighbourhood house. I am looking forward to going back. They do some outstanding work.

Sunbury electorate kindergartens

Mr J. BULL — In more great news, I had the exciting opportunity last week to visit my old preschool at Stewarts Lane in Sunbury as well as Taylor Drive Preschool in Gladstone Park. I joined the Hume City Council mayor at both preschools to announce the completion of works. These preschools have been upgraded thanks to the Andrews Labor government's capital grants funding program. This is outstanding news for local kids, and I am thrilled to be part of delivering it.

Shepparton electorate sporting facilities

Ms SHEED (Shepparton) (10:03) — It has been so pleasing to see long overdue investment begin to flow into the Shepparton district during the term of this Parliament, but I must say it is also disappointing to realise that as each hurdle is tackled another glaring lack or example of historic neglect in my region arises.

Shepparton district has a strong culture of sporting participation and plays host to an increasing number of elite, highly patronised sporting events across the breadth of sporting activity. However, the Hume region in which we are situated is the only region not serviced by the Victorian Institute of Sport and the state-funded regional academies of sport structure. This means a lack of development pathways for athletes across all sporting codes, a lack of support for female athletes, reduced access for athletes with a disability or those from disadvantaged backgrounds and minimal opportunities for coaching and administrator development.

We all know the benefits of sport to communities — it promotes social cohesion; teaches teamwork, perseverance and goal setting; improves mental health; and reduces the likelihood of obesity. Two organisations in the north-east, Valley Sport in Shepparton and Sport North East in Wangaratta, have a proposal to establish a Hume regional academy of sport and are seeking the support of this government to rectify the lack of appropriate service to almost 300 000 Victorians. I would hope that given this government's focus on equal opportunity in the sporting domain this proposal will be considered a priority, and I look forward to working with the government to ensure its timely delivery for my community and the broader Hume region.

Geelong electorate accessible tourism

Ms COUZENS (Geelong) (10:04) — I was proud to join the Minister for Regional Development in Geelong last week to announce Improving the Accessibility of Geelong and the Bellarine project funding of just over $1 million from the Regional Skills Fund. The project is a collaboration between the Australian Federation of Disability Organisations, Tourism Greater Geelong and the Bellarine, and many of Tourism Greater Geelong's 500-plus member businesses. The Royal Geelong Yacht Club has also participated in the pilot phase of the project and will be involved in the future. The yacht club is involved in the Geelong waterfront safe harbour project. This project incorporates the Fisherman's Basin area, the Royal Geelong Yacht Club and the Victorian Sailing School.

Through a three-stage process, this project will provide practical support for visitor economy businesses in the Greater Geelong region to welcome customers with a disability and to recruit employees with a disability. Project stages will include information on why accessible tourism is a good return on investment; toolkits covering a range of topics on how businesses can improve accessibility; training sessions on immediate or short-term strategies businesses can deploy to improve accessibility; identifying and implementing recommendations to make businesses more accessible to customers and employees with a disability; matching people with a disability seeking employment to businesses seeking staff; and providing ongoing support for newly employed people with a disability and their employers in the workplace. The project will deliver a state and nationwide marketing campaign, including on social media platforms.

Warrnambool bus shelters

Ms BRITNELL (South-West Coast) (10:06) — I am directing these comments to the Minister for Public Transport in relation to what seems to be a never-ending cycle of confusion around who has responsibility for bus shelters in the Warrnambool area. Minister, as you may or may not be aware, Warrnambool can be a harsh place in winter. The issue is that many of our bus stops do not have shelters, including those used by primary and secondary school children in Allansford. The particular issue in Allansford was brought to my attention by constituents John and Shirley Williams. This is where the tale of confusion begins. I made a representation to Warrnambool City Council, who said the responsibility was with Public Transport Victoria (PTV), so I made a representation to you. When I eventually received your reply, which said it was Warrnambool City Council who had responsibility for this type of infrastructure, I again made contact with Warrnambool city, who said there was nothing in any legislation or framework that said they were responsible.

This type of back and forth has continued on several similar issues for some time. Warrnambool City Council's director of infrastructure pointed to a website for the City of Dandenong where complaints and issues with bus shelters are directed to PTV. It is my understanding that here in the city, PTV are responsible for bus shelter infrastructure and collect advertising revenue from it. Why is it any different in regional cities? Why are you trying to push this cost back onto councils? Minister, I am sure I am not the only rural member who has raised this issue with you via written representation, so I am beginning to wonder if you actually read what comes across your desk because surely you would be seeing a pattern.

Victoria State Emergency Service South-West Coast unit

Ms BRITNELL — I would also like to take an opportunity today to say thank you to the Victoria State Emergency Service in South-West Coast. They do a

fantastic job in some of the extreme weather conditions that we do have.

Microfinance model

Mr McGUIRE (Broadmeadows) (10:07) — After discussions with Nobel Peace Prize winner Muhammad Yunus, I want to pursue the benefits of his microfinancing model as the beginning of a social enterprise initiative for Australia. The Grameen Bank model of microfinancing has helped transform the lives of more than 300 million people in more than 50 countries, including developed economies like the United States of America. It creates local jobs for local people, increases participation and empowers high-potential women and youth to work and thrive.

Social enterprises help people change their mindsets as well as giving them better opportunities so they can move from a welfare or charity mindset to economic empowerment. That can be initiated through the help of mentors and microfinancing helping people to be job creators and hopefully over time become employers themselves. This is how it can form a virtuous circle helping to alleviate poverty, provide jobs, build businesses and — importantly — better futures. Social enterprises allow people to use their creativity, skills and knowledge. They establish a new kind of capitalism featuring altruism and generosity. The chief executive officer of Grameen Australia has warned that we need to have a coordinated response to address these issues.

STATEMENTS ON REPORTS

Accountability and Oversight Committee: oversight agencies 2016–17

Mr WATT (Burwood) (10:09) — I rise to speak on the report into Victorian oversight agencies 2016–17, tabled in February 2018. This is the fifth report by the Accountability and Oversight Committee in the 58th Parliament. I do note that the member for Williamstown is here; he is a member of that committee. I want to commend the committee for the work that they do. Particularly, I want to talk about the work that they did in this report.

On page 33, in section 3.3.4, it talks about the investigations referred from Parliament. We are particularly talking about the Victorian Ombudsman:

> In December 2016, the Court of Appeal upheld a Supreme Court judgement that the Ombudsman has jurisdiction to investigate a referral by the Legislative Council of allegations that Australian Labor Party members of the Victorian Parliament misused members' staff budget entitlements.
>
> The Victorian government sought leave to appeal the decision in the High Court of Australia, however, this was refused.
>
> Accordingly, the Ombudsman confirmed that she would continue her investigation into the allegations.

Following on from her investigations into those particular allegations referred to in section 3.3.4, we actually do have the Victorian Ombudsman's report, *Investigation of a Matter Referred from the Legislative Council on 25 November 2015*. That report was actually tabled in March 2018.

Mr Pearson — On a point of order, Deputy Speaker, I seek your guidance. The member for Burwood is quoting an Ombudsman's report. I could be mistaken, but I thought I saw the member waving around the Ombudsman's report. I thought this time was for committee reports. If I am mistaken, I do apologise, but I seek your guidance, Deputy Speaker.

The DEPUTY SPEAKER — Order! Member for Burwood, which committee report are you referring to?

Mr WATT — I said right at the start: it is the *Report into Victorian Oversight Agencies 2016–17*. It was tabled in February 2018. I did acknowledge the member for Williamstown as a member of that committee and specifically I am referring to section 3.3.4 of that particular report. I know the member for Essendon may have missed that, but I was specifically talking about that report by the Accountability and Oversight Committee, report 5 of the 58th Parliament. In that report, it is section 3.3.4 specifically — I read that section. That section refers to a report which the Ombudsman did, which is this report. It would be remiss of me if I did not refer to the findings of that particular report. That is what I am talking about.

What that report actually found was that the Australian Labor Party had rorted — clearly rorted — $400 000-plus from the Victorian taxpayer. We are talking about members of Parliament — the investigation was about members of Parliament — who employed staff to do work which they actually did not do. They did campaigning in other people's electorates instead. So what we are talking about is the member for Lara. He had employed a staff member who he had never seen and did not know and who had never been in his office. That particular person went down to Bellarine and clearly campaigned for the member for Bellarine.

When one minister of the Crown has paid for the election expenses of another minister of the Crown out of the Parliament's funds, there is something seriously wrong. The fact that the government thinks that they

can just pay back the money and there are no consequences is, I find, quite strange.

We are not talking about one or two incidents here. We are talking about the former member for Yuroke. We are talking about a former member for Northern Victoria Region, the member for Ivanhoe, the member for Mill Park, the former member for Macedon, a member for Northern Metropolitan Region, the member for Lara, the former member for Ripon, a member for South Eastern Metropolitan Region, a member for Eastern Metropolitan Region, a former member for Southern Metropolitan Region, a former member for Northern Victoria Region, a member for Western Metropolitan Region, another member for Northern Metropolitan Region, the member for Lyndhurst at the time — the seat is changed and is now Keysborough — the former member for Dandenong, a former member for Eastern Victoria Region, another member for South Eastern Metropolitan Region and a former member for Eastern Metropolitan Region. All of these people contributed to these rorts — this scam — which was all set up to thieve money from Victorian taxpayers and handed to the Labor Party.

Public Accounts and Estimates Committee: financial and performance outcomes 2016–17

Mr PEARSON (Essendon) (10:14) — I am delighted to make my first contribution on the *Report on the 2016–17 Financial and Performance Outcomes*, a report produced by the Public Accounts and Estimates Committee in May 2018. I do note that the executive officer of this great, august body, Dr Caroline Williams, is in the gallery, and it is a joy to see Caroline in the chamber with us today.

I am extremely excited by this report. I am particularly excited about chapter 8, 'Public access to government data'. I think this is probably the first time a Public Accounts and Estimates Committee has inquired into government data and the role it can play in relation to efficient and effective government administration. One of the things I am really pleased about with this report and the way in which this chapter turned out is the fact that it is an opportunity for the Parliament to demonstrate its views and its recommendations on the way in which government data is handled in order to try and provide a degree of leadership and support to the executive arm of government, to support the work of the Victorian Centre for Data Insights as well as to send a very clear signal to the private sector about the fact that the government recognises and acknowledges it has a significant wealth of data — a significant number of datasets which might be able to be, at some point in time, commercialised by the private sector in the same way that, for example, Google Maps was developed off the back of US military photographs of North America.

There are four key recommendations from chapter 8. One of the recommendations that I think is most important is the fact that generally when government turns around and decides that it wants to spend a significant amount of money on a whole-of-government ICT project — and it does not matter whether it is Labor or Liberal — there are challenges, there are issues, there are usually cost overruns, there are expectations which are not necessarily realised. You can go right back to the OneLink contract of the Kennett government, which was an absolute debacle. So you do have to be careful in terms of the way in which you manage expectations. In relation to recommendation 41 there is a recommendation that the Victorian Centre for Data Insights:

> … actively curate the DataVic website, including:
>
> (a) ensuring data is available in an Excel or similar format that is easily downloaded …

Why this is important is that if you are looking at data analytics — if you are looking at big data — there is a need to use a large volume of data to make some predictions and to do predictive analysis. If it is in an Excel format or a CSV format, you have got the ability to be able to integrate that data relatively easily — particularly, I think, if it is a CSV file, more so than an Excel file — to be able to then use those data analysis tools, which can be bought off the shelf and relatively easily accessed. You can start doing that predictive work and have that real deep dive analysis.

This is important because it is not good enough if a department or a statutory authority turns around and says, 'Well, look, we'll provide data that can be uploaded on the DataVic website, but it will be in a PDF format'. That basically means that the data is unusable. Or alternatively, if it is in Excel format, it may be in such a convoluted form that it is difficult to work out which columns relate to which particular topic, theme or measure. This is to try and start that process where we are encouraging government departments and agencies to start to look at what data they hold — look at what they have got and what form it is in — and to start sharing that data.

I think that government does not tend to be innovative, really, as a general observation. We try to innovate as best we can, but probably the great strength we have got is to enable others to innovate — to provide data, make it available, put it out to the private sector and let the private sector, or not-for-profit or non-governmental organisations, look at it and then say, 'Okay, well, there

are these datasets available. What can we use them for? How can we innovate? How can we do something different?'. The reality is the US military would never have created Google Maps — you needed Google to do that — but Google Maps would not have existed without the original data made available by the US military. So I commend the report.

Public Accounts and Estimates Committee: budget estimates 2017–18

Mr McCURDY (Ovens Valley) (10:19) — I rise to make a contribution on the Public Accounts and Estimates Committee's *Report on the 2017–18 Budget Estimates*, particularly chapter 6.7, page 112. This refers to the affordability of gas, water and electricity. As we know, the cost of electricity is an area that is affecting the cost of living for a lot of people. The focus clearly should be on renewables, and that needs to continue. The area I want to highlight that this report touches on is renewables and certainly solar farms and the lack of guidelines on those solar farms. The current approach to solar farm rules and regulations has no such guidance, unlike wind farms where guidelines and legislation have been put in place. We are certainly seeing different local governments having different outcomes, and this is where I think the government needs to have a look at consistency and what is needed from local governments rather than this ham-fisted approach with different local governments having different standards.

Over the weekend I met with four local farmers at Naringaningalook fire station primarily to discuss the lack of consideration for the adjoining landholders and their rights and their fears. Pat Hanagan and Kim Bosse were asking about what happens when you have got a solar farm next door. The public liability on a property is normally set at about $20 million, which most farmers have. Should that public liability now be raised to $60 million? Should having infrastructure like a solar farm next door need to be considered? Another concern, for example, is who is responsible if a farmer's wheat header or slasher creates a spark and generates a fire? Is their public liability going to be high enough? Who is in the best position to dictate this, and who is going to pay for that higher policy?

The Country Fire Authority has been told not to spray water onto solar farms if they catch alight underneath. At 1500 volts you can understand that is a fair comment to make, but will adjoining landholders have to increase their public liability to $60 million? I think government needs to focus on that. It needs to take a long-term view for landholders and not focus only on the shortfall of power. Obviously the tripling of the coal royalty has contributed to this, and we have just got to have a sharper focus on these renewables.

John Gilroy and Ryan Quinane highlighted the social impact and the land value impact on neighbouring farms where these solar farms are starting to spring up. Moira shire, for example, had 44 stipulations on the planning permit, but none of the local government authorities apparently asked for the views of neighbours or comments from adjoining landholders. I have not spoken to Moira shire about this — and I am not having a dig at the shire — but this suggests that the Victorian government has a much larger role to play in the public debate on solar farms.

Pages 114 and 115 of the report talk about management and future changes relevant to renewable energy, but again it fails to cover off on the issues I have raised today. On the Victorian *Country Hour* program on 1 May Warwick Long talked about similar changes in the Shepparton region to applications for solar farms in Tatura, Tallygaroopna, Lemnos and Congupna that were called in by the Minister for Planning. These are projects worth over $300 million. That is a positive step forward, but more thought needs to be put into the rules and regulations around the prime agricultural land that is being lost and the impact on neighbours. When we look at investment in irrigation infrastructure, like the $2 billion for the Connections Project in the northern region — which the Deputy Speaker would be well aware of — which sets us up for the next 50 to 100 years, we have got to think wisely as to where we put these solar farms and again about the greater impact on the local community.

We know that rate capping has meant local governments have had to rein in their spending, so now they are starting to slug other communities and other places that can become cash cows. We do not want the local government areas to be given a free kick to raise dollars wherever they can to the detriment of other individuals. More thought needs to go into these solar farms. Otherwise we will end up with a divide-and-conquer effect in the smaller communities thanks to our local government authorities. I know the UK has a land grading philosophy where land is graded between grades 1 and 5, with grade 1 being the most productive and grade 5 being the least productive. I think the government could consider that in terms of solar farms and where they would be best located.

Further discussions need to be held with the Victorian Farmers Federation and farming communities, and these further discussions need to be open and transparent. New South Wales is a long way ahead of us in terms of rules, regulations and guidelines

regarding solar farms, and I think the Victorian government could well follow their lead and look at supporting local communities to make sure that solar farms are in fact in the best possible places.

Public Accounts and Estimates Committee: budget estimates 2016–17

Mr McGUIRE (Broadmeadows) (10:24) — I refer to the Public Accounts and Estimates Committee inquiry into the budget estimates 2016–17 and particularly the contribution by the Minister for Industry. She referred to how working in collaboration presents an opportunity to drive strategic results. I want to continue the contest of ideas on the need to place critical issues in the national interest above partisanship. This is important not only at a state level but also for our relations with the Australian government. I want to actually point to how we have some opportunities coming out of the Australian government's budget and the Victorian government's budget as well and where we can get unity tickets on some major projects that are of national and strategic importance. We really need to work out what is the plan from here and what are the mechanisms that can be used.

So I am advocating for Melbourne's northern and western suburbs to have a city deal matching the Australian government's offer to Sydney's west, because a city deal would help deliver thousands of jobs and multibillion-dollar infrastructure projects, including the long-awaited rail link to Melbourne Airport and the M80, the missing link in Melbourne's road network.

Recent budgets have defined joint commitments to these projects, so now we need to actually work out what is the next step to deliver on the plan, because we do not want to see these issues and these major projects again just being brought up and then procrastination or partisanship overtaking them, particularly as with the rail link to Melbourne Airport. That is something that has been pursued for about half a century; I advocated for it in my first year in this Parliament.

The proposition is that a city deal would provide funding and coordinate the three tiers of government and other stakeholders. It would integrate the pipeline of major projects and fast-track the developments at our airports, our rail and road networks and our internationally acclaimed medical research hub. That can be how we actually frame it. You could extend it to the proposed Arden development as well, because that could be the linchpin between the north and the west. It would also, importantly, make the Australian government a participant rather than a bystander to ensure that Victoria receives its fair share of infrastructure funding. This has been a long dispute. We know that we are not getting the deal that we should be getting for the infrastructure. In particular Victoria has the fastest growing economy and the government is delivering.

A city deal for Melbourne's north was also the runaway winner at the 2017 northern metropolitan regional assembly, which was attended by the Premier, five cabinet ministers and more than 160 community leaders, so it has actually been able to establish that level of support. I think combining Melbourne's north and west into one city deal provides Australia's biggest investment attraction, addresses population growth and delivers jobs where they are needed most.

I want to add that only yesterday we had Professor Greg Clark, who advises the World Bank, the OECD, the Brookings Institute and the Urban Land Institute on the evolution of the metropolitan century, as it is now being called. He basically called for a similar set of propositions when he analysed what are the gaps or the deficiencies in Australia's model. He is saying that we really need to make city deals permanent, and I agree with that. We have got to be able to have a mechanism that moves beyond partisanship and political election cycles and actually builds the future in a coordinated and collaborative way. He is calling for us to provide metropolitan leadership, governance and planning tools, create integrated transport authorities, strike infrastructure and growth compacts, and establish precinct partnerships and managements. To do this we need to bring together local government combinations, undertake reforms in the housing market, enhance infrastructure funding and finance, drive the metropolitan innovative economy and foster compelling public leadership, wider civic engagement and a proactive business community.

This is the opportunity that we now have, and I know the Andrews government is pursuing it. We have put the big-picture vision on the table. We have established the plan. We have got the AAA-rated economy that the Premier and the Treasurer are absolutely driving, but we do need the Australian government to be a partner — not to be doing gesture politics but actually putting the money up.

Electoral Matters Committee: conduct of 2014 Victorian state election

Ms STALEY (Ripon) (10:29) — Today I am going to talk about the inquiry into the conduct of the 2014 Victorian state election and the report by the Electoral Matters Committee. I am going to start with the

recommendations that came out of that report. There is of course a bill before the house that seeks to implement, or not, these recommendations. I think it is important, as I have spoken on this report over the years many times, to note that we now are at the bill stage for the recommendations from this report. In the main, the bill that is currently before the house does take up the recommendations that were made by this committee.

I do note that in relation to recommendation 10 the Electoral Matters Committee report suggests, and in fact recommends, legislating that political parties be registered 60 days prior to an election. The bill extends that to 120 days. Clearly the Victorian Electoral Commission has requested an extension to that. But apart from that, all of the other statutory recommendations are included in the bill.

However, they are not the only part of the recommendations that come out of this report, and I turn to recommendation 19, which is that:

> The committee recommends that the public sector code of conduct be amended to prohibit public sector workers using government property, such as ambulances, fire trucks and uniforms for political purposes and in election campaigns and that penalties be developed for a breach of this type.

So far we have not had a response from the government in relation to the second part of the recommendation — that is, the penalties — and since then some further information has come out in relation to what prompted this recommendation. Of course this recommendation was prompted by allegations of intimidation at polling booths by people dressed as firefighters. The United Firefighters Union (UFU) at the time made a submission to the committee. It was very keen to make sure that the committee understood that the people dressed as firefighters were in fact firefighters. However, they were not wearing the official uniform; they were wearing fake uniforms that were purchased by the UFU. In fact it was made clear in the submission from the UFU:

> The uniforms were purchased by the United Firefighters Union. They were never, and never have been, CFA or MFB uniforms.

I note that the reason we had these people standing on these booths at the time was because of a deal between the secretary of the UFU, Peter Marshall, and the Premier.

That deal came out again quite recently when Peter Marshall went on 3LO and said in an extraordinary interview that the deal that was made in relation to giving this support then and subsequently had not been honoured by the Andrews Labor government. I know most people in Victoria would have said, 'Well, they have given them everything they want. What possibly could they have not honoured in the deal?', but Peter Marshall tells us that in fact the Premier and the Minister for Emergency Services have not honoured the deal that was done prior to the election. We still do not know what that deal, was because Peter Marshall made it very clear in that interview that the details of that deal are still to come out, so we still do not know what they are. We know that therefore the Premier and the emergency services minister are beholden to Peter Marshall because he made it very clear that any allegations of a tape or some other hold over him would have to be matters for the Premier, and the Premier has not answered that. But this all comes back to what happened at the 2014 election, and it was the UFU out there believing they had a deal.

Environment, Natural Resources and Regional Development Committee: control of invasive animals on Crown land

Ms WARD (Eltham) (10:34) — I wish to speak to the Environment, Natural Resources and Regional Development Committee inquiry into the control of invasive animals on Crown land, which was tabled last year. I thank the committee and the secretariat for their work. I was a member of this committee for part of the inquiry but had to leave when I took on the role of Parliamentary Secretary for Industry and Employment. It was a very interesting committee. It was a very interesting inquiry, actually. I learned quite a lot about invasive animals in our state and had a question answered for me, which was how a deer managed to find itself washed up on the shores of the Yarra at the end of Reynolds Road in Eltham, which I found one time while walking my dog a number of years ago. Until you actually look into deer populations in this state and collect a series of anecdotes of people's experiences, you do not realise how big the problem of invasive deer is.

I draw your attention to the fact that I have deer in my electorate. I am in an urban seat. The suburb of Eltham is only 22 kilometres from the city, yet I have deer that are eating rosebushes. Who knew? About 2 kilometres from the centre of Eltham there are larger properties in my community, and they have deer roaming them that come from the green corridor that goes along the Yarra River. They are wandering their way up. As you would know, I have got a pretty bushy leafy suburb that is very welcoming to animals, but people are finding deer a bit of a problem.

So it is terrific to see that a number of the recommendations by the committee were supported by the government. Twenty-nine of the inquiry's

33 recommendations were supported in full, in principle or in part. I note finding 4:

> The population of deer in Victoria has increased alarmingly in recent decades, causing a number of problems for native ecosystems and agricultural enterprises. While there is some debate about whether or not the population will continue to increase, deer will continue to be a problem, regardless of marginal increases or decreases in the population.

I think this finding is absolutely right. I encourage the government to continue looking at ways of controlling the deer population in this state, because if we have got deer wandering around Eltham we are going to have them wandering around other leafy suburbs soon too. I also want to draw attention to recommendation 27:

> That, as part of the planned deer management strategy, the government develop an explicit strategy to contain deer within their current range and limit the spread of deer to new parts of Victoria.

I am glad to see that the government supported this recommendation in full. It is absolutely important. You see the damage, for example, that deer are doing to places like Wilsons Promontory, where they are not eating rosebushes like they are in Eltham but they are actually chewing scrub and creating pathways for themselves following the same tracks, which has led to erosion. They rub themselves and sharpen and trim their horns on trees. They ringbark them. They cause a huge amount of damage and make it very difficult for our own indigenous native animals to live in the space where they really belong and where the deer clearly do not belong. So we do need to come up with a variety of strategies to help manage the deer population in our state and actually reduce the deer population in our state.

I am glad to see that in one of the recommendations there is encouragement for hunters to pursue female deer and rabbits, whatever the invasive animal is, because hunters need to be encouraged to not only go after the biggest animal but go after the animal that can actually reproduce — the animal that can continue to grow the populations of these invasive animals. I would encourage hunters out there who are interested in going after stags and who want to get the big antlers: please go after the does. Please go after those animals that can procreate and who can continue to grow these populations.

We really do need to do everything that we can to reduce these populations because they are absolute environmental vandals. It can seem trivial to think of deer chewing rosebushes, but if you were walking out of your home in Eltham and were confronted with a deer chewing rosebushes, I think you would be pretty freaked out. I commend this committee report, and I hope the government is able to keep looking at controlling the deer population.

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2017

Council's amendments

Message from Council relating to following amendments considered:

1. Clause 2, line 8, omit "January" and insert "October".

2. Clause 33, line 23, omit "January" and insert "October".

Mr SCOTT (Minister for Finance) (10:39) — I move:

That the amendments be agreed to.

Mr SOUTHWICK (Caulfield) (10:39) — I wish to make some comments on the amendments that have been put before us to the Offshore Petroleum and Greenhouse Gas Storage Amendment Bill 2017. While the opposition will not be opposing these amendments, I think it is important to put on record a number of elements, particularly with this bill and where we are in terms of gas exploration here in Victoria.

Interestingly enough the changes put before us are a timing change. This bill was debated last year back in November, with a plan to have a commencement date of January. This was pushed out because the government was not able to manage its business plan effectively. Then the timing for this bill rolled on to what was anticipated: a start date of 1 April. We are now told that this legislation will be pushed out to 1 October. So this government continues to drag its heels, particularly when Victorian taxpayers are paying more than they ever have for their energy. I would have thought that as a matter of priority we would have seen the government act to ensure that they bring bills into the Parliament in a speedy way, particularly when it comes to energy, to ensure that we get on with it and ensure that we do not have the ultimate unfortunate situation where we are seeing unprecedented prices for energy.

We saw last week reports that the Minister for Resources is now opening some additional opportunities offshore in the Otway Basin. That is really interesting because we have been advocating for some time that the government really needs to get on board with our plan to allow conventional onshore gas exploration. It is a very, very simple process. It has been done for years. It has minimal impact on the environment. But rather than the minister and the

government turning around and saying, 'Look, we've made a mistake, we understand the policy of putting a moratorium on conventional gas exploration until 2020 is really hurting Victorians', what this government has gone about doing is actually a more complex process of allowing onshore to offshore exploration. What they are doing is in fact allowing companies to drill onshore and then to drill offshore effectively under some of the marine national parks —

Mr Katos — Directional drilling.

Mr SOUTHWICK — as the member for South Barwon rightly points, directional drilling — and effectively to allow onshore to offshore exploration of gas. Now, it is not that we do not support the fact that we need more exploration of gas — we do. We are on the side of the argument that says we absolutely need to kickstart the industry. We need to do it in a proper way. We need to do it in a way that actually is simple.

The interesting thing with the government's current proposal — onshore to offshore gas exploration — is it is a lot more complex with a lot more environmental impact, and a lot more cost. In fact if you look at the ability to be able to draw gas onshore, you could pretty much get a gas drill sunk and exploration done within 18 months at a cost of a couple of million dollars. That is certainly what Lakes Oil and Beach Energy and others have told us, unlike what the Minister for Resources said at estimates hearings. When he was asked how long it would take to get drilling onshore, he said it would take seven to 10 years. I think the Minister for Resources is getting confused in terms of how long it takes to get onshore conventional gas going in this state. I think he was probably referring to facts about some of the offshore stuff that he is actually proposing, because when you look at the offshore and onshore components, the offshore component is a lot more complex. It does take a lot more time, and a lot more surveying and scientific work has to be done at a lot more cost. You certainly need some of the rigs to come in from overseas to allow for some of this, at a cost of hundreds of thousands of dollars a day. This is a very, very big cost.

Again, I was informed that the kinds of costs for doing this kind of drilling could be up to $70 million to get something like that going — a very, very big cost — and certainly we would not deprive industry of putting up that cost. But it really confuses me and others on this side of the house, and I am sure it confuses most people who have been following the gas debate, as to why a government would lock up conventional exploration — it is so simple to drill, at little environmental cost and quick to do — when you are seeing Victorians pay up to $500 a year more for their gas. We saw reports today about electricity prices going up with the reserve power that was needed over summer just to ensure we did not get blackouts — $51 million to have diesel generators on stand-by and to pay companies to switch off. This is a government in a complete and utter shambolic mess when it comes to energy. They have no idea when it comes to energy. It really does confuse the opposition.

Mr Katos — Not just energy.

Mr SOUTHWICK — Again, as the member for South Barwon correctly points out, it is not just energy; in a lot of government portfolio areas they are confused. This issue is very, very important. This is a very, very serious situation where Victorians are hurting. We have heard of so many situations of Victorians not showering at home, not being able to use hot water, and so going to community facilities to use showering facilities. We have heard of situations where the elderly are using blankets to keep warm and not actually using electricity. I caught up with a pensioner and his wife down Sandringham way. He is actually a war veteran in his 90s. During the peak period of summer, because of a 24-hour electricity blackout that he experienced, he sat there without oxygen equipment that he vitally needed. That led to him having to spend six to 10 days in hospital as a result of not having the essential service of electricity.

You would never, ever think that a place like Victoria and a city like Melbourne, the most livable city year in, year out, would be a Third World state when it comes to electricity supply. Yet this government is confused when it comes to gas and electricity. To lock conventional gas exploration up and not allow this simple process is completely wrong, and we are all paying the price. We are all paying the price for an absolutely incompetent government.

The Treasurer was asked at an estimates hearing what his plan was for getting gas going. He spoke about a whole range of things and he mentioned CSG. One of the members on our side said to him, 'Can you clarify CSG — coal seam gas? Haven't you banned coal seam gas?'. He said, 'Sorry, I meant CCS — carbon capture and storage'. So the Treasurer is confused. The Treasurer, who is the Minister for Resources, has absolutely no idea about this portfolio. It is almost treated as secondary by him. Unfortunately when you take a portfolio and treat it like just another job, we all pay for it.

This bill is very, very simple. The amendments before us extend it again, kick it down the road till October. This bill will not come into play until October, when

the government will be in caretaker mode, so there will be no effect in terms of offshore gas exploration until after the election. The government keeps kicking things down the road. They are scared to make a decision. When it comes to gas and electricity, they are scared to make a decision.

We have a moratorium — which is a ban — on fracking, which we on this side of the house support, and we have said so. Ironically the government tried to play a cheap gotcha on Friday after a new Liberal candidate, when trying to explain our policy, in the same sentence mentioned fracking and then he said, 'No, not fracking; we are going to allow conventional gas'. The government doctored the quote to cut out the rest of the sentence and said, 'Look, this is the coalition's policy — to allow fracking'. What a disgrace that this government would doctor a quote by cutting out the words of a candidate who had just been endorsed and try for a gotcha moment by saying he supports fracking and therefore that I, all of my colleagues and the Leader of the Opposition will kickstart fracking.

If you are confused about what our position is on fracking, then let me explain it to you: we support a ban on fracking — simple. I do not need to say it again and again. We have done this from the beginning. In fact we led the government to the ban. However, we have a plan to kickstart onshore conventional gas exploration — to get it going and get it going now, not in 2020.

The government proposes to have Victoria's lead scientist, who is meant to look after all of Victoria's industry, take her efforts away from all the other areas that should be focused on just to look at one particular project — doing a scientific evaluation of what gas is around, at a cost of $42 million or thereabouts. The project is due to be completed in 2020, conveniently when the moratorium runs out. They have deliberately given the lead scientist the task of wandering around and seeing what gas we have got in Victoria and reporting to us in 2020. You would think that if they were serious, they would allow this to be done in stages so that once areas were properly explored and the scientists had done the work they would then be able to say, 'Off you go. This is an area set for exploration. Let's get going' — but that is not the case.

This is a confused government. They do not know where they are. They certainly do not know where they are in terms of energy prices. They are saddled up to ideology on one side and saying things to the public on the other. They have been saying very, very clearly, 'We are going to ensure that we have strong renewable targets; we're going to be focusing on the environment', and then they allow complex offshore drilling under marine national parks, which the environment groups are not very happy with, but will not allow conventional onshore drilling, which is the simplest way. There are actually permits in place right now to get going. Where the government proposes offshore drilling is right next to where there are current permits ready to go. We have got permits in place ready to go, but the government says, 'No, we'll completely ignore those permits. What we'll do is allow a more complex process over a period of years and then hopefully down the track we might see some more gas come onto the market'.

In the meantime what is happening with industry? We know what is happening with industry — industry is suffering. Industry is paying twice or three times the rate of 12 or 18 months ago when it comes to gas prices. The average Victorian household gas bill is up to somewhere around $500. We are in a pretty cold period where people are using their heaters, and they have got to think about that. Why would you ever, ever envisage that people would have to think about the cost they will pay to use their gas or electricity?

Colleagues and I have been out to abattoirs, the timber industry and other places right across the state, including the cheese factory where we announced our gas policy, and they are absolutely struggling. Here is a very unique company doing really well: Alba Cheese in the Sunbury electorate. It does a great job. They export their product. They employ a lot of Victorians in the business. They are a family business that has been passed on from generation to generation. Now they will have to effectively slow down their production because of soaring gas prices. They have to think about what they will do. They are certainly not hiring any more people. They are certainly having to consider their export market now.

The flow-on effect is absolutely huge. A bakery in the Bentleigh area had to lay off staff because of their energy costs. The small bakery had to lay off a baker. What did that do? It meant the owner of the business, who is also a baker, had to work more instead of being able to share the load. That baker was not able to spend time with their family. Instead they were up each and every day, seven days a week, having to replace, effectively, the person they could not afford. That matters a great deal. We talk about small businesses a lot here as being the backbone of the state. What about that small business, when government policy has an effect on their family life? Then what about that baker that now does not have a job? That baker then goes home to his family and effectively cannot afford to put

food on the table for them, and it flows on and on and on.

It flows on to cold storage. I went to a massive cold storage facility, Oxford Cold Storage in Laverton, which is an operation that supplies a lot of the frozen foods that we eat every day — open up your freezer and have a look at your vegies, chips and whatever else that you eat. A lot of restaurants would have a lot of the product that they take in and then supply to the supermarkets. They are paying millions of dollars more just on their gas, and that has an absolutely huge effect on them. So what have they done? One of the things they have done is to completely automate a lot of their plant. That still does not take up the slack, but they have automated their plant, again, with a loss of jobs. So you go into their plant now, and they have a situation where automatic robotic forklifts pick the stock and load the trucks to be sent out. That was all done through forklift drivers; it was done through labour. That is not to say businesses will not always strive for efficiency, but they will unfortunately be forced into having to lay off staff when they are faced with crippling energy prices.

A meat factory is looking at putting solar in at their business as a result of escalating energy prices. They are putting in solar at their business right now, which is great. We encourage that. We think that is a great and wise business decision, but when they do the numbers, the payback on that particular business is seven to 10 years. That is a seven to 10-year investment on a 5 per cent offtake. So now because of a confused government, when it comes to energy policies we have businesses making decisions that they have never thought of making before, and unfortunately they are very uninformed decisions because of the uncertainty in the market.

There is absolute uncertainty in the market at the moment, and it is certainly being reflected in the cost of living for each and every Victorian. Each and every Victorian wakes up every day and is unsure about what the day is going to cost them, and we should not have to put Victorians into that kind of situation. We talk about families each and every time in here, and when families cannot afford to heat their homes, to have a hot shower, to put food on the table, then we effectively are being negligent. Certainly the government is being negligent, because at the moment the government has the levers to do something about it, and all it wants to do is kick the can down the road. They do not want to make any decisions at all, and the decisions that they make say one thing to the environment groups and another thing to industry, and that is just not good enough.

The government has a perfect opportunity. The coalition has an onshore conventional gas policy that would allow us to kickstart the market, to get things going straightaway and not have to wait for a 2020 moratorium, not have to wait for another scientific study and not have to wait for another $42 million of taxpayers money to be spent to make a decision. The government could get on board with our decision now. The government could ensure that we have affordable power and cost-of-living pressures relieved, but this government does not care about Victorians, this government does not care about the cost of living, this government does not care about soaring gas prices and this government does not care about energy prices. They have been negligent under their watch, and they have been absolutely missing in action in terms of a policy that makes any sense at all. It makes no sense. A simple answer for this government would be to get on board with the coalition's policy to allow onshore gas and get going now. Do not wait. If this government is serious, get on board now. Do not be distracted. Do not use diversions. Do not say, 'We're going to allow offshore to onshore, we're going to drill under the Otway Basin, and we're going to allow drilling through marine parks'. Get on board with us now.

If the government is serious about cost-of-living pressures, they will listen to us, they will get on board and they will not play silly politics with the lives of people who are suffering each and every day because we have an ideological government focused on itself and not focused on each and every Victorian. This is an absolutely disgraceful government that has been missing in action when it comes to energy policy. They are confused, and they need to get on with it now.

Business interrupted under sessional orders.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Sports funding

Mr GUY (Leader of the Opposition) (11:01) — My question is to the Treasurer. With Melbourne's CBD square-metre rental rates averaging around $700 per square metre and land parcels similar to the 15 000-square-metre parcel you gifted to the AFL valued at around $40 million, can you confirm that the total land asset value and forgone 40-year rental revenue to the state, which you have gifted to the AFL, equates to more than $450 million lost to Victorian taxpayers?

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Macedon, the member for Essendon, the member for Warrandyte and the member for Euroa.

Mr PALLAS (Treasurer) (11:02) — I thank the Leader of the Opposition for his question. Clearly the member for Malvern has had his moment in the sun. Might I say the answer to the member's question is no, I cannot confirm that. What I can confirm is that when the Leader of the Opposition was the Minister for Planning, he gifted his mates in the development industry millions and millions of dollars of —

Mr Guy — On a point of order, Speaker, it is a simple question to the Treasurer. If the Treasurer is unable to answer it, he should take it on notice or sit down. Did he gift the AFL $450 million while he makes local sporting clubs beg, borrow and steal?

The SPEAKER — I do not uphold the point of order. The Treasurer was answering the question.

Mr PALLAS — He does not understand the meaning of the word no, because he has never said it to a developer. You do not understand it, do you, mate?

Honourable members interjecting.

Mr PALLAS — The Leader of the Opposition may well talk about the situation of community and sporting clubs, so let us confirm what their position is. Under this government, total output funding to sporting clubs is $645 million — that is sport and recreation funding.

Mr Clark — On a point of order, Speaker, it is not in order for the Treasurer to try to answer a question he was unable to answer yesterday. This is a very specific question about accounting to the community for the dollar value of the land that he has gifted to the AFL. I ask you to bring him back to answering that question.

The SPEAKER — Order! The Treasurer was answering the question, but he is proceeding to drift away from answering the question. I ask the Treasurer to come back to providing more information on the question or conclude his answer.

Mr PALLAS — Well, Speaker, when I said no, I meant no — I cannot confirm that. And nor would I rely on anything the Leader of the Opposition has said, given his somewhat tenuous understanding of the facts. Let me also confirm that under the Liberal-National parties, the total sport and recreation output funding was $126 million — less than one quarter of this government's —

Honourable members interjecting.

The SPEAKER — Order! The level of shouting in the chamber is excessive. I will remove members from the chamber without warning if they continue to shout across the chamber.

Mr Clark — On a point of order, Speaker, the Treasurer is defying your ruling. I ask you to instruct him to either return to answering the question or to conclude his answer.

Honourable members interjecting.

The SPEAKER — Order! I ask the Treasurer to come back to answering the question.

Mr PALLAS — Speaker, with the greatest respect to those opposite, they might not like the answer, but this is a government committed to growing community sport. No government before it in the history of this state has made a bigger contribution to community sport.

Mr Clark — On a point of order, Speaker, the Treasurer seems either unable or unwilling to understand what you have instructed him to do. He has again immediately returned to debating issues that are not the subject of the question, contrary to your ruling. I ask you to again instruct him to comply with your ruling, or if he will not, refuse to hear him further.

Honourable members interjecting.

The SPEAKER — Order! I ask the Treasurer to come back to answering the question that was asked.

Mr PALLAS — To answer the question again, Speaker, no. Can I make it very clear — the answer to your question is no. We have put in place more than four times the output funding for sport and recreation. Your position is outrageous and hypocritical. Really, if you sat around waiting for the Liberal Party to have one moment of introspection, you might as well leave a light on the porch for Harold Holt to come home.

Mr Clark — On a point of order, Speaker, the Treasurer is yet again refusing to comply with your ruling and is proceeding to debate issues. This is a question which seeks accountability to the community for his handling of public assets. It is an important question. I ask you to bring him back to answering it, or if he will not, refuse to hear him further.

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

Supplementary question

Mr GUY (Leader of the Opposition) (11:07) — Treasurer, despite hiding the true value of your $450 million gift of harbourfront land to the AFL, you are still making small suburban and country sporting clubs beg and borrow from you, with interest. Why won't you now release all the documents relating to the multimillion-dollar extraordinary gift that you have granted the AFL at the expense of small clubs and Victorian taxpayers?

Honourable members interjecting.

The SPEAKER (11:08) — Order! It was very difficult to hear the question over the shouting in the chamber. I am going to ask the member for South-West Coast and the Minister for Sport to leave the chamber for the period of 1 hour.

Honourable member for South-West Coast and Minister for Sport withdrew from chamber.

The SPEAKER — Can I ask the Leader of the Opposition to repeat the question without the shouting across the chamber from members of both sides.

Mr GUY — Why won't the Treasurer release all the documents relating to his extraordinary multimillion-dollar gift that he has granted to the AFL, at the expense of Victorian taxpayers and small country and suburban footy clubs?

Mr PALLAS (Treasurer) (11:09) — Once again, to answer the question directly, the Leader of the Opposition is wrong. With the contribution that the state is making to community sport, despite the fact that it is more than four times larger than those opposite have ever made, we are clearly demonstrating the growth in our funding to this area is not at the expense of community sport.

Mr Guy — On a point of order, Speaker, on relevance, I have asked the Treasurer to release the documents around the valuation of that land. It was not a commentary for the Treasurer on the issue of sport; it was around those documents and the valuation of it. He has not answered that question in the first 30 seconds, and I ask you to bring him back to it.

Mr Pakula — On the point of order, Speaker, it is well established that the preamble forms part of the question. The Leader of the Opposition's question asserted that community sporting clubs were being made to beg, borrow and steal, and it also asserted that the contribution to the AFL was at the expense of community sporting clubs. The Treasurer is more than entitled to debunk those assertions in his answer.

Mr R. Smith — On the point of order, Speaker, not only has —

Mr Merlino interjected.

The SPEAKER — Order! The Deputy Premier is warned.

Mr R. Smith — You okay, mate? You okay? All right, settle down. That is good. You're a bit mouthy, that's all. You're a bit mouthy today. Are you pointing at me?

The SPEAKER — Order! Through the Chair.

Mr R. Smith — On a point of order, Speaker, not only did the Attorney-General misspeak when he asserted what the Leader of the Opposition said, but this could all be put out in the open and everyone could know what was going on if the Treasurer just put the documents on the table. He should just let the public know what the valuation of the land is. He could put all these supposed assertions aside if he just lets us know, lets the Victorian people know the valuation of this land.

The SPEAKER — Order! I do not uphold the point of order. The Treasurer is directly responding to the question asked.

Mr PALLAS — Just to conclude, Speaker, this government has made it clear how much we are providing for these arrangements. Let us also be very clear that as far as community sport funding is going, this government's contribution puts those opposite to shame. They did not even have a female-friendly sports funding facility.

Honourable members interjecting.

The SPEAKER — Order! Everybody has already been warned. The member for Warrandyte and the member for Geelong are on thin ice.

Mr Guy — On a point of order, Speaker, on relevance, 48 seconds in and the Treasurer has not addressed the question that was asked of him. The question was: why won't he release the documentation? That was the question. He hasn't referred to it in 48 seconds, and I ask that in the remaining 12 seconds you bring him back to doing so.

The SPEAKER — Order! I do not uphold the point of order. The Treasurer did begin to attack the opposition. I ask the Treasurer to come back to

answering the question. The Treasurer has concluded his answer.

Ministers statements: Latrobe Valley GovHub

Mr ANDREWS (Premier) (11:12) — I am very pleased to rise to inform the house that last Friday I was delighted to visit Morwell and Traralgon as well in the Latrobe Valley to share very good news in terms of the Latrobe Valley GovHub being a step closer. We have completed the expression of interest process to appoint a proponent for this $25 million project. This means that 150 workers from the Victorian public service will be located in Morwell, including the earth resources regulator and beyond that Parks Victoria staff and staff from Environment Protection Authority Victoria. They will be located in Morwell. Half of those jobs will be newly advertised positions and others will see workers move to the valley, bringing all of their spending capacity, their investment capacity and of course those brand-new jobs to Morwell and the Latrobe Valley. This is a fantastic outcome.

The new GovHub will be located just across the road from the community health centre in Morwell, another great Labor project built by another Labor government at another time. It was great to be back there with Ben Leigh and his team to meet with the staff and other stakeholders to celebrate this investment in Morwell and the Latrobe Valley. But it is not just about more jobs ongoing; it is about 100 additional construction jobs in delivering this GovHub. I am very proud to be able to indicate to the house that there will be 75 per cent local content in delivering this important investment. It comes hot on the heels of our latest announcement of 257 new jobs, generating $36 million in investment because of $2.7 million worth of grants, which I was pleased to announce on Friday as well. We are back in the Latrobe Valley, and we are proud of it.

AFL stamp duty exemption

Mr M. O'BRIEN (Malvern) (11:14) — My question is to the Treasurer. Treasurer, on 28 October 2016 you issued an exemption under the Docklands Act 1991 which exempted the AFL from paying more than $1.5 million in stamp duty for the purchase of Etihad Stadium. Treasurer, in addition to giving the AFL $225 million of taxpayer money to renovate Etihad Stadium, why did you also give the AFL a multimillion-dollar stamp duty exemption to buy it?

Mr PALLAS (Treasurer) (11:15) — Really, I do thank the member for Malvern for his question. Why did we do this? Why did we give this stamp duty exemption? There could be a lot of reasons. You might think it is in the public interest — fair enough. You might actually be told and have it demonstrated to you that the previous Liberal-Nationals government gave them a commitment not to hit them with stamp duty in the event that a transfer occurred. So go and talk to former Treasurer Stockdale —

Honourable members interjecting.

The SPEAKER (11:15) — The member for Essendon can leave the chamber for the period of 1 hour.

Honourable member for Essendon withdrew from chamber.

Mr PALLAS — Why did we honour the agreement given by former Treasurer Stockdale? Well, I don't know. We sort of think it is incumbent upon good government to do that. Now, I did not want to do it. It would have actually got some decent revenue for the state. I thought it was a bad decision by the previous government, but nonetheless we honoured the commitments given by former Treasurer Stockdale. Those opposite ought to go and talk to their mate.

Honourable members interjecting.

The SPEAKER — Order! When the house comes to order. Before calling the member for Malvern, I warn him about shouting across the chamber.

Mr M. O'Brien — On a point of order, Speaker, to hear the Treasurer talk about honouring commitments of the previous government, given that he cost us $1.3 billion, is just extraordinary. I would like to make available to the house the *Victoria Government Gazette*, signed by the Treasurer, giving the exemption.

Honourable members interjecting.

The SPEAKER — Order! People are getting way too excited.

Supplementary question

Mr M. O'BRIEN (Malvern) (11:17) — Treasurer, if the AFL was already entitled to a massive taxpayer-funded exemption on stamp duty, as you say, to help it buy Etihad Stadium, why did you then give the AFL a further $225 million of taxpayers money to renovate it?

Mr PALLAS (Treasurer) (11:18) — I thank the member for Malvern for his question again. Was that right? He described it as a massive taxpayer subsidy — from the former Liberal government. Anyway, why did we sign these arrangements? Because the agreement

provides long-term access to Etihad Stadium for other codes and major events. Why did we sign it? Because of an agreement to make the venue available and flexible around AFL scheduling for other major events. Why did we sign it?

Honourable members interjecting.

The SPEAKER (11:18) — Order! The Treasurer will resume his seat. There is too much shouting in the chamber. The member for Ferntree Gully will leave the chamber for the period of 1 hour.

Honourable member for Ferntree Gully withdrew from chamber.

Mr PALLAS — Why did we sign it? Because we are delivering infrastructure improvements for rectangular sports codes to facilitate improved atmosphere, presentation and conversion around the rectangular mode. That is why we did it. We also did it because we have been able to demonstrate that you can walk and chew gum at the same time, that you can quadruple your contributions to community sport without even breaking pace.

Ministers statements: regional rail infrastructure

Ms ALLAN (Minister for Public Transport) (11:19) — I am pleased to rise to update the house on the progress of works underway as part of the Andrews Labor government's big package of regional rail revival works upgrading every regional passenger line. I am delighted to say that work is underway right across the state, including on the Bairnsdale line. At the Avon River Bridge geotechnical works are underway. The local member might be trying to tell some mistruths about this, but work is well and truly underway right across the state.

I am here to report to the house that there are some in regional Victoria that are going around, whether it is in Mildura or Gippsland, trying to convince those local communities that once again they believe in regional rail and that they believe in country train services. Of course the people of Mildura remember who closed the rail line. They remember well. There are some who are telling Mildura that they are going to reopen this line. I was interested to read in the *Sunraysia Daily* just yesterday that the member for Mildura has told the *Sunraysia Daily* that 'passenger rail's return wasn't likely in the next term of government'. Thank you to the member for Mildura for letting the cat out of the bag that they are not committed to the works on reopening the line to Mildura.

I now go to Gippsland. In Gippsland there is a proposal that is being put about by some of a rail line for the Gippsland community: no money, no plan and no mention of the hundreds and hundreds of properties and residential homes that would have to be acquired to deliver this. We all know how the National Party likes to think that it is the tail wagging the dog, but we know that the member for Ripon has let the cat out of the bag.

Honourable members interjecting.

The SPEAKER — Order!

Mr Clark — On a point of order, Speaker, the minister is now debating issues rather than making a ministers statement. I ask you to bring her back to compliance with sessional orders.

The SPEAKER — I do ask the minister to come back to making a statement. I ask the members for Ripon and Gippsland South and the Minister for Housing, Disability and Ageing to stop shouting across the chamber.

Ms ALLAN — It is only Labor that will reopen and reinvest in regional Victoria, and we know it is a unity ticket between the Nats and the Libs, who close country train lines.

Education funding

Mr T. SMITH (Kew) (11:22) — My question is to the Minister for Education. At Middle Indigo Primary School near Barnawartha, the school's toilets are so bad they are in fact old-fashioned long-drop toilets. Once a term the school's teachers have to manually empty these toilets themselves into a nearby paddock. The acting principal, James Farley, recently said:

> I do not think any school in Australia should have to put up with pooing in a hole.

For the cost of less than one of the 411 extra education bureaucrats that you hired last year this problem could have been fixed. Minister, in your so-called Education State how is it fair that you prioritise 411 extra bureaucrats over a proper toilet for primary school children?

Mr MERLINO (Minister for Education) (11:23) — I thank the member for Kew for his question. Before I get to the substantive question and the community in Barnawartha, I was also asked a question yesterday and there were a number of —

Mr Clark — On a point of order, Speaker, the minister is not entitled to use a preamble to an answer to try to address an answer that he did not tackle

effectively yesterday. I ask you to bring him back to answering the specific question that was asked by the member for Kew.

Ms Allan — On the point of order, Speaker, in addition to referencing Middle Indigo Primary School the member also went into a substantial amount of detail on issues that he wrapped around the question. This becomes part of the question, and it is entirely appropriate for the Minister for Education, the Deputy Premier, to address some of that context in answering the question.

The SPEAKER — Order! The minister had only been answering the question for a few seconds, given the interjections. I ask the minister to answer the question.

Mr MERLINO — The point I was going to make is that I have got to check the facts, because what comes out of the mouth of the member for Kew is incorrect. What he said yesterday — the member for Kew was wrong yesterday. I indicated to the member for Kew that I would take up his question and I would investigate the issue with the Victorian School Building Authority, and the clear advice I got from the authority yesterday was that the member for Kew was wrong and that the accessible building program application, submitted by Cobden Technical School on behalf of Joe, was not rejected.

Mr Guy — On a point of order, on relevance, Speaker, the question to the minister was about the state of toilets at Middle Indigo Primary School. It was not about a school in Cobden, which might have been in yesterday's question for the minister. I am sorry he was not over his brief yesterday, but we have moved on to asking about another school that he has refused to fund, and I ask you to bring him back to answering the question about Middle Indigo primary today.

Ms Allan — Further on the point of order, Speaker, it is appropriate. There was substantial commentary that the member added to the question that he asked of the minister, and it related also to commentary that he gave to the house yesterday that, as the Deputy Premier has said, was wrong. And it is entirely appropriate for the minister to point out to the house that you really cannot believe a lot that comes from those opposite and that he has to question the facts of the issue.

Mr Walsh — Further on the point of order, Speaker, nothing in the question that the shadow Minister for Education asked relates to the Cobden school. This is about Middle Indigo Primary School and the fact that they have a long-drop toilet and the fact is that for $33 000 that toilet could be replaced, but the minister prioritised 411 extra senior bureaucrats instead of the toilet. I would ask you to ask the minister to come back to actually answering the question about the toilet at Middle Indigo Primary School.

The SPEAKER — Order! The initial part of the question did reference the specific issue at this primary school, but then there was a broader question about how it could be fair that this situation could exist. The minister is being relevant to the question. I ask the minister to answer the question.

Mr MERLINO — Thank you, Speaker. I am happy to move to the substantive issue for Middle Indigo Primary School. I am just making the point that you cannot trust what the member for Kew says.

Honourable members interjecting.

Mr Riordan — On a point of order, Speaker, the minister has spent nearly a minute on yesterday's issue of Cobden Technical School. The Cobden Technical School community and principal have contacted me this morning to congratulate us on getting a decision reversed yesterday. The minister has misled the house —

Honourable members interjecting.

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

Honourable members interjecting.

The SPEAKER (11:28) — Order! The member for Bass will leave the chamber for the period of 1 hour. I will not tolerate that level of shouting.

Honourable member for Bass withdrew from chamber.

Honourable members interjecting.

The SPEAKER (11:29) — Order! The member for Warrandyte will leave the chamber for the period of 1 hour. I ask the member for Warrandyte to see me in the chamber after this question time. I will not have members reflecting on the Chair.

Honourable member for Warrandyte withdrew from chamber.

Mr MERLINO — So, Speaker, in relation to Cobden Technical School, it has never been rejected. There was a second occupational therapist report into the needs of Joe and the school community, and Joe and his family will be supported.

Mr Clark — On a point of order, Speaker, the minister might be embarrassed about the situation with Cobden Technical School, but he cannot use an answer to another question to try to exculpate himself from the situation. He has got five opportunities to make a ministers statement on the subject of he wants to, or he can bring a personal explanation or a motion to the house. I do ask you to bring him back to answering the question about Middle Indigo Primary School and the very serious issues that they are facing.

The SPEAKER — Order! I ask the minister to come back to answering the question.

Mr MERLINO — Thanks, Speaker. The member for Kew was wrong yesterday; he is wrong today. In regard to Middle Indigo Primary School I am advised that the school has recently sought advice from the department about its concerns with the toilets. It is my understanding that the toilet facilities do require maintenance. The school has been working with the Department of Education and Training's North-Eastern Regional Office to resolve this issue. So it is a serious issue. It is being resolved, and we will get a resolution for the school. We do not need lies from the member for Kew, and communities across Victoria know that the only governments that invest in schools are Labor governments.

Mr T. Smith — On a point of order, Speaker, I tolerated some of the hyperbole around the minister's response, but I will not tolerate this minister calling the principal of Cobden Technical School a liar through me. I ask that you ask him to withdraw that comment immediately.

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition! The member for Kew's point of order suggested that comment was directed at a member not in this place — at a principal. The minister indicates it was directed to another member of this place. I ask the minister to withdraw.

Mr Merlino — I withdraw.

The SPEAKER — The minister has concluded his answer.

Honourable members interjecting.

The SPEAKER (11:32) — Order! The member for Hastings will leave the chamber for the period of 1 hour.

Honourable member for Hastings withdrew from chamber.

Supplementary question

Mr T. SMITH (Kew) (11:32) — The cost of giving these children a proper toilet is just $33 000, less than three months salary of one of your 94 extra public service level 6 bureaucrats that you have employed over the last year. Can you now tell the families from this school and the teachers who have to empty these toilets why, despite their repeated pleas to fix this disgrace, you chose to spend $38 million on hiring new bureaucrats but refuse to spend $33 000 on a new toilet for Middle Indigo Primary School?

Mr MERLINO (Minister for Education) (11:33) — Firstly, the toilet at Middle Indigo will be fixed. It is underway as we speak. Secondly, in regard to the so-called 'fat cats' from those opposite: speech pathologists, psychologists, welfare workers —

Honourable members interjecting.

The SPEAKER — Order!

Mr T. Smith — On a point of order, Speaker, the Deputy Premier is misleading the house. No works are being undertaken at Middle Indigo. There is still a long-drop toilet at Middle Indigo. You have done nothing about this — stop lying.

The SPEAKER — Order! Before calling the Minister for Education, the word that has been used on both sides of the chamber today — members know what I am referring to — is not parliamentary language, and I ask members not to use that.

Mr MERLINO — On the point of order, Speaker, I have made it quite clear to the house that the school is working with the department's north-eastern regional office to resolve this issue. We will resolve this issue. And I can tell you what: there were not any staff in the regional office when those opposite were last in government.

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

Mr MERLINO — The staff they talk about are speech pathologists, psychologists and wellbeing staff supporting students and supporting schools. The cat was let out of the bag this morning when the Leader of the Opposition said he will cut, just like they did when they were last in government, teachers, nurses, firefighters and TAFE — cut under the Leader of the Opposition.

Honourable members interjecting.

The SPEAKER (11:35) — Order! The member for Kew will leave the chamber for the period of 1 hour.

Honourable member for Kew withdrew from chamber.

Mr Guy — On a point of order, Speaker, on relevance, this has nothing to do with answering the member's question. And more to the point, the minister is yet again just making — without using your word — things up on the run.

Honourable members interjecting.

The SPEAKER (11:35) — Order! I ask the member for Oakleigh to also leave the chamber for the period of 1 hour.

Honourable member for Oakleigh withdrew from chamber.

The SPEAKER — I will not have members interjecting when a point of order is being made and I am trying to listen to the point of order. I ask the minister to come back to answering the question.

Mr MERLINO — We on this side of the house will invest in education — the biggest school-building program the state has ever seen, the biggest increase in funds for disadvantaged students that the state has ever seen. We will invest in staff to support our schools and support our kids. We will not cut them, unlike the Leader of the Opposition.

Ministers statements: water security

Ms NEVILLE (Minister for Water) (11:36) — I wanted to update the house today on the extensive work this government is doing to improve water security right across our state. Over the last four years we have been investing substantially in new pipelines and in water-efficiency measures to ensure that we have the most productive, most efficient and most cost-effective way of delivering security and certainty in terms of water to our rural and regional communities.

There is $40 million in the South West Loddon water supply project — stage 1 over, stage 2 underway — one of those projects ignored by the previous government. We are investing in the next stage of the Macalister irrigation district modernisation — over 200 jobs in the construction, ongoing jobs and of course the viability of that region. We have fixed the mess left by the previous government in terms of the connections project, securing water for the Goulburn-Murray irrigation district region. We are building the Lance Creek project, a project critical to communities that are currently on stage 3 water restrictions, securing water and ensuring employers like Burra Foods can survive.

In this budget $10 million goes to Mitiamo, again a long-awaited project ignored by the previous government. And of course there is the important East Grampians water supply project — $32 million. In fact thank goodness these communities have Labor governments. Some of them would not survive if it was for those opposite. We have got communities like the Wimmera-Mallee relying on pipelines — they would not be there without a Labor government. Of course you would think relevant local members would be on the same page, fighting to get commonwealth funding for this, but apparently no: they are focused on their own jobs, apparently focused on knocking off National Party members. Lots of time and energy is being spent on poking the bear.

Mr Clark — On a point of order, Speaker, the minister is now proceeding to debate issues rather than making a ministers statement. You cautioned a number of ministers yesterday about complying with sessional orders. I ask you again to caution the minister to comply with sessional orders on this matter.

The SPEAKER — I ask the minister to come back to making a statement.

Ms NEVILLE — We are focused on delivering water security right across Victoria. Maybe the Leader of The Nationals and the member for Ripon could use some of their energy fighting the commonwealth government and getting some of this money.

Honourable members interjecting.

The SPEAKER — Order! The minister has concluded her statement.

Mr Clark — On a point of order, Speaker, again the minister is defying your ruling. It has now become quite a pattern of defiance of your rulings. I do submit that it is appropriate for you to assert your authority and bring ministers to account if they fail to comply with your rulings or with sessional orders.

The SPEAKER — I thank the member for Box Hill for his encouragement.

Caulfield South Primary School

Mr SOUTHWICK (Caulfield) (11:38) — My question is to the Minister for Education. Distraught parents from Caulfield South Primary School are utterly frustrated and appalled at the dilapidated school toilets — so disgusting that students are refusing to use

them, resulting in students suffering and risking bladder infections. Minister, why despite repeated pleas has your government failed to deliver desperately needed funding to repair these disgraceful toilets at Caulfield South Primary School, yet you can find an additional $38 million this year to employ more departmental bureaucrats who will not teach a single child?

Mr MERLINO (Minister for Education) (11:39) — I thank the member for Caulfield for his question, written and authorised by the member for Kew, and for that reason I will have to check the facts.

Honourable members interjecting.

The SPEAKER — Order! The member for Hawthorn! The member for Yan Yean!

Mr Southwick — On a point of order, Speaker, I am sure the humour that the minister is trying to play will not please my constituents in Caulfield South. The students are suffering bladder infections because they cannot use the toilets and this minister wants to laugh and make a joke of this question. He is a joke!

The SPEAKER — Order! The member for Caulfield will resume his seat. The Minister for Education will come to answering the question.

Mr MERLINO — I am happy to answer the question, but I was just making the point that I will have to check the facts. This is an admission of failure from those opposite. They are asking us to do what they failed to do in their entire time in office. If you want a comparison of who values education and who does not, in the electorate of Caulfield there was $197 000 for schools in four years; under the Andrews Labor government, $15.6 million. So do not give me or anyone on this side a lecture on investment in education.

Mr Guy — On a point of order, Speaker, on relevance, I know the minister is rather animated, but he is still yet to address the issue of the school toilets at Caulfield South primary. I know he may be animated, but he might want to actually address the question that the member for Caulfield has asked him.

The SPEAKER — Order! The minister is entitled to set a broader context, but I do ask him now to come to answering the question.

Mr MERLINO — Thank you, Speaker. I will investigate this matter. I will check the facts of the question from the member for Caulfield. I will engage with the Victorian School Building Authority and with the Caulfield South Primary School community, but our record is investment in education — $197 000 against $15.6 million.

Supplementary question

Mr SOUTHWICK (Caulfield) (11:42) — Minister, when school council president Melanie Gordon, a mother of three, approached your department out of desperation, she was informed that funding for the Caulfield South Primary School toilets was not a priority. With kids getting bladder infections because they cannot use the toilets and your government refusing to upgrade these toilets, what is it going to take to fix these toilets? I invite you to come with me and visit Caulfield South, look at these toilets yourself and see just how bad they are. I ask you to upgrade these toilets. Minister, visit Caulfield South with me and look the parents in the eye and tell them why you are not fixing their toilets.

Mr MERLINO (Minister for Education) (11:43) — I thank the member for his supplementary question. What a failure as a local member he was when he was in government. When you were on these benches over here on the government side, you delivered nothing for your community — nothing at all.

Mr Hodgett — On a point of order, Speaker, this is not an opportunity to attack the member for Caulfield. This is a matter for the minister to take some responsibility for this school or at least have the guts or courage to go out and visit with the member. I would ask you to bring the minister back to answering the question.

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

Mr MERLINO — As I have indicated, I will work with the Victorian School Building Authority and engage with the Caulfield South Primary School community, but I will not do so with the failed local member opposite. We invest in education, unlike those opposite. You can speak about schools and education every day of the week.

Ministers statements: TAFE funding

Mr MERLINO (Minister for Education) (11:44) — I rise to update the house on the Andrews Labor government's investment in regional TAFE. The Andrews Labor government's latest investment is $644 million to continue to transform the skills and training opportunities for Victorians. It includes over $120 million in three major capital TAFE projects. There is $35.5 million to upgrade Federation Training's Morwell campus to deliver a market-leading training

facility sitting alongside our tech school and the emerging high-tech precinct in what will be a world-class education hub in Morwell. A master plan and design phase will commence shortly to develop a new training facility at the port of Sale site as part of a $25 million commitment to the local community and regional students, and there is $60 million to revitalise Bendigo Kangan Institute at the Bendigo city campus.

But it was not always like this for TAFE, particularly for our regional TAFEs. I take you back to 2012 at the Waratah training restaurant in Morwell, which was one of three GippsTAFE restaurants where apprentice chefs learned their trade before heading out into the Gippsland region to work. It was a TAFE that suffered a forced amalgamation. It was a restaurant that was closed down by those opposite. Those opposite should apologise for their cuts, but as the Leader of The Nationals has put it, 'Don't apologise because I know you won't mean it' — and that is the Liberals for you.

Labor's investment is saving TAFE. We reopened the restaurant, and the CEO has said of our recent budget initiatives:

> This significant investment is a vote of confidence in TAFE and we are determined to begin work immediately …

Only Labor supports TAFE; only those opposite cut education.

Education funding

Mr GUY (Leader of the Opposition) (11:46) — My question is to the Minister for Education. Minister, yesterday and today you have claimed that the 411 education officials hired by you in the last financial year were in fact psychologists, speech pathologists and occupational therapists rather than bureaucrats in departmental offices, yet your own figures from public accounts show that none of the 411 additional bureaucrats work in these professions; they are all departmental officers. Minister, why are you repeatedly lying to — misleading — the desperate parents and students of Middle Indigo primary, Caulfield South primary, Echuca Specialist School and Cobden Technical School with claims that your additional 411 bureaucrats are all support staff when your own figures show they are not?

Mr MERLINO (Minister for Education) (11:48) — I thank the Leader of the Opposition for his question. Victorian public service (VPS) staff are staff at regional offices that support our schools and our students. VPS staff are student support service officers that support our kids to engage with our schools. We have got the biggest building program that the state has ever seen — $1.25 billion in this year's budget, the same as four years under those opposite.

An honourable member interjected.

Mr MERLINO — You need people to help us build those schools and upgrade those schools.

Mr Guy — On a point of order, Speaker, on relevance, I note the minister has not addressed the substantive point of the question, which is that his own itemised figures show that none of those professions that he has been listing — psychologists, speech pathologists, occupational therapists — are part of the 411 extra, $38 million extra, that he has been trying to explain away. I ask you to bring him back to answering that question.

The SPEAKER — I understand the Leader of the Opposition's point of order, but the minister is being responsive to the question.

Mr MERLINO — Absolutely. VPS staff, regional staff, supporting our Koori kids right across regional Victoria, directly supporting the professional learning —

Mr Walsh — On a point of order, Speaker, on the issue of relevance, the minister yesterday in response to a question said:

> … they are wellbeing workers — they are psychologists, they are speech pathologists.

He clearly said that yesterday. He has been caught out misleading the house. He has been asked why he misled the house and whether he will correct the record. I ask you to bring him back to answering that question, because in *Hansard* yesterday he clearly said they were those professions. He has been caught out misleading the house by the Public Accounts and Estimates Committee (PAEC) questionnaire, by his own department's evidence to PAEC.

Ms Hutchins — On the point of order, Speaker, the minister is being more than relevant. Those opposite would not understand, because they cut 4200 jobs from the public service when they were in office.

Honourable members interjecting.

The SPEAKER — Order! The Deputy Leader of the Opposition! The minister to continue his answer.

Mr MERLINO — It was confirmed this morning by the Leader of the Opposition and confirmed again by the questions here today. We know who is going to be cut if they ever get into government again — we

know. Regional staff that support kids with additional needs; regional staff that support our Indigenous children; regional staff that support children who are suffering from family violence; regional staff that support our student support officers; regional staff and staff in the department that are building the education state — 70 new schools and 1300 upgrades — those are the staff that every one of those are going to cut if they ever get into government. Shame on you.

Mr Clark — On a point of order, Speaker, the minister is not answering the question. He has been exposed in the falsity of the answers that he gave to the house yesterday. He has been asked to account for his misleading of the house. I ask you to bring him back to doing so.

The SPEAKER — The minister was answering the question but then strayed from answering the question. I ask him to come back to it.

Mr MERLINO — These are staff that are supporting our students, that are supporting families, that are supporting schools. These are staff that they cut to the bone when they were last in government, and they will do it again, as confirmed this morning by the Leader of the Opposition.

Mr Clark — On a point of order, Speaker, the minister is both misleading the house afresh and defying your order, and I ask you to direct him to answer the question as asked.

The SPEAKER — The minister has concluded his answer.

Supplementary question

Mr GUY (Leader of the Opposition) (11:52) — Minister, you have been clearly caught out misleading this house and directly misleading the parents of Middle Indigo and Caulfield South primary schools, Echuca Specialist School and Cobden Technical School with claims that these bureaucrats are in fact all psychologists, speech pathologists, occupational therapists. Minister, why have you increased your departmental bureaucracy by 18 per cent in just one year yet increased the number of actual classroom teachers by barely 1 per cent in the same time?

Mr MERLINO (Minister for Education) (11:53) — The Andrews Labor government has delivered thousands of extra teachers to our schools over our three and a half years in government. I mean, for goodness sake, additional teachers, additional student support service officers, speech pathologists, psychologists, additional staff to support schools, our turnaround teams that are going into schools that need additional support —

Mr Walsh — On a point of order, Speaker, on the issue of relevance, the question was very clearly about why the minister has increased his departmental bureaucracy by 18 per cent but barely increased the teaching staff by 1 per cent.

Mr Pakula interjected.

The SPEAKER — The Attorney-General!

Mr Walsh — Read the PAEC questionnaire.

The SPEAKER — Order! Through the Chair.

Mr Walsh — I ask you, Speaker, to actually bring the minister back to answering the question that was asked by the Leader of the Opposition.

The SPEAKER — The Leader of The Nationals is correct about the framing of the question, but I think the minister was directly responding to the question that was asked.

Mr MERLINO — The question as to why is because every single member on this side of the chamber values education. They value education. We support our schools, we support our students, our teachers and our principals. We do not cut staff. I am proud of the additional staff we have delivered, because they are making our schools better places to be.

Ministers statements: regional and rural roads

Mr DONNELLAN (Minister for Roads and Road Safety) (11:55) — I rise to update the house on the record investment in country roads in Victoria — and what a marvellous budget it is. There is no better friend of country roads than the Andrews Labor government — $941 million, a record spend. We do not talk about roads; we actually get on and rebuild them and build them.

If you look at what the breakdown is, there is a record spend in rehabilitation with $168 million; $165 million for resurfacing; $229 million to save country lives; and $197 million that was going to the east–west link, which we actually ensured went into country roads. We have also put $100 million into helping country councils build roads, to ensure they actually build roads and do not just use it in their general revenue. There are no blank cheques from this government; we are looking for outcomes for the community. Also there is substantial funding for land acquisition for the Kilmore bypass. I

know a member for Northern Victoria Region in the other place — and what a marvellous job she has done.

While we are out there crusading for country roads, I notice that there was a little bit of crusading occurring at the Liberal state conference by the member for Ripon. A bit of 'stacks on' the National Party —

Mr Clark — On a point of order, Speaker, the minister is again departing from making a ministers statement. If he wants to talk about the industrial left's video and its impact on his portfolio, that would be in order. He is not permitted to canvass other issues, and I ask you to bring him back to compliance.

The SPEAKER — The minister to stay on making a ministers statement.

Mr DONNELLAN — We on this side of the house are doing a lot of crusading to ensure that we upgrade our country roads — absolutely ensure it. We do not need to look to Bishop Bastiaan for encyclical rights to go ahead and do that. We know that we need to do this to ensure —

Mr Clark — On a point of order, Speaker, the minister is continuing a pattern of defying your authority as the chair. I do submit that if the minister continues to do so, you need to discipline him and refuse to hear him further.

The SPEAKER — The minister is to continue making his statement and come back to making his statement.

Mr DONNELLAN — Thank you, Speaker. We know that this crusade is important. We know we need to keep country roads up to scratch, but I do hear that Brother Walsh would like to actually apply a mandatory interlock device to the member for Ripon to 'close thy mouth'.

CONSTITUENCY QUESTIONS

Ms Asher — Speaker, my point of order relates to constituency questions yesterday, and I refer you to page 11 in *Hansard* from yesterday under the heading 'Bentleigh electorate', where the member for Bentleigh raised a matter relating to Elsternwick Park. Can I advise you that Elsternwick Park is 100 per cent located in the electorate of Brighton, my electorate. I am asking you to rule this question out of order because it is not in order to ask a question about someone else's constituency. If I can refer to sessional order 7(1), it clearly states that members are entitled to ask questions 'relating to constituency matters'. I also make the point that if this question were ruled in order, every single member in this place could simply adopt the technique used by the member for Bentleigh, and that is to say, 'I have received a letter that is signed by a lot of people', and then proceed to ask a constituency question about someone else's electorate. Constituency questions are for a member's own electorate.

In fairness to you or whoever was in the chair, Speaker, I do not expect whoever was in the chair to know that Elsternwick Park is in the electorate of Brighton, but I do wish to point it out now. If the member for Bentleigh were interested in Brighton, that indeed would be odd. Liberal members for Bentleigh are very interested in Brighton because they want their electorates redistributed there, but this is the first time I have seen interest from a Labor member for Bentleigh in the Brighton electorate. This is a key ruling I submit to you respectfully, Speaker — that these constituency questions as specified under the sessional orders relate to one's own constituency and not to another constituency. I would ask that you rule that question out of order.

The SPEAKER — I thank the member for Brighton for that point of order. I will consider the matter in *Hansard* and come back to the house on that particular matter.

Caulfield electorate

Mr SOUTHWICK (Caulfield) (12:00) — (14 411) My question is for the Minister for Planning. I raise an issue on behalf of 1300 local petition signatories who are outraged by the Elsternwick rezoning master plan, which will increase the local population by over 20 per cent with no consideration of the impacts on amenity, infrastructure and traffic congestion. Residents are also confused at the seemingly different rules for different electorates, whereby the areas of Bentleigh and Carnegie are benefiting from interim height controls as low as four to five storeys whereas sections of Elsternwick have no current height limits and could face up to 20-storey apartment complexes. The current Elsternwick rezoning plan is entirely inconsistent and incompatible with the local area. Can the minister provide an answer to concerned Elsternwick residents as to why there are these inconsistencies, whereby one electorate, the marginal seat of Bentleigh, is benefiting in comparison with another electorate, my electorate of Caulfield?

Yuroke electorate

Ms SPENCE (Yuroke) (12:01) — (14 412) My constituency question is to the Minister for Health. How is the Andrews Labor government planning for

future health services in the Yuroke electorate? From the new supercare pharmacy in Craigieburn to a huge investment in improving the Northern Hospital, this government has done outstanding work to improve health services for Yuroke residents. With rapid population growth, I know that residents and stakeholders across my community are keen to know that into the future they will continue to access quality health care close to home when they need it most.

Lowan electorate

Ms KEALY (Lowan) (12:02) — (14 413) My question is to the Treasurer, and the information I seek is: when will the government make payment on significantly overdue debts to Hamilton small business C&J Engineering Supplies related to unpaid invoices made out to the Department of Environment, Land, Water and Planning and the Department of Economic Development, Jobs, Transport and Resources? These debts currently total $6894.45 and relate to invoices dating back as far back as 2014.

While almost $7000 is small change to the Victorian government, to carry that level of bad debt for such a long period of time is a huge financial burden to a small business. The extensive input of time to try to get the government to pay its debts is another significant stress and cost burden. It is simply unfair that the big Victorian government is imposing such a financial pressure on a small business. I emailed the Treasurer's office last week to attempt to resolve the matter, but as of this morning still no payment has been made and no-one from the Treasurer's office has even bothered to contact C&J Engineering to attempt to resolve the matter. I therefore ask the Treasurer: when will the Victorian government make payment on all monies owed to C&J Engineering dating back to 2014 and totalling $6894.45?

Carrum electorate

Ms KILKENNY (Carrum) (12:03) — (14 414) My constituency question is for the Minister for Public Transport. Minister, my community is genuinely excited about and wholeheartedly welcomes funding in the recent state budget for a new bus service linking Carrum Downs and Skye with Cranbourne and Seaford railway station. Constituents who live in my electorate shop, work and access services in Cranbourne, but if they do not drive they will be unable to get there. Now that the funding for the new bus service has been announced, my constituents would like to know: what are the next steps in getting this vital service up and running?

Mornington electorate

Mr MORRIS (Mornington) (12:03) — (14 415) My question is for the Minister for Roads and Road Safety. In August 2017 I asked the minister in this house to provide traffic counts for Main Street in Mornington. He responded in October that the average daily two-way count was approximately 14 689 cars. The minister also indicated that VicRoads was investigating potential works to improve pedestrian safety in the southern section of the street and that the improvement was expected to be the provision of an additional pedestrian refuge island. While I appreciate that any works will be an improvement given the volume of traffic, I am not sure this is going to help much. This is a problem that is not going away. So I ask: on what date or dates was the traffic count undertaken, and was a further traffic count conducted since the original question was asked? If so, when was that further count undertaken and what was the result, and what is the practical maximum daily two-way traffic capacity for Main Street?

St Albans electorate

Ms SULEYMAN (St Albans) (12:04) — (14 416) My constituency question is for the Minister for Sport, and I ask: what grants or programs are available to sporting clubs in my electorate of St Albans? I have received many enquiries from local sporting clubs seeking funding information in relation to upgrading their club facilities. As the minister is aware, sporting clubs play an important role in our communities. They also help to establish communities and a sense of belonging. The sporting clubs throughout St Albans are working very hard to improve their facilities and to make them better places for all to participate. I know that the Labor government is very supportive of our local sporting clubs.

Prahran electorate

Mr HIBBINS (Prahran) (12:05) — (14 417) My constituency question is for the Minister for Roads and Road Safety, and I ask: will funding from the school area safety initiative announced in this year's budget be allocated to fix the South Yarra Primary School crossing at Punt Road? Parents have regularly raised this dangerous crossing with the government over a number of years — a crossing that was made worse by its botched relocation by the former government. Through my campaign to fix local pedestrian crossings, the minister would have received almost a hundred letters from parents calling for it to be fixed before a serious accident happens. In his most recent answer to my question about the crossing, the minister stated that

as a result of the road safety audit VicRoads notified the maintenance team to install a different colour tactile ground surface indicator as the need arises. Well, I would say the need is there. The question now is: will this occur? I am also advised that there is no crossing supervisor at Punt Road and Commercial Road, which is a busy intersection. If this is the case, will funding be provided for that?

Sunbury electorate

Mr J. BULL (Sunbury) (12:06) — (14 418) My question is for the Minister for Education. Minister, which schools in my electorate are likely to be involved in the recently announced Head Start apprenticeships and traineeships program? I am delighted that the Andrews Labor government will deliver up to 1700 new apprenticeships and traineeships in priority industries and traditional trades at 100 secondary schools across Victoria. I am thrilled that since coming to government we have invested over $44 million to fund schools in the Sunbury electorate. Compare this figure to the four years under the former Liberal government, where local schools only received $1.76 million. I am excited for my community to be involved in the Head Start program and for the opportunities that it will deliver. This state is seeing more infrastructure than ever before. We are a growing state. We need a skilled workforce that is going to take us through the next decade and beyond. We are getting things done and we are getting on with it.

Polwarth electorate

Mr RIORDAN (Polwarth) (12:07) — (14 419) My constituency question is to the Minister for Energy, Environment and Climate Change. Why is your department sending mixed messages today to the many Crown leaseholders in my electorate about how this government deals with important expressions of interest for iconic public places? Last week your department advised tenderers that it was cancelling the Cape Otway lightstation expression of interest and would take direct control over the lease. However, today on ABC radio Ballarat and on the Jon Faine program your department said it was not cancelling the expressions of interest but instead planned to work with traditional owner groups. How can we expect business groups to invest in and take seriously public projects with such a poorly run shemozzle of a tender process?

Broadmeadows electorate

Mr McGUIRE (Broadmeadows) (12:08) — (14 420) My constituency question is to the Minister for Early Childhood Education. How can the Andrews Labor government help kindergartens in the Broadmeadows area? I am aware of a number of early childhood services in Broadmeadows that want to apply for a range of different grants. These include Broadmeadows Pre-School, Meadows Primary School kindergarten, Lorne Street Kindergarten, Upfield Kindergarten, Belle Vue Park Kindergarten and Will Will Rook Glenroy Pre-School Centre. I look forward to a response from the minister.

RULINGS BY THE CHAIR

Constituency questions

The SPEAKER (12:08) — The member for Essendon yesterday raised a point of order asking me to review the constituency question asked by the member for Bass. Having reviewed the transcript, it is clear that the member for Bass did not direct his question to a particular minister, and the question is therefore out of order.

I reviewed the other constituency questions from yesterday, and my view is that they are admissible. However, I do encourage members to specify a minister and pose a question at the start of their allocated time. Members may then provide additional information about the issue if time permits.

Questions without notice

The SPEAKER (12:09) — The member for Malvern asked me to review the responsiveness of the Treasurer's answers yesterday to the member's first two substantive questions. In the answer to the first question about land for AFL headquarters, I rule that the Treasurer's answer was responsive, though he began to debate the question, which was unhelpful, and I caution ministers against this. The answer to the second question about funding for the north-east link project was responsive to the question.

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2017

Council's amendments

Debate resumed.

Motion agreed to.

SERIOUS OFFENDERS BILL 2018

Second reading

Debate resumed from 9 May; motion of Ms NEVILLE (Minister for Police).

Opposition amendments circulated by Mr CLARK (Box Hill) under standing orders.

Mr CLARK (Box Hill) (12:10) — The Serious Offenders Bill 2018 is a bill that seeks to consolidate and extend the law relating to the protection of the community from ongoing risks posed by serious offenders after they have completed their prison sentence. The main issue with this bill is not so much what is in it but what is not in it. The conceptual structure of the bill is that those who are judged by courts to be a future risk to the community should be liable to be subject to civil constraint in the interests of the community. In some senses this is akin to a civil injunction, but it does impose considerable burdens on the person who is subject to such an order and it is therefore appropriate that a restraint can be imposed on them not just based on an assertion of risk in the abstract but on a risk demonstrated by the fact of their prior serious offending. In a sense being made liable to ongoing restraint is one of the consequences of the prior offending.

As a Parliament and as a community we have come a long way since the debates of the late 1980s and into the 1990s that focused around an offender by the name of Garry David and a grappling by the community as to whether or not he was mentally ill and therefore liable to ongoing detention under mental health law, or whether his risk was simply a manifestation of a malevolent or evil disposition, in which case that remedy was not available and the Parliament had to confront the issue of whether or not it should pass specific legislation that addressed his situation.

Nowadays I think we have rightly come to the recognition that in order to address risks to the community we do not need to come to a definitive answer as to whether a person is a risk due to mental illness or to an inclination to violent or dangerous conduct — in other words, to make a decision between whether an individual is 'mad' or 'bad', as it was put in those days. Instead we recognise that the risk to the community can come from either source and indeed that in the case of many offenders there may be a combination of those factors. So we have moved progressively, first of all, to a regime that has allowed the post-sentence detention or supervision of serious sexual offenders and are now at the point where that is being extended to offenders who have committed other forms of serious, violent crime based on an assessment that they are an ongoing serious risk to the community.

As I indicated at the outset, the main issue about this bill, the main problem with this bill, is not so much what is in it — although I will come to the range of issues about its content — but that it is being forced to operate as part of a sentencing regime where many of the sentences being imposed by judges in our courts are hopelessly inadequate. The Andrews government has been characterised throughout its term by a soft-on-crime philosophy. This has been manifested in its failure for a long time to increase police numbers, which resulted in a fall in the total number of police per capita in this state and a fall in absolute terms in the number of frontline police. This, together with the government's failure to respond to weak judgements in the courts and emerging new crime threats, has allowed a culture and view to prevail amongst would-be criminals that the law is soft and that they can get away with it. This in turn has led to soaring levels of crimes of assault and violence along with home invasions, burglaries, motor vehicle thefts and other crime.

Just about every day we read of sentences imposed by our courts that are way out of line with the intentions of Parliament on behalf of the community and that apply a distorted and misconceived view of the law in general and the principles of sentencing in particular. If offenders were given longer jail terms in the first place — terms that adequately deterred crime and protected the community — there would be far fewer occasions where the sort of post-sentence regime being legislated for in this bill was necessary. However, with the government's condoning of weak sentencing by our courts, many more offenders are receiving sentences that are so short that they continue to be a serious risk and threat to the community when they finish their sentences.

When judges get it wrong it is up to the government of the day to bring legislation to this Parliament to set them right. When judges get it seriously wrong the government of the day needs to do so urgently. However, the track record of the Andrews government has been to sit on its hands and do nothing for a long time. When governments sit on their hands like that, it sends a very bad message to the courts — namely, that the government and the Parliament are happy with the direction that they are taking. The Andrews government failed for a long time to even try to set the courts right in relation to community correction orders (CCOs) despite the Liberal-Nationals coalition pointing to the need for urgent action right from the time of the Court of Appeal's badly flawed guideline judgement in

December 2014. Similarly the Andrews government sat on their hands when a number of Court of Appeal judges refused to apply the Parliament's baseline sentencing laws in late 2015. Yet again the Andrews government failed to act when judges started to misapply the special reasons criteria in relation to minimum sentences, which has resulted in the most recent very bad misapplication of the law in relation to an attack on ambulance paramedics. This last experience has eventually led to the government scrambling to respond, making a big announcement yesterday that they would do something about it at last, but in fact not actually doing anything about it for some time. In the meantime the Liberal-Nationals have not just talked about doing something; we have acted. The shadow Attorney-General has a fully drafted bill which could be passed by the Parliament this week, yet the government has refused even to allow the bill to be introduced into the Parliament. It is hard to overstate the hypocrisy of the government in this regard, in claiming that they intend to act urgently but not actually being prepared to do so, and instead blocking any attempt by anyone else to act urgently to fix the problem.

The other issue this bill leaves unaddressed is the seeming inability or unwillingness of the Office of Public Prosecutions (OPP) to press hard on prosecutions and to appeal against wrong judgements and inadequate sentences. Whether this is due to flawed policy and philosophy within the OPP, the enormous pressure to clear cases off their books that they are facing with the surge in crime over recent years or the demoralisation and resignation of those in that office in the face of repeated weak sentences and rulings by the courts is a matter that is hard to judge. However, many involved in the legal system are firmly of the view that in recent years the Office of Public Prosecutions has been far too ready to compromise and to drop more serious charges in order to secure guilty pleas to lesser charges. This seems to be occurring right across the board, and in particular in relation to the dropping of charges that carry a statutory minimum sentence, such as coward's punch killings, in order to obtain a plea of guilty to a lesser charge. It has been claimed by sources connected to the OPP that it would be too hard for them to prove the elements of an offence such as a coward's punch killing. But as far as I am aware that claim has never been tested in a court, and many would suspect it is just a convenient excuse. Certainly it is hard to see how there could be any doubt that the elements of the coward's punch offence are made out when an attacker rushes up behind the victim and assaults them with a coward's punch without the victim ever seeing his or her attacker.

There is also concern about the reluctance of the OPP to appeal weak sentences and dubious decisions. There was some media reporting recently about the successes of the OPP in having sentences increased in a small number of particularly egregious cases, but for each of those successfully appealed cases there are scores where many would feel that the sentence was inadequate but which were not appealed. Similarly many wise legal heads are of the view that the High Court would have taken a very dim view of the Court of Appeal's approach to the decision in relation to baseline sentencing. However, the OPP did not appeal that decision so we will never have the opportunity to know what the High Court would have ruled on it, and in the meantime the Court of Appeal's decisions on that case and the CCO case, coupled with the government's procrastination in making any response to these decisions, have allowed the message to spread throughout the legal system that soft on crime is the way to go. Similarly the government's failure to act in a timely and effective manner to stop bail being given to accused persons who pose a high risk of offending, including those with a record of prior serious offending, has contributed to the growing contempt for the law and to the huge amount of offending by those who have been granted bail. I and several colleagues heard very recently of the continuing serious effects that is having in relation to family violence perpetrators being granted bail and thereby posing an ongoing threat to their victims and to others.

Last but certainly not least, the corrections system has also been appallingly run by the Andrews government. We have had four corrections ministers in three years. We have had riots and lawlessness being allowed to flourish in both adult jails and juvenile custody. That is the context in which this bill comes to the house. In the middle of the law and order crisis this bill is an attempt to plug one hole in a justice system dyke from which water is gushing out through multiple holes.

When we turn to the structure and operation of this bill, it is set out in considerable detail in the second-reading speech, and I do not intend to repeat all that is in that speech. In short, the bill proposes to repeal and replace the Serious Sex Offenders (Detention and Supervision) Act 2009 — the SODSA act — with a new act, which is generally in line with the recommendations of the Harper review. It expands the post-sentence scheme to include serious violent offenders in addition to serious sex offenders, as I touched on earlier.

The bill establishes a legal framework for the supervision of offenders in a new secure residential treatment facility, and I make the point that under the structure of the bill a residential treatment facility is a

new and different concept to the existing residential facility regime such as what operates at Corella Place. The government states that a residential treatment facility will have a non-punitive therapeutic purpose and will deliver intensive treatment and interventions for offenders.

Under the bill eligible offenders could have an intensive treatment and supervision condition placed on their supervision order that would require them to reside at the new residential treatment facility. Such an intensive treatment and supervision condition can operate for up to two years. It can be renewed once for up to 12 months if threshold criteria continue to be met, and on further occasions the court can only renew the condition if it is satisfied that exceptional circumstances exist.

In other circumstances beyond the two or three-year period it is expected that the offender would either move into detention under a further order made by the court for detention, if they are assessed as posing a serious risk that justifies detention, or alternatively they are expected to move into a residential facility or on a supervised basis into the community. The bill also provides for emergency detention orders (EDOs) under which the Secretary of the Department of Justice and Regulation will be able to apply to the Supreme Court for an EDO requiring an offender on a supervision order or an interim supervision order to be detained in prison for up to seven days. The purpose of the EDO is to provide for temporary detention of an offender to deal with an escalating imminent risk to the community until different supervision arrangements can be made or an application for a detention order can be heard by the court.

The regime of the bill is that offenders who are convicted and sentenced in the higher courts — that is, in the Supreme Court or the County Court — to a custodial sentence for a serious sex offence or serious violence offence, as defined in the bill, can be made subject to an application for an order. The objective of the offences that are specified in the legislation is to capture criminal conduct where the motivation or the result of the offending is what the second-reading speech refers to as serious interpersonal harm, which is a term not used in the bill itself but is intended to refer to serious harm inflicted by one person upon another person, whether that be serious sexual violence or another form of serious violence.

The sorts of serious violence offences that are defined in the bill are murder, manslaughter other than culpable driving, child homicide, defensive homicide, arson causing death, causing serious injury offences and kidnapping. Serious sex offences are defined by the existing list of relevant offences under the Serious Sex Offenders (Detention and Supervision) Act but excluding any summary offences. The bill also covers what are referred to as incomplete instances of those offences, such as attempts and conspiracies to commit, as well as the equivalent interstate offences. On top of this specification the bill contains a very large number of procedural and ancillary provisions to implement the objectives of the scheme, as has been explained in detail in the minister's second-reading speech and which take up many, many pages of this very large bill.

The Harper review, which has given rise to this bill, was commissioned in 2015 after Sean Price, who was on a supervision order and on bail, committed the horrific murder of Masa Vukotic and committed further offences against other victims. The Harper review made 35 recommendations for far-reaching reforms to the post-sentence regime, and the government agreed in principle to implement all of those recommendations. Unfortunately the government has taken its time in implementing the recommendations in stages over a protracted period, and in the view of the Liberal-Nationals the government has taken far too long in doing so, even making allowance for the complexity of some of the changes that are involved.

We first of all had the Serious Sex Offenders (Detention and Supervision) Amendment (Community Safety) Act 2016, which implemented a number of recommendations and sought to strengthen the existing post-sentence regime by providing stronger powers to support the management of serious sex offenders. Next was the Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Act 2017, which came into operation on 22 February this year. That governance act established the Post Sentence Authority to manage offenders on orders and to oversee the performance of the scheme, and it also established a multi-agency panel with the aim of improving the coordinated delivery of services to offenders on orders across a range of departments and agencies. The bill now before the house, we are told by the government, is the final legislative reform required to complete the government's response to all the remaining recommendations of the Harper review.

When one looks at the detail of the Harper review, it recommended that the range of offences to be caught by the extension of the post-sentencing regime to serious violent offending should be the offences defined in the Corrections Act 1986; however, the government has decided on the basis of it being less administratively difficult to vary this to a narrower list of offences, which are those indictable serious sex and

violence offences that are to be dealt with in the County or Supreme courts. However, at the same time as the government has narrowed the range of offences that could form the basis for a post-sentence order, it has departed from the Harper review recommendation that there also be a requirement that the offender has been sentenced to a term of imprisonment of not less than a specified minimum length before the offender can be subjected to a post-sentence order. That is an issue that the Scrutiny of Acts and Regulations Committee has questioned in its report on the bill.

The objective of requiring a minimum sentence was of course to avoid post-sentence orders being made against those who have committed what might be believed to be less serious instances of the relevant offence. Of course on the other hand it can be argued that the seriousness of the offending and its implications for risk can be better dealt with by the court that considers the application and that a jail sentence of any length for a specified offence is a sufficient trigger and justification for an offender being liable to have a post-sentence order sought against them. However, the government does owe the community an explanation for these two substantial departures from the Harper recommendations. The bill also departs from the Harper recommendations by introducing a seven-day detention period in prison for the new emergency detention orders, instead of five days as recommended by the Harper review. That is based on what we have been told are considered to be the logistical difficulties of resolving an application for an ongoing order within a five-day period. This may be a reasonable departure, but again some further explanation to the community would be desirable.

Beyond these specific points, the expansion of the post-sentence scheme from just serious sex offenders to now also cover other forms of serious violence raises a range of issues both as to the law and as to its implementation. As I said at the outset, the main issue confronting the scheme is it is being asked to bear the weight that should instead be borne by the entire sentencing regime. In other words, one of the pressing reasons for this scheme having to be introduced is that the sentences imposed on offenders in the first place are inadequate. The community is entitled to expect that the sentences imposed by the courts will generally be long enough to take serious offenders off the streets until they are far less likely to be an ongoing danger to the community.

We also need to look closely at the issue of the accuracy and robustness of the assessments of the risks that are posed by the individuals and how the application of the unacceptable risk test is applied, because the success and effectiveness of this scheme will very much depend on how accurate and reliable those assessments and predictions can be. My understanding is that the ability of experts to predict risk in relation to non-sexual violent offenders is even less developed than the ability to predict risk in relation to sexual offenders, both in terms of statistical modelling and in terms of clinical assessments of individuals.

So there are two risks created. The first risk is that persons who are actually a serious risk to the community are not identified as such and are released back into the community to go on to reoffend. The other risk is that persons who are not in fact a serious risk of reoffending are incorrectly assessed as being such a risk, and that of course will result in an unnecessary cost to the community as well as unnecessary restrictions on the freedom of someone who has served their time in jail. Ensuring as far as possible that the best available research and medical, psychiatric and other expert evidence is brought to bear on these assessments is very important for the scheme to operate successfully.

Another aspect of the scheme being able to operate successfully is that there needs to be sufficient facilities available to cope with the number of offenders who may be subject to orders or who may need to be subject to orders under this bill. We understand that the government is building a new 20-bed, walled, secure facility at Ararat called Rivergum for the most difficult and dangerous offenders. We understand it is going to cost around $400 000 a year per place for it to operate. I think the community is entitled to some explanation as to why such a high cost is involved, even allowing for the additional security, because $400 000 that needs to be spent in this way to keep the community safe is $400 000 that is not available for other pressing public needs. It may well be yet another manifestation of the inadequacy of sentencing in our courts that this very high amount is needing to be incurred to provide a secure place for offenders who otherwise would have been serving a longer term in a conventional jail.

With potentially large numbers of serious offenders being made subject to this legislation and being eligible for the scheme, the community is entitled to some assurance that this 20-bed facility is going to be sufficient. This was an issue we raised with the minister's office during the very helpful briefing that we were provided with by the departmental officers. The minister's office has come back to us and informed us that, based on the proposed eligibility criteria in the bill, as of the current month, May 2018, there are 174 sex offenders eligible for the scheme whose sentence is due to expire in the 2018–19 financial year period.

As the minister's office rightly points out, this number will fluctuate over time, but that is one snapshot of the number of sex offenders who may be eligible for this scheme. Then of course there are potentially other serious violent offenders on top of that, so we have quite a large cohort. I think it is important that the government members speaking during this debate along with the minister provide further information to the house and to the community as to how the government is planning to adequately deal with the numbers of offenders to which this bill is going to apply.

There are also issues about the step-down path that is envisaged for serious violent offenders, as I touched on earlier. Unlike serious sex offenders who are able to go from Corella Place to Emu Creek at Langi Kal Kal, it seems that for serious violent offenders it is going to be a choice between them going back into the community on a supervision order or else having to make an application for them to be detained on a detention order once the maximum period for a residential treatment facility has expired.

Let me raise briefly a number of other issues. The bill provides discretion in the courts not to make a post-sentence order even if the preconditions for it are made out. The government argues that this is necessary for reasons of constitutional validity. I do have some doubt about that proposition. I know there are cases such as Kable and other cases around outlaw motorcycle gangs where the courts rightly do not want to be seen to be rubberstamping what are effectively executive decisions, but nonetheless it seems to me that it is perfectly legitimate for this Parliament to specify the consequences if certain conditions that are to be assessed by the courts are made out as to risk. So I do question whether such a residual discretion is necessary or is desirable in the context of some of the decisions that are being made in our courts.

I have already touched on the level of facilities that are required to give effect to this bill, and there is a parallel issue about the level of staffing that is going to be required and whether the government has adequate plans in place to recruit and train in a timely manner the staff that are going to be needed.

The final issue on which I wish to touch relates to the amendment which I requested to be circulated, which goes to the issue of who is eligible to be appointed as chair or deputy chair of the Post Sentence Authority. In a previous bill that was before the Parliament the Liberal-Nationals successfully moved amendments in the Legislative Council, which were subsequently accepted by the government, to require that the chair and deputy chair must be current or former judges of the County Court, the Supreme Court or their equivalents. That replaced the government's proposal that anyone who had been a lawyer with five years or more experience could be eligible for such an appointment.

Our amendments brought the requirements for the Post Sentence Authority into line with the requirements for the Adult Parole Board of Victoria. Now the government is coming back into this bill seeking to water down that requirement by replacing it with an eligibility test of a lawyer of 10 years or more standing. The government has expressed to us that they are concerned about the number of people who might be available for appointment under the current test, but I would make the point that that test has been in place for some time and that these positions have been able to be filled. I do accept that there are many roles for which retired judges are sought and there is a lot of demand for their services. Nonetheless the opposition is of the view that it is not sufficient simply to allow a lawyer of 10 years standing, which might be in any practice with any level of experience or expertise, to be eligible for appointment.

We are certainly open to discussion with the government about the detail of how we ensure sufficient standing for the members of the Post Sentence Authority, but we are firmly of the view that there needs to be an adequate standard to ensure experience and skills because this is a crucial role. The judgements that are being exercised by the Post Sentence Authority under the leadership of the chair and deputy chair have very serious and profound implications for the community and it is important that the people who head up that body are suitably qualified and experienced. So the Liberals and The Nationals do not oppose this bill, but we do consider that an amendment is needed to ensure an appropriate level of experience and authority is maintained in the leadership of the Post Sentence Authority.

Mr NOONAN (Williamstown) (12:41) — I am very pleased to rise to speak in support of the Serious Offenders Bill 2018. We all know that the death of Masa Vukotic by a crazed killer back in 2015 was one of the most tragic and shocking in this state's history. It was made even more shocking when details of Masa's killer became known, including the additional offences committed by the offender following Masa's death. Of course we know that Masa's murderer is now rotting in prison. He was an individual with an extremely violent history and deemed by the court to require a post-sentence supervision order.

The death of Masa Vukotic raised serious questions about the adequacy of the post-sentence supervision regime or scheme. In response — and I was Minister for Corrections at the time — the government moved very quickly, asking a retired judge, the Honourable David Harper, to review the scheme, and in particular the functioning of the Serious Sex Offenders (Detention and Supervision) Act 2009. I want to place on record my thanks and appreciation to Judge Harper, who was ably supported in the review by Professor Paul Mullen, Professor Bernadette McSherry and a host of public servants in the Department of Justice and Regulation and the corrections area, who worked very hard during that review.

In late 2015 the review was handed to government. It had 35 recommendations, all of which the government agreed to implement. Each of those recommendations, I think it is fair to say, called for the adoption of some significant and complex reforms to the post-sentence supervision scheme. I say complex because there are serious constitutional issues to consider in this regard. There are also obligations under the human rights and responsibilities charter to properly supervise and rehabilitate offenders who have already completed a custodial sentence.

It is very pleasing to stand here today and say with some confidence that there has been significant progress made to implement the 35 recommendations from the Harper review. I understand that at present 24 of those recommendations have already been implemented, including 14 recommendations that were acquitted by the Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Act 2017. This bill will implement the remaining 10 recommendations and can be considered by government to be the final piece of legislation required to acquit each of the recommendations made by the Harper review.

Along with these recommendations there has been some significant investment by the Andrews government. Over the last two budgets the government has provided a total of $390 million towards the implementation of the Harper review. That is a significant investment by any government in community safety. The investment will provide for the expansion of the scheme, new specialist facilities and a strengthening of specialist services to support the scheme.

In addition to the review, the government has also established a specialist response unit comprised of senior Corrections Victoria staff, Victoria Police detectives and intelligence analysts for the purpose of strengthening oversight and response to serious sex offenders on post-sentence supervision orders. We have also created the presumption against bail to be used by judges in instances when offenders on post-sentence supervision orders are charged with an indictable offence. We have also increased police powers, enabling police to enter the homes of serious sex offenders to ensure compliance with an order and to arrest them in instances when an order has been breached. We have also provided increased powers to Corrections Victoria staff, allowing them to direct serious sex offenders in the community to obey instructions. This includes those related to their electronic monitoring.

That brings me to this particular bill and the new measures to be provided with it, which include the inclusion of violent offenders within the post-sentencing scheme — and I will come back to that in a moment. We are increasing community accommodation orders through the provision of a new secure residential treatment facility which offers a step-up, step-down option; the enactment of emergency detention orders; new court powers in making a supervision order to cancel or revoke an offender's firearm authority, weapons approval or weapons exemption for the length of the order; and expanding the qualification requirements for the positions of chair and deputy chair of the Post Sentence Authority, thereby in the government's view broadening the pool of candidates for these roles.

As it currently stands, only those who are classified as serious sex offenders are eligible under the current scheme for post-sentence supervision orders. The effect of this is that individuals who have a tendency to behave in a highly violent manner may not be eligible — in fact they are not eligible — and consequently may not be subject to any supervision after their custodial sentence has been completed.

What this bill does is expand the existing post-sentence scheme by extending the eligibility to include both serious sex offenders and serious violent offenders under the scheme. This will serve to address the risks of further offending and acts that cause serious interpersonal harm, regardless of whether that offending is of a sexual nature, a violent nature or both. That really becomes the centrepiece of this particular bill and probably the most significant change that we will see arising from the Harper review.

What we will see from this over a period of time is an increase in the number of offenders on post-sentence supervision orders — obviously that is why the government is making the additional investment around residential facilities and around support services — and we will see more offenders following their custodial

sentence placed on these orders, which will include conditions like electronic monitoring, curfews, exclusion zones, residential restrictions and treatment requirements.

As I indicated earlier, the bill also establishes a new condition known as the intensive treatment of supervision condition that will see the delivery of a new type of facility, which the member for Box Hill mentioned. This will be a short-term, intensive treatment and will provide a level of intervention for offenders on supervision orders in a secure environment. The facility will be located next to the Hopkins Correctional Centre and will be known as Rivergum Residential Treatment Care. The facility will consist of 20 beds and it is anticipated to be operational, as I understand it, later this year. It will importantly entail some additional security features, such as a perimeter wall, and will offer more intensive treatment and case management for offenders. The new facility will serve as a step up from independent community accommodation and residential facilities such as Corella Place and a step down from prisons. Arguably I think it has been the missing piece in relation to the potential pathways for these types of complex offenders.

The bill also creates emergency detention orders, which is again a very important feature of Harper's review. It will provide the Supreme Court with additional powers to intervene in instances when an individual on a post-sentence order is deemed to pose a greater risk to the community. The offender may not have necessarily breached a condition of their supervision order; however, circumstances will have altered to the extent that the risk they pose to the community has escalated, requiring them to be removed from the community immediately.

The bill provides the court with the power to order the temporary detention of supervised offenders for up to seven days until an alternative supervision arrangement has been made. Due to the urgent nature of emergency detention orders, the Supreme Court can decide to make an order in the absence of the offender. That is an important addition provided under this bill. Judges of the Supreme Court may take this decision in their full discretion in accordance with their judicial obligations to balance the rights of parties to a fair hearing. That is a very strong power that we are providing to the court, and I think that it would be fair to say that it is a tool of last resort. The threshold for the imposition of a detention order requires the offender to pose an unacceptable risk for which a supervision order does not suffice.

There are a range of other matters that I could speak to, but I do want to acknowledge former Judge Ian Gray for accepting the role of chair of the Post Sentence Authority and also again thank and acknowledge former Justice David Harper, who has accepted the position of deputy chair. This is very complex work that will be done. Finally, I want to acknowledge the Minister for Corrections, her staff and staff from the Department of Justice and Corrections Victoria and others across the justice system for the work that they have done over a number of years to strengthen this area of post-sentence supervision orders.

Mr CRISP (Mildura) (12:51) — I rise to speak on the Serious Offenders Bill 2018. The Nationals in coalition are not opposing this bill and also support the amendments proposed by the member for Box Hill. The purpose of the bill is to provide for enhanced protection of the community by requiring offenders who are served with custodial sentences for certain serious sex offences or certain serious violence offences and who represent an unacceptable risk of harm to the community to be subject to ongoing detention or supervision. Secondly, it facilitates the treatment and rehabilitation of those offenders and also repeals the Serious Sex Offenders (Detention and Supervision) Act 2009 and consequently amends other acts.

There are considerable provisions within this bill and they do take some addressing. The bill expands the post-sentence scheme to include serious violence offenders in addition to serious sex offenders and establishes a legal framework for the supervision of offenders in a new, secure residential treatment facility. This facility will have a non-punitive therapeutic purpose and will deliver intensive treatment and intervention for offenders. Eligible offenders can have an intensive treatment and supervision condition placed on their order requiring them to reside in the new facility. An intensive treatment and supervision condition can operate for up to two years, and it can be renewed for up to 12 months if the threshold criteria continue to be met. On further occasions the court can only renew the condition if satisfied that exceptional circumstances exist.

The bill creates new emergency detention orders (EDOs), and the Secretary to the Department of Justice and Regulation may apply to the Supreme Court for an EDO requiring the offender on a supervision order or interim supervision order to be detained in prison for up to seven days. The bill also provides a review of the legislation supporting an expanded scheme within five years of the commencement of its operation.

Only offenders convicted in higher courts, the Supreme Court or the County Court, to a custodial sentence for a serious sex offence or a serious violence offence are eligible for the scheme. The serious offences captured are those that target criminal conduct where the motivation or result of the offending is serious interpersonal harm, and of course the serious offences are murder, manslaughter, child homicide, defensive homicide, arson causing death, causing serious injury offences and kidnapping. The serious sex offences are well known.

We need to put this in context. Following the Masa Vukotic case in 2015, the Harper review was commissioned to deal with the tragic outcomes of that situation. The Harper review made 35 recommendations for significant and complex reforms to the post-sentence scheme, all of which the current government has agreed in principle to implement. A phased approach will be taken to implement the recommendations. The bill deviates from some of the Harper review recommendations, particularly by introducing a seven-day detention period in prison for the new emergency detention orders instead of the five days as recommended.

I think the Andrews government has been plagued not only by the continuing issue of soft-on-crime weak sentencing but also with the mismanagement within the corrections service, which is a reflection on its four successive part-time corrections ministers that have managed the system. Despite this, most of the legislative provisions within the bill appear to be reasonable in the context of improving the post-sentence management of serious sex offenders and now violent offenders, with the exception of a number of concerns. One concern I have is that the weak sentences being handed out by judges complicate this issue enormously. We seem to be reacting to not keeping some violent prisoners long enough in jail for them to be rehabilitated within the jail setting by then producing another bolt-on exercise at the end. I think this is something that does need to be addressed. The government is building a new 20-bed facility at Ararat for the most difficult and dangerous offenders, and that is commendable, but I would expect that there will be a lot more violent offenders that do represent a risk to our community who are certainly going to overload that 20-bed facility.

As I am told there are currently 165 sentenced offenders who would be technically eligible for the scheme during its first 12 months, yet we know that they can be detained there for much longer than that period. So again this comes back to keeping these offenders where they are best kept and best rehabilitated, which is in jail. But we know that requires a judge to give an appropriate sentence to allow for the rehabilitation processes within a prison setting to take place.

There are a number of other issues that concern our community, particularly the rise in violence towards ambulance officers and other emergency services officers. We have heard a great deal about that in the last seven days, and I have had a number of people contact my office in one way, shape or form to talk about the ambulance issue. Their wish was that the Parliament deal with this immediately. They were so incensed by the media reports about what has occurred — the attacks on the ambulance officers — that they came to my office, many of them saying, 'We need something done now.' They said they do not think that even a petition would be an appropriate response, because it takes simply too long.

Their request to me was that this issue be dealt with by the Parliament this week to ensure the ongoing safety of those officers. Regrettably, we have not seen a bill this week. We have heard talk of what is going to happen. This does need to happen because people do, firstly, want to feel safe, but they also want to feel that those who care for them are safe. So these are considerable ongoing concerns within our communities.

I just want to add my voice to that. The violence towards our emergency services officers is totally unacceptable, and there needs to be appropriate punishment for that to make it very clear to people that that cannot be the case. In fact I was reading some media this week about one particular ambulance officer who had been assaulted and was of the view that people feel entitled to do that. That is something that we have to crush out of the system. It is only with strong sentencing that we can do that, and we can only have strong sentencing via a very clear message from this Parliament on that issue. So this bill is one that we have considered as necessary.

I want to go back to the sentencing area. Twenty beds is not going to be enough unless our judges give the appropriate sentences for these prisoners to be rehabilitated in jail. Then only the worst of the worst will need the supplementary, bolt-on facility to further their rehabilitation before the community can feel safe that they can be returned to a community. It is that safety that we want to see for our community. We do not want people fearing for their lives. With that, The Nationals are not opposing this bill.

Sitting suspended 1.00 p.m. until 2.01 p.m.

Business interrupted under sessional orders.

MATTERS OF PUBLIC IMPORTANCE

Electorate office budgets

The SPEAKER — I have accepted a statement from the member for Kew proposing the following matter of public importance for discussion:

> That this house condemns the Andrews Labor government for rorting at least $400 000 from the taxpayer as part of its red shirts Community Action Network at the 2014 election and noting that:
>
> (1) it is not declaring whether the 2018 election Labor Community Action Network will be funded in exactly the same or a similar way;
>
> (2) it is refusing to apologise for rorting taxpayers money;
>
> (3) it paid back the rorted monies only the day before the Ombudsman's report was made public;
>
> (4) it spent over $1 million of taxpayers money to keep the issue covered up and fighting the Ombudsman in the courts;
>
> (5) given the Assembly's assertion of exclusive cognisance in relation to the Ombudsman's investigation, the full extent of Assembly ministers' involvement in the matter has not been ascertained; and
>
> (6) it refuses to come clean on exactly how much money has been rorted from the taxpayer.

Mr T. SMITH (Kew) (14:02) — It is my pleasure to rise this afternoon and speak on the matter of public importance in my name. This is the greatest rort in Victorian political history. It is an outrage that $400 000 was stolen from the Victorian taxpayer to assist the Australian Labor Party win the 2014 election. Do you know the most galling part of this? Not one single Labor MP or minister has lost their job because of this. It is an absolute disgrace. If any employee stole from their employer to that extent, they would have been turfed and most probably prosecuted for obtaining financial advantage by deception. In this instance this has not occurred. Not one Labor MP has fronted any authority to be charged with any criminal offence. There were reports recently that there was a brief of evidence sent to Victoria Police in 2016. I think that should be reopened because quite frankly the Labor Party rorted the last election — obtained an advantage that every other party did not get.

There are a number of individuals who were involved in this scheme: Liz Beattie; Candy Broad; the member for Ivanhoe; the member for Mill Park; Joanne Duncan; Nazih Elasmar in the Council; the Minister for Sport; Joe Helper; Gavin Jennings and Shaun Leane in the Council; John Lenders; Margaret Lewis; Cesar Melhem and Jenny Mikakos in the Council; the Attorney-General; John Pandazopoulos; Johan Scheffer; Adem Somyurek; Lee Tarlamis; Brian Tee; the member for Footscray; Gayle Tierney in the Council; and Matt Viney. There are six ministers on that list. The Attorney-General is the first law officer of Victoria, yet he is still there. He did do an interview, as the minister at the table, the Minister for Industry and Employment, has alluded to. He did a terrible interview on 3AW where he essentially admitted to rorting the system. He admitted to rorting the system, but the argument that the Attorney-General posited on Neil Mitchell's program was that it was 'in good faith'.

Let us assess the 'good faith' argument as made by the Premier and the Labor Party. The Ombudsman in her report made a number of observations:

> … the arrangement to employ field organisers as electorate officers was an artifice to secure partial payment for the campaign out of parliamentary funds, and was wrong.

The report says:

> Investigators have calculated that DPS paid an estimated $387 842 of parliamentary funds for electorate officer work by field organisers from March to November 2014.

It also says:

> Despite Mr Lochert's response, the available evidence indicates that Mr Lenders (in consultation with the ALP campaign committee) implemented a strategy to persuade other ALP members of Parliament to engage field organisers as casual electorate officers. According to Mr Lenders, the purpose of this strategy was to maximise the resources available to assist the ALP's election campaign.

So what we had was not every Labor MP who had taken part in this scheme acting in good faith. They acted on trust with Mr Lenders, but Mr Lenders essentially concocted this artifice. It was he who negotiated with the Department of Parliamentary Services (DPS).

The report continues:

> … Mr Lenders twice raised with DPS the possibility of expanding the existing ALP staff pool …
>
> Mr Lochert told Mr Lenders that this was not permitted. Despite Mr Lochert's response, the available evidence indicates that Mr Lenders (in consultation with the ALP campaign committee) —

of which the Premier was a member —

> implemented a strategy to persuade other ALP members of Parliament to engage field organisers as casual electorate officers … to maximise the resources available to —

the ALP. This strategy clearly worked, and paragraph 324 of the report, which outlines the

evidence of the Premier's own hand-picked MPs who responded to the Ombudsman, states:

> Mr Jennings's evidence was that he had been assured by Mr Lenders that DPS was aware of the proposed arrangement, and he had relied on that assurance in contributing to it …

In paragraph 345 Ms Mikakos is quoted as saying:

> I respected Mr Lenders and accepted his advice.

That is the key point here. John Lenders negotiated this rort and ALP members willingly followed Mr Lenders's advice. But Mr Lenders was on the campaign committee with Mr Jennings and indeed the Premier. When you are on the campaign committee with the guy that is running this scheme how can you possibly argue that you knew nothing about it? This is the point that no-one has ever been able to explain to me. How could you not know? Gavin Jennings ran a red shirts rort out of the joint electorate office he cohabits with Daniel Andrews, the Premier.

The SPEAKER — I just ask the member, with respect, to refer to members by their correct titles.

Mr T. SMITH — The Leader of the Government in the other place shares an electorate office with the Premier. The Premier sits on the Labor Party's campaign committee of which Mr Lenders was a key member, and yet the Premier fronts the media and says, 'We all acted in good faith; I know nothing'.

An honourable member interjected.

Mr T. SMITH — The Sergeant Schultz excuse, which is not dissimilar to what the former Speaker and Deputy Speaker initially said when they were busted for rorting $200 000 worth of taxpayers money before they were asked to recuse themselves from the chair that you earnestly hold today, Speaker.

Mr Guy interjected.

Mr T. SMITH — I thank the Leader of the Opposition for that most kindly. Here is the point: we have a Premier who said:

> I make no apology for a team of people — a tiny number of whom were employed to support their member of Parliament …
>
> All sides of politics have done it and the rules have been followed.
>
> …
>
> I take responsibility for each and every thing that happens under my leadership …

That was from the Premier in September 2015. Yet when we fast-forward to March this year we had the big apology, the big 'I didn't know'; the big 'We relied in good faith that we could bulk-sign casual electorate office forms'. Some red shirts never met the members of Parliament they were purporting to work for, and they thought that that was okay.

Let us not forget where this came from, because it was three and a half years ago when this first came to light. This came from a certain Mr Finnigan, who was a Labor whistleblower and who worked for none other than the Minister for Sport, the member for Lara. The member for Lara was asked on a number of occasions in October 2015 what he knew about this scheme, and he simply replied that everything had been done according to the rules in his office. We would not know about that because the member for Lara refused to be interviewed by the Ombudsman. He refused to take part in this investigation because he is a gutless rorter. The member for Lara is a gutless rorter. He took part in this scheme. Indeed it was his electorate officer who was the whistleblower, so how could he possibly suggest that everything that occurred in his office was all right, that everything was aboveboard and that he acted in good faith? He most certainly did not act in good faith, because if you have not even met the bloke that is meant to be working for you — and I believe that he was doorknocking around Bellarine whilst he was working for the member for Lara — you could not possibly make that argument unless you are telling porkies, or potentially an untruth. I know I am not allowed to use another word.

Mr Watt — Porky pies.

Mr T. SMITH — Porky pies, shall we say. It just strikes me as rather odd, because not everyone in the Labor Party is bad. I like you, Speaker. They are not all bad; most of them are — and that came to light. There was an article on 2 April in which one Labor MP is reported as saying:

> The point here is that most knew it was dodgy. It's just some had the strength to say no … others didn't …

I presume you said no, Speaker, because I have never seen your name in these reports or in the Ombudsman's report.

Mr Carbines interjected.

Mr T. SMITH — Not you, you're a crook. You're a rorter. Pay the money back. You are a crook and a rorter. Pay the money back. You are a disgrace.

The SPEAKER — Order! Before allowing the member for Kew to continue, can I just advise the house that this motion does invite members to tread a very fine line between casting imputations on other members. There is the use of some words that I would find disorderly and a clear imputation, and there are others that probably can be used, so I ask the member for Kew to carefully reflect on the words that he is using in reference to other members.

Mr T. SMITH — I was being so genuinely respectful of you, Speaker. I said that you were not involved in these rorts and theft against the people of Victoria.

Mr Carbines interjected.

Mr T. SMITH — You were. You be quiet. You were. You are a crook. There was another MP who said:

> When you look at the fact he was involved in the scheme and then fumbled his response in Parliament —

that is the Minister for Sport —

> he's looking like the weak link here,' one Labor MP said.

Honourable members interjecting.

Mr T. SMITH — Benny, was that you? That is very defensive body language, my friend. Come on, mate!

The other thing that really grates on me is the idea that every political party in the building was doing this. But the Ombudsman found otherwise. She said at page 162:

> The other argument that surfaced regularly during the investigation was that this was simply an extension of a traditional pooling arrangement, and that 'they all do it'. It was not, and other political parties did not have similar arrangements.

The Liberal and National parties did not undertake a rort of $400 000 against the people of Victoria. They did not bulk sign casual electorate office forms without having met the people who were working for them. We did not undertake the biggest rort in Victorian political history. Do you know who did? The Australian Labor Party, led by the Premier.

I reckon they sit on the Treasury benches today not only because of the rorts, but also because of the way in which they cheated in certain key electorates. They rorted $21 148 in Albert Park, $2358 in Bellarine, $15 141 in Bendigo East, $22 366 in Bentleigh, $20 000 in Carrum, $21 000 in Cranbourne, $21 000 in Eltham, $19 000 in Frankston, $12 000 in Ivanhoe — where is he? He has run out of here. They rorted $28 000 in Macedon, $21 000 in Melbourne, $21 000 in Monbulk, $5000 in Mordialloc, $15 000 in Narre Warren North, $22 000 in Prahran, $21 000 in Richmond, $21 000 in Ringwood, $20 000 in South Barwon, $12 000 in Sunbury, $21 000 in Wendouree and $20 000 in Yan Yean.

That is the sum total of the greatest rort in Victorian political history, and yet we do not know all of it, because there is at least, I would imagine, a couple of hundred thousand dollars worth of legal fees that are unaccounted for. We know what the Parliament spent in the High Court, we know roughly what the Victorian government solicitor spent — $139 000, which the Labor Party still refuses to pay back, might I add — but we do not know how much the Ombudsman spent, and we also do not know how much individual Labor MPs spent when being interviewed by the Ombudsman. So Labor does not just owe us $400 000; they probably owe us in excess of $1 million worth of legal fees. They ought hold their heads in shame because they have not paid that money back and because they owe it to each and every one of the people of Victoria.

Ms GRALEY (Narre Warren South) (14:18) — It is a pleasure to be here this afternoon to speak on this matter of public importance (MPI) that has been provided to this Parliament by the member for Kew, the shadow Minister for Education. It is interesting that he has chosen this topic over anything that may relate to his portfolio area. Indeed when one has a look at the member for Kew's commentary around education, you actually realise that he has not got much to say about education — a few special comments for the *Herald Sun* or the *Australian*, some rather glib remarks about education and some unflattering commentary about our schools, teachers and students. It says a lot about the member for Kew that he has not put up a matter of public importance about education, but I do thank the member for Kew for one thing, because this will give me —

Mr Clark — On a point of order, Speaker, a fair degree of liberality is allowed to the lead speaker on both sides of the house in relation to matters of public importance, but so far the member has come nowhere near addressing the topic and has instead engaged in an ad hominem attack on the member for Kew. I do ask you to ask her to commence to address the subject of the matter of public importance in relation to the rorting allegations against the Andrews government, and to come back to the topic of the MPI.

Ms Allan — On the point of order, Speaker —

An honourable member interjected.

Ms Allan — No, he stands for a lot of things, mate. He stands for a lot.

The SPEAKER — The Leader of the House — through the Chair.

An honourable member interjected.

Ms Allan — I think Ryan would agree with that characterisation. Come on! Where is the bonhomie of the chamber? On the point of order, Speaker, the manager of opposition business is absolutely right; the matter of public importance debate has historically allowed some latitude for members in terms of the content and of being able to talk about contrasts, and I think the lead speaker for the opposition was also broad in his contribution. I think it is entirely appropriate for the member for Narre Warren South to draw distinctions and contrasts between what the member was talking about and what he could have been talking about, and I suggest she be allowed to continue in that vein.

Mr R. Smith — On the point of order, Speaker, the Leader of the House's suggestion that the member for Narre Warren South could basically talk about anything as opposed to what the matter of public importance is about is quite absurd. The fact of the matter is that while the member for Narre Warren South puts forward the idea that the member should be talking about his portfolio — well, news to the member for Narre Warren South, the honourable member for Kew actually holds the scrutiny of government portfolio, and indeed —

Ms Graley interjected.

Mr R. Smith — The member for Narre Warren South by way of interjection said that he should be doing a better job. I would say that an Ombudsman's report that does more than just cover allegations, the numerous news articles and the fact that we are here talking about it, and the best argument that the Labor Party can put forward is —

The SPEAKER — I ask the member to resume his seat. The member for Box Hill is correct that the member for Narre Warren South started her contribution on a matter off the topic of the MPI. There is a level of flexibility allowed to members in this debate. I did take it that the member was coming back to the motion just as the point of order was taken, so I call the member for Narre Warren South.

Ms GRALEY — Thank you, Speaker. That is exactly what I was going to do; I was just going to return to speaking about the 2014 election. Given I am sitting on this side of the house and what is left of the Liberal Party is sitting over on that side of the house, thankfully I do not have to listen to the giggling and gobbledegook of Elizabeth Miller and the outrageous, extreme views of Geoff Shaw anymore. But my strongest recollection of the 2014 election, which is referred to in this matter of public importance, is seeing the Premier claiming victory for the Labor Party in a historic win after only one term in opposition.

An honourable member interjected.

Ms GRALEY — It was a historic win. It has only been done once before in this proud state's democratic history. He did declare:

> The people of Victoria have today given to us the greatest of gifts, entrusted to us the greatest of responsibilities and bestowed upon us the greatest of honours and, ladies and gentlemen, we will not let them down …

That is so true. I will go on to what the then leader of the previous government, Dr Denis Napthine, the outgoing Premier, said. He said he would call a party room meeting in the very near future to stand down as Liberal leader. He said:

> It is time for renewal, it is time for change.

It is so obvious what that change has been. The fact is that the 2014 election was the Liberal Party's to lose, and he sure got it right. There needed to be change, because the Liberal Party before the 2014 election, when it was in power, was a mess; a total mess. It was a dithering, disunited, dodgy —

Mr R. Smith — On a point of order, Speaker, the member, while having the latitude of the first minute, has still not addressed the rorting of this government. The member has spoken about many things. She has spoken about the election, she has spoken about the glorious win — she spoke with much hubris, I must say, when she spoke about that — but the fact of the matter is that the matter of public importance is about the rorting. Now, she can either get up and talk about the rorting in terms of apologising to the Victorian people for Labor having stolen money as a party or she can get up and defend what I see as being indefensible. As far as talking about the disunity of the Liberal Party, if she could point to the part of this matter of public importance that refers to the Liberal Party, then I would invite her to show me and indeed show the house where it refers to that, but otherwise I would ask that you direct her to come back to the matter of public importance, which is about the rorts — proven by the Ombudsman — of the Labor Party.

Mr Carroll — On the point of order, Speaker, you have just ruled — I listened to your ruling quite clearly before — that there will be a level of flexibility, but I do point to the first paragraph of the motion where it does reference the 2014 election. I heard very clearly the member for Narre Warren South giving an articulate response to the motion and talking about the 2014 election, so I think the point of order taken by the member for Warrandyte is completely unnecessary and out of order.

Mr Watt — On the point of order, Speaker, the first paragraph refers to the red shirts community action network. It is about rorting —

Honourable members interjecting.

Mr Watt — Yes, the rorting of the 2014 election. To pick out two words —

Honourable members interjecting.

The SPEAKER — Order! With due respect to the member for Burwood, I ask the shadow ministers at the table and the Leader of the House to stop shouting across the chamber.

Mr Watt — To pick out two words and focus on the 2014 election would be just as bad as if I was to pick out red shirts and then concentrate on St Michael's Dragons, which is the football team that played on Monday night. You cannot just pick out two words. We are talking about the rorting of the Labor Party. Rorts is what the motion is about, and that is what the member should talk about.

The SPEAKER — Order! I was listening very carefully to the contributions to the debate by both the member for Kew and the member for Narre Warren South. In the member for Kew's contribution he did make the argument that the substance of his motion was one of the reasons or part of the reason that the election result was the way it was, and I take it that the member for Narre Warren South was refuting that argument, which she is entitled to do in debate.

Mr T. Smith — On a point of order, Speaker, yes, I did make that point. But with regard to the seats that I read out — I am going to save the house me reading them out again; there are 20-odd of them — I am not talking about every single one of the 88 seats. I am talking about the seats where we know Labor rorted.

Honourable members interjecting.

Mr T. Smith — Because you would not be interviewed, we do not know how many people in here rorted. I was referring to the results, particularly in marginal seats, with regard to this money that was misappropriated, not the entire election result.

The SPEAKER — I thank the member for Kew for that clarification. I took the member for Narre Warren South to be refuting an argument that was put in earlier debate. I ask the member for Narre Warren South to continue along those lines.

Ms GRALEY — I was mentioning the fact that the 2014 election was actually lost by the then government because of their dithering, their disunity and the dodgy deals that they had done with developers led by the now Leader of the Opposition. I recall one of the reasons why the government of the day looked so bad to the electorate, and you only have to go back to the *Australian*. The opposition, the members of the Liberal Party, are big fans of the *Australian* and the editor, Chris Mitchell. He virtually writes your scripts for you. The heading of this article in the *Australian* is 'Victorian Speaker Ken Smith to stand down':

> Earlier, as Mr Smith told the Parliament of his decision to quit, Mr Shaw shouted, 'You are a disgrace' …
>
> Mr Smith accused Mr Shaw of making 'outrageous' …

Mr R. Smith — On a point of order, Speaker, as we have discussed in previous points of order, you made the point that the member can refute arguments. Former Speaker Smith, who occupied that esteemed position which you now hold, stood down in 2013. I mean, seriously, what are we talking about here? Are we talking about the MPI or is it a freestyle debate where we can talk about anything?

Honourable members interjecting.

Mr R. Smith — Sorry, I am talking to the Speaker. Can the member come back to the matter of public importance, which is not about former Speaker Smith and not about Geoff Shaw. It is about the rorting of members of the Labor Party, who seem to have it in their DNA and who seem to want to tell Victorians that they can handle complex pieces of legislation but who cannot understand guidelines that everyone else in this chamber can understand. That seems to be the argument.

The SPEAKER — Order! I understand the member's point of order. In previous matters of public importance debates, where issues like this have been raised, similar points of order have been raised. It has previously been ruled that it is reasonable for contrasts to be made and alternative opinions to be expressed when debating an MPI — that is, one side of the house

contrasting an issue with another side of the house. That has been a practice that we have allowed in MPIs, so I intend to allow the member for Narre Warren South to continue.

Ms GRALEY — I will continue reading from the favourite paper of the arch-conservatives opposite:

> He said their falling out had nothing to do with Mr Shaw being referred to the Ombudsman over allegedly rorting his car allowance.
>
> '… I believe that the member changed his mind about the role as Speaker after I declined a number of outrageous claims that were made from him to me', Mr Smith told Parliament.
>
> 'Demands that were against policy and regulations which I would not do'.
>
> …
>
> 'I will not be doing any deals with the member for Frankston …
>
> 'Nor will I be bullied or held to ransom to comply with his demands'.

If you have a look through newspapers describing the government at the time, of which many people are still here, they are riddled with words like 'turmoil', 'ransom', 'crisis' and 'havoc'. These are the common words that are used. That is why when you went to the 2014 election you had done nothing. All you had done was run a $1 million competition to fix Flinders Street station, and you could not even do that. Former Premier Baillieu's prized project and nobody in his government would even try to help him deliver on it, and now we are left with that. I will tell you what people were talking about at the 2014 election. They were talking about the fact that there were no roads built and there were no schools built. People were sitting on trolleys in hospitals waiting for doctors to see them and paramedics were driving around the streets with signs saying, 'The Baillieu-Napthine government is a disgrace'. That is what I recall from the 2014 election, including the bullying of some of the members in the upper house that are on your side as well. That is what I recall.

Rather than waste the Parliament's time on this matter of public importance, what the member for Kew should do is take a little bit of time, sit down and get out Gonski 2.0.

Instead of talking about and being overcritical of our education system and our staff and our students, the member for Kew should have a look at what the Labor government is doing: investing in our schools and making sure that every kid in every school has every opportunity to succeed. It is an oversimplification to say the curriculum is overcrowded and all of these things he says that I read in the newspaper. The member should have a look at Gonski 2.0 and see that what we need for the future are critical and creative thinkers, and he is certainly not one of them.

Mr ANGUS (Forest Hill) (14:33) — I am very pleased to rise this afternoon to speak on the matter of public importance as submitted by the member for Kew, which states:

> That this house condemns the Andrews Labor government for rorting at least $400 000 from the taxpayer as part of its red shirts Community Action Network at the 2014 election and noting that:
>
> (1) it is not declaring whether the 2018 election Labor Community Action Network will be funded in exactly the same or a similar way;
>
> (2) it is refusing to apologise for rorting taxpayers money;
>
> (3) it paid back the rorted monies only the day before the Ombudsman's report was made public;
>
> (4) it spent over $1 million of taxpayers money to keep the issue covered up and fighting the Ombudsman in the courts;
>
> (5) given the Assembly's assertion of exclusive cognisance in relation to the Ombudsman's investigation, the full extent of Assembly ministers' involvement in the matter has not been ascertained; and
>
> (6) it refuses to come clean on exactly how much money has been rorted from the taxpayer.

I think the report by the Victorian Ombudsman entitled *Investigation of a Matter Referred from the Legislative Council on 25 November 2015*, as tabled in this place in March 2018, is a vital document in the history of the state, because what it does is capture the dishonesty of the then opposition, now government, in an unprecedented manner here in Victoria.

The document goes through and chronicles in great detail — and I commend the Ombudsman for her work — the rorting that took place, how it took place and who was involved in the infamous red shirts affair: the systemic and organised rorting by various MPs of their electorate allowances through the use of paying people for electorate work that was not done. In my view you cannot get a clearer case of criminality and theft than what we see in this document. I will come back to that a little bit later.

The Premier has said on multiple occasions, 'There's nothing to see here'. He has said that nothing wrong has been done, it is no big deal, but this report reveals the extent of the misuse of taxpayers money for base electoral gain, and the previous opposition speaker touched on that as well. The Premier's lame apology

subsequent to the publication of this report was merely an apology expressing his sorrow at being caught, not an apology for any wrongdoing.

The Ombudsman notes on page 4 of the report that, and I quote:

> … the arrangement to employ field organisers as electorate officers was an artifice to secure partial payment for the campaign out of parliamentary funds, and was wrong.

I think in passing it is worth noting the definition of an 'artifice'. It is defined as a clever trick; a cunning, crafty device or trickery; guile and craftiness. Some synonyms for artifice are noted as: subterfuge, deception, deceit, art and duplicity. I think the way the Ombudsman has described this as 'an 'artifice' is indeed an ideal word to describe not only this matter but more broadly the Victorian Labor Party.

The Ombudsman went on to say on page 5, and I quote:

> … there are gaps in the evidence of which Parliament should be aware.

This comment clearly shows that more work must be done to get to the bottom of the extent of the systemic rorting undertaken by Labor prior to the 2014 election. Pages 12 and 64 of the report list the 23 current and former Labor MPs that were involved in this scheme. The total amount identified so far as being rorted, noted on page 12, is $387 842, but in all likelihood it would be far in excess of this. The Ombudsman states on page 5 of her report that, and I quote:

> But while the question of jurisdiction delayed the investigation, the Legislative Assembly's assertion of exclusive cognisance — in effect that I cannot investigate members of the Assembly — was detrimental to it.

I think right there we have a very clear indication — indeed it could not be more clear — from the Ombudsman that more work needs to be done in this area on this particular rort. I think it is a disgrace for the Parliament to not be fully able to have this matter investigated. It is a disgrace that is caused by the Premier himself. He is providing a roadblock in relation to any further investigation that should be undertaken in relation to this matter.

I note page 1 of the *Herald Sun* of 8 May 2018 is headed 'MPs should face new election rorts probe'. It says, and I quote:

> Senior legal figures say they are baffled criminal charges are not being considered after an integrity watchdog probe found Labor rorted almost $388 000 from taxpayers.
>
> …
>
> An experienced former police investigator said a charge of obtaining financial advantage by deception should be explored because the ALP's campaign benefited from money to which it was not entitled.
>
> He said legal advice sought by police in 2016, shortly after the rorts-for-votes scandal emerged, was 'bull' and should be reinvestigated.

The penultimate paragraph of that article says:

> The parliamentary probe, by the upper house's Privileges Committee, has been delayed because of a political spat over who should chair it.

That particular delaying tactic in the upper house — while others are trying to get to the bottom of this — is continuing.

The editorial in the *Herald Sun* of 8 May in my view also contains some very salient points. It starts off by saying, and I quote:

> Despite the findings by Ombudsman Deborah Glass and the belated apology by Premier Daniel Andrews, voters are still waiting for government members to take full responsibility over the rorts-for-votes scandal.
>
> …
>
> But given the Andrews government's tactics to stonewall from the outset — which have included several costly court appeals to shield its lower house MPs from being questioned by Ms Glass, and now the fight over the Privileges Committee — the matter deserves greater scrutiny.
>
> …
>
> The rort was a blatant breach of the democratic process. Police and the DPP should revisit the case on the back of the Glass findings.

I think that is entirely correct. The fact is that we only know potentially half of what has gone on here. Because of the fact that this criminality strikes at the very heart of democracy here in Victoria or indeed in any democratic environment it must, in my view, be fully investigated. I think it is important to remember that when the Legislative Council did resolve to have this matter looked at, the government took the unprecedented step of taking action in the Supreme Court in an attempt to stop the Legislative Council and the state Ombudsman from investigating the rort. When they lost this action, they appealed this ruling and ended up in the appeal court of the Supreme Court. When they lost again, they ended up seeking leave to have the case heard in the High Court. Thankfully that application was also lost and the Ombudsman was finally able to conduct the investigation that Victorians were hoping would be done.

The legal costs incurred by this government in order to try to avoid this matter being properly investigated were

huge and are estimated to be in excess of $1 million. We have there another example of the waste from this government, which is desperate to cover up its wrongdoing. We must never forget that this government will do anything to cover up their grubby deals and to avoid scrutiny.

To conclude, I think that the government should do six things. Firstly, the government should allow the Ombudsman to complete her investigation by allowing her to investigate members of the Legislative Assembly. Secondly, the Premier should order his Legislative Assembly members to fully cooperate with the Ombudsman to enable this investigation to be completed. Thirdly, the Premier should apologise to all Victorians for his and his team's dishonest and illegal behaviour. Fourthly, the Premier should assure all Victorians that he and the Labor Party will not steal again from Victorian taxpayers during the course of the 2018 state election.

The SPEAKER — Order! I warn the member for Forest Hill that imputations are disorderly.

Mr ANGUS — Okay. He should categorically declare he will not repeat this fraud on Victorians. Fifthly, the Labor Party should repay Victorian taxpayers in full for the estimated $1 million of taxpayers money that was spent by them in an attempt to stop the Ombudsman's investigation. Sixthly, the Premier should ask Victoria Police to reopen its investigation into this matter and cooperate with Victoria Police in such an investigation. That is what I think should happen —

Mr Carroll — On a point of order, Speaker, the member for Forest Hill has six action items he would like the government to take. As he is clearly reading from a prepared statement maybe he would like to table it.

Honourable members interjecting.

The SPEAKER — Order! I ask the minister at the table and the member for Warrandyte to cease shouting. Is the member for Forest Hill quoting from a document or reading from notes?

Mr ANGUS — I was referring to notes, but I am happy to table them and most importantly I am happy to refer the member back to the main document in question.

Ms HALFPENNY (Thomastown) (14:43) — First of all, I would like to thank all the Labor Party members and supporters who gave up their time in the lead-up to the 2014 election to campaign for the Labor Party, because of course there are so many thousands of volunteers —

Honourable members interjecting.

The SPEAKER — Order! Members, this is a robust debate, but I need to be able to hear the member making a contribution. I ask members to keep their comments and interjections to a low level so that I can hear the member making her contribution.

Ms HALFPENNY — Thank you, Speaker. As I was saying first of all, when talking on this matter of public importance (MPI) submitted by the member for Kew, I would like to thank all the Labor Party members and supporters in Victoria who have given up so much of their time, often many hours over many years, all voluntarily, to campaign for the Labor Party to be elected to government. These supporters and members do so because they believe in the policies and values of the Labor Party. They believe in social justice, they believe in equality, they believe in workers' rights, they believe in support for the environment and they believe in a better life for Victorians throughout the state. This is why they campaign for the Labor Party, and this is why we won the 2014 election.

The matter of public importance that is being debated today seems a waste. We are talking about a matter that has already been dealt with. It is a matter that has been independently investigated. There has been an Ombudsman's report and action has been taken. It is six months out from an election and this is all that the opposition have to talk about. They have not got anything to talk about, it seems, on all the issues that affect the lives of people living in Victoria. This MPI really reflects more on what the Liberal and National parties stand for than it does on the government.

As I said, this is an issue that has been dealt with already, and now and in the upcoming election campaign we should be dealing with things that matter and affect people's lives. What are the Liberal and National parties' plans for education? What are their plans for infrastructure, for health, for dealing with our rapidly growing population, for community safety, for jobs and for a strong economy? In the lead-up to the last election I was focusing on things that matter to those in the Thomastown electorate — things like the delays in school building projects in the growth areas under the previous Liberal-Nationals government.

There was also the fact that there was no funding for roads in Thomastown other than a few thousand dollars for planning in an area where people were concerned and really frightened about fires as there is only one

road in and one road out — so when people had to leave their homes they would be stuck in enormous traffic jams unable to get out. These are the things that matter to people living in Thomastown and other Victorians. What about the cuts to bus services, for example, in the established areas of Thomastown? These are the things that I was focusing on in the lead-up to the 2014 election. The cut to school welfare programs and services, the fact that we had half-built schools at Lalor Gardens and Thomastown West primary schools where slabs of concrete were sitting there —

Mr R. Smith — On a point of order, Speaker, I am torn between pointing out that the member for Thomastown is not on the MPI and, on the other hand, not wanting to attract anyone's attention to what is clearly a riveting contribution! But having weighed up the options, I have decided that it is fair to point out that the member is not on the MPI and perhaps that you as Speaker should direct her to come back to it.

Mr Carroll — On the point of order, Speaker, you have very clearly already ruled that there is a level of flexibility in this debate, in refuting arguments, and that it is reasonable for contrasts to be made. The member for Thomastown is making a very good contribution on a contrast between two governments and with a particular focus on the 2014 election, which is what the MPI refers to, so I think the member for Thomastown is well on point.

Mr Watt — On the point of order, Speaker, if the member for Thomastown is going to make a contrast, she might actually refer to the rorting, because that would be the contrast — rorting from the Labor Party and no rorting from the Liberal Party. That is the contrast she probably should be making. I would ask you to bring her back to the actual matter that is before us.

The SPEAKER — I thank the member for Burwood for that. It is a wideranging debate, and I have previously ruled that contrasts can be made, but I do ask the member for Thomastown to come back, during her contribution, to the matter of public importance before the house.

Ms HALFPENNY — Okay, I will go through a few other issues. There is such a long list of issues that —

Mr R. Smith — On a point of order, Speaker, you just directed the member to come back to the MPI, and the member has risen to her feet and said, 'I will just finish the list first'.

Ms HALFPENNY — On the point of order, Speaker, I do not think the member for Warrandyte had any idea what I was about to say. I was able to get about four words out of my mouth —

The SPEAKER — Order! The member had only uttered a few words; she had just started. I am prepared to listen to the member to hear what she intends to talk about.

Ms HALFPENNY — As I was saying on the MPI we are discussing — and we are talking about the 2014 election — if we want to talk about comparisons of rorting, I think we should also talk about the planning programs for Fishermans Bend, the Leader of the Opposition and the millions of dollars that he provided to developers without any school land allocation set aside or anything like that. If we want to talk about rorting, let us also talk about the Ventnor debacle and secret discussions around tables, or we could talk about the lobsters with mobsters. There is a long list from the Liberal-Nationals that we could use as comparisons, including rorts and other unsavoury business — all things that are really all about looking after the big end of town. These are not things of value or support for everyday Victorians who need good schools, who need good roads, who need good hospitals and who need programs that are going to support them and their families.

Honourable members interjecting.

Ms HALFPENNY — Speaker, it is very hard to continue on with this level of interjection. As a point of order, Speaker, I ask for a bit of silence.

The SPEAKER — Order! The member for Thomastown has the call.

Ms HALFPENNY — As I was saying, I cannot understand why we are talking about the 2014 election as a matter of public importance, a matter that has been put up by the member for Kew, when there are so many more important things to be talking about that really affect the day-to-day lives of Victorians — for example, jobs. There were very few —

Mr Watt — On a point of order, Speaker, the member for Thomastown said she cannot understand. It is about accountability and the integrity of the government. That is the most important thing about government — that is, accountability and integrity.

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

Ms HALFPENNY — This is incredible. We are talking about transparency and accountability when I understand the Liberal-Nationals and the Greens have

refused to allow any investigation into their conduct and actions during the election. If we are going to talk about accountability, I would have thought that we would also look at what all parties do when it comes to campaigning at elections. But no, they refuse to do it. This is not part of the MPI that has been put up by the member for Kew. In fact he does not talk about accountability and transparency at all in the MPI that he has put up; instead all he talks about are allegations that have been dealt with by the Ombudsman, have been reported by the Ombudsman and about which action has been taken. Let us start talking about some accountability from the other side of the chamber and some accountability when it comes to how they conduct themselves both in opposition and when in government.

Ms STALEY (Ripon) (14:53) — I rise to speak on the matter of public importance (MPI) that has been submitted by the member for Kew, who is of course the shadow minister for scrutiny of government. This matter of public importance begins by saying:

> That this house condemns the Andrews Labor government for rorting at least $400 000 from the taxpayer as part of its red shirts community action network at the 2014 election …

I think we need to establish at the outset that Labor did in fact rort money from the taxpayer. If we go to the Ombudsman's report, she found on page 4:

> … the arrangement to employ field organisers as electorate officers was an artifice to secure partial payment for the campaign out of parliamentary funds, and was wrong.

There is no question that the Ombudsman in her report, when asked to investigate, found that what Labor did with its community action network in the 2014 election was wrong. Let us also establish, contrary to what the member Thomastown just said, that this rorting only benefitted the Labor Party and the Labor Party alone. If we go to page 162 of the Ombudsman's report, it says that only the Labor Party did this and specifically she rejected the defence that 'they all do it', because she said no, that they did not all do it. It was only the Labor Party that was corrupting the previous pooling arrangements in a way that was wrong.

Let us also refute the pathetic drivel that oozes out of Labor MPs when they are asked about this. They say that the Ombudsman has said that they did not personally benefit. If we go to page 4 of the Ombudsman's report, she referred to:

> … the use of parliamentary funds for campaigning purposes, which almost invariably benefited the election prospects of others.

It is not that it did not benefit anybody; it benefited somebody else, and I will get to who they are in a moment.

There were 21 members of the 57th Parliament who breached the Members Guide, and they did that to rort $400 000 to get themselves elected. If we look at the Ombudsman's finding that it almost invariably benefited the campaign purposes of others, then who are those others who benefited? Let us have a look at who in this Parliament has benefited from this rorting. Let us start with the member for Frankston, because the member for Frankston holds his seat by 168 votes. He was the beneficiary of $19 931. That is a lot of money to only win by 168 votes. If he had not had that money, do we actually think that the member for Frankston, that great intellectual giant, that really hardworking member — not! — would be sitting there? No, we do not. He clearly sits in this Parliament because he was the beneficiary of $19 931.

Then we move on to the member for Bentleigh. The member for Bentleigh managed to hold his seat by 284 votes. He is getting toward the number of votes that I hold my seat by, yet he had to have $23 584 spent on him to get him across the line and into this place. I really do not think that even those Labor Party members, if they were being honest, would say that the member for Bentleigh was of such calibre that he would have got here by himself if he had not had the $23 584 spent on him. I think we can all agree that the member for Bentleigh would not be in this place.

Then we come to the member for Carrum. The member for Carrum managed a 1 per cent swing in her seat to get herself to win by 286 votes; $20 539 was rorted, and in fact it was Gavin Jennings, the Leader of the Government in the other place, who paid to get the member for Carrum here. I have got to say that she has not really set the place on fire since she has got here, has she? I can be pretty certain that without that $20 539 being spent on her in 2018 we will see the excellent former member for Carrum, Donna Bauer, back in this place where she belongs, instead of the rorting member for Carrum, who got here because of that money being spent.

Then we come to the member for Mordialloc. The member for Mordialloc was the beneficiary of the Attorney-General's largesse. The member for Mordialloc sits opposite me in this place, but what contribution has he made? Could we say that he would be here without that additional help? I think that the answer is no, he would not be here. They are all here because money was spent on them that was rorted.

If we move on in the MPI, it says:

> (2) it is refusing to apologise for rorting taxpayers money;

We just saw the member for Thomastown do that again. She got up and she clearly missed her opportunity to apologise on behalf of the Labor Party. In fact she did the opposite, saying that there was nothing to apologise for.

The Minister for Sport has been asked on multiple occasions about his behaviour, and he continues to say 'good faith'. In fact in one day he said this seven times in one contribution. It was like a rictus. The Minister for Sport leads the chamber in non-apologies, but he is certainly not there by himself. There are plenty of other people, and we can start with Shaun Leane, a member for Eastern Metropolitan Region in the other place. When he was asked about his role in this, the *Herald Sun* reports that he said:

> What I am basically accused of is someone working in my office (me being a politician) was campaigning (acting political).
>
> Yep. If that's the charge. Well I have to state openly I'm proud to say people in my office have helped me campaign …

He does not even understand that there is a problem here. He is proud of it.

Similarly, we go to the Attorney-General again. The Attorney-General, who was meant to uphold the law, and who we have to remind ourselves is the one that dragged this through the courts and spoke on the exclusive cognisance motion, said:

> You might want to say that this is the reason that the government won the election, but I don't accept that …

Well, I would want to say that because that is the reason the government won the election. The Ombudsman found that there was a benefit to the people who are the beneficiaries of this rorting; it is not that nobody benefited. Similarly I could say that the member for Ivanhoe made it clear that people acted in good faith. We hear this over and over again, that it was good faith. The Ombudsman found very, very clearly that it was an artifice and it was wrong.

I do think that we need to go back to the head here, and that is the Premier. He shares an office with Gavin Jennings in the other place, the architect of the scheme, and he was on the campaign committee, and yet he continues to deny and he continues to refuse to apologise for his actions and the actions of his party in rorting all this money that saw them come to government. I think we have to ask: how can you say that falsifying electorate office employment time sheets and signing blank forms is acting in good faith? How can that be acting in good faith?

At the end of the day where is the moral compass of these people? Where is any sense of decency or any sense of propriety? Why is it when they are confronted with the evidence, they continue to obfuscate and say, 'Nothing to see here'. There is no moral compass at the head of this government, and as many others would tell me, a fish rots from the head. It is absolutely clear that this government rorted its way to power and now holds it at the behest of a man who is beholden to the United Firefighters Union and who has no good redeeming features when it comes to accountability, transparency and openness.

This is a rotten government led by a rotten Premier. In not very long now, when they do not have the benefit of that extra rorting money, we will see what the result is. Let us just see what the result is when Victorians are not being ripped off by a rotten, rotten Labor Party.

Mr DIMOPOULOS (Oakleigh) (15:03) — Acting Speaker, that is what failure looks like — just over there is exactly what failure looks like. They blame everybody else for their election defeat bar themselves. I tell you what is worthy of a matter of public importance (MPI) — four years of lost opportunity. That is worthy of a matter of public importance, as is the trickery, duplicity and deceitfulness of those opposite. That is worthy of a matter of public importance, not this rubbish they have been going on about.

The member for Kew, in what can only be described as an uncertain, juvenile and flustered performance in this chamber an hour and a half ago — a flustered performance — provided no context, no balance and no facts when it came to the Ombudsman's report or his motion. That is pretty stock standard behaviour for the member for Kew. The poor member for Essendon and I have to put up with him at the Public Accounts and Estimates Committee —

Mr Pearson — So does the member for Mornington.

Mr DIMOPOULOS — Yes, so does the member for Mornington, but of course he is on the same side so he has to grin and bear it. We do not have to, so we can be vocal about his lack of robustness, his lack of facts and his arrogance, and his flustered and uncertain performance here in the chamber today. I am sure that the councillors at the City of Stonnington were very pleased to get rid of him when he was preselected for the Liberal Party.

Ms Ryall — On a point of order, Acting Speaker, the matter of public importance (MPI) is very clear and the member has not even touched on it at this point. All he has done is cast judgement and abuse the member for Kew. I ask you to please actually point him to the MPI and ask him to apply his contribution to it.

The ACTING SPEAKER (**Mr Carbines**) — I thank the member for Ringwood for her point of order. I do not uphold it at this time but I do ask the member for Oakleigh to return to the MPI.

Mr DIMOPOULOS — Thank you, Acting Speaker. I do remind the member — the previous member whose seat I have temporarily forgotten — to remember that the mover of this MPI himself talked about the reasons we won the election were because of the allegations he is making. My response is, 'No, they are not'. The reason we won the election, as my good friend the member for Thomastown said, is because the Victorian people were sick of your lack of performance and your four years of lost opportunity. That is why we won the election.

Ms Ryall — On a point of order, Acting Speaker, the member has denied your ruling to actually come back to the MPI and in fact he still has not touched on it. Trying to draw some long bow to make some semblance of anything in relation to what he is talking about at this point in time is incorrect. I would once again ask him to come back specifically to the MPI.

The ACTING SPEAKER (**Mr Carbines**) — Thank you, member for Ringwood. The member for Ringwood has concluded her point of order.

Ms Hutchins — Further to the point of order, Acting Speaker, the member has mentioned the 2014 election and that is actually stated in the MPI.

The ACTING SPEAKER (**Mr Carbines**) — Yes, just in making my ruling in regard to the point of order — unless the member for Thomastown wishes to add something?

Ms Halfpenny — On the point of order, Acting Speaker, I was just going to remind the chamber of the Speaker's ruling on this because the member for Kew did talk about this theory that the Labor Party won the election because of his allegations. Therefore it is in order for the member to be able to refute and put the contrasting argument to the chamber as part of the debate on the MPI.

Mr Watt — On the point of order, Acting Speaker, following on from that contribution on the point of order, the Speaker did talk about contrast, so it is incumbent upon the member for Oakleigh to contrast the actions of others with the rorting by the Labor Party. As yet he has not started talking about the rorting by the Labor Party, so to contrast he perhaps should talk about the rorting from the Labor Party and then he might be able to contrast that with something else.

The ACTING SPEAKER (**Mr Carbines**) — I thank the member for Burwood for his contribution. I was coming to the point, though, given that the MPI refers to the 2014 election and the member was addressing those matters, I do not think he had the opportunity before points of order were raised to go to the heart of the contrast and that if we gave the member for Oakleigh the opportunity, he would do that. In referring to Speakers' rulings, I note that it is reasonable for contrasts to be made and alternative opinions expressed when debating the MPI, which is referred to by Deputy Speaker Edwards in *Rulings from the Chair* in relation to scope of debate and contrasts. I think we need to give the member the opportunity to make those contrasts. The member certainly made it very clear that he is referring to the MPI in relation to the 2014 election.

Mr DIMOPOULOS — Those on the other side have called on me to talk about the rorts. Let me talk about the rorts. For starters, are you absolutely clear, are you absolutely sure, including the immediate past speaker, the member for Ripon, and the member for Kew, the mover of this MPI, that you were not photographed on any Facebook page, any other website or there is any evidence at all of you working as electorate officers for MPs and campaigning for the Liberal Party? I would not be so sure. You should just be really clear about the rorts you are talking about. No wonder you denied the right of the Legislative Council to involve the Liberal and National parties and the Greens party in this investigation. You did not want people looking in your cupboards, did you? You did not want that. I would be very, very careful, particularly over the next six months when people go to the polls, because you never know what is around the corner with media and interests and other things like that. I would be very, very careful about keeping your powder dry and your approach to being holier than thou. I would be very, very careful.

Mr Watt — On a point of order, Acting Speaker Carbines, I do realise, and I am sure the member for Oakleigh realises, that you were actually mentioned in the Ombudsman's report. He should not actually be reflecting on you while you are in the chair.

The ACTING SPEAKER (**Mr Carbines**) — I do not uphold the point of order.

Mr DIMOPOULOS — Let us talk about rorts. Let us talk about interference with Victoria's Chief Commissioner of Police. Let us talk about Ventnor. Let us talk about Fishermans Bend. Let us talk about the absolute mess the previous government left us —

Ms Ryall — On a point of order, Acting Speaker, in your ruling just before you referenced a contrast in elections. The member is currently not referencing anything related to an election. I ask you to bring him back to the MPI.

Mr DIMOPOULOS — On the point of order, Acting Speaker, the MPI specifically refers to rorts, and that is exactly what I am responding to.

The ACTING SPEAKER (**Mr Carbines**) — I believe the member for Oakleigh is entitled to try to make his argument before I can rule on the point of order in relation to relevance.

Mr DIMOPOULOS — I echo the words of the member for Forest Hill, surprisingly, during this MPI debate, when he said that it was a disgrace that this matter could not be fully investigated. I agree, because the Liberal and Nationals parties and the Greens left themselves out in the quietness of their hypocrisy, their deceit and their hidden closets. They did not come out clean with the Victorian people. We all know that the Liberal, National and Greens parties have been involved in staff pooling arrangements for years. We know that, so do not talk to us about rorts. The rorts that the Victorian people are interested in are the ones that you avoided. You avoided leadership. You avoided funding any schools. In my community alone, $544 000 in four years compared to $56 million under this government. That is a rort on the Victorian taxpayer. That is a rort on the Victorian franchise. People vote for governments so they can do things. The biggest rort in town here is the four years of sleeping and the holiday from hard work that the Liberal and National parties heaped on the Victorian people. As the Premier said, it was a holiday from hard work. That is the biggest rort in town.

The other biggest rort in town is your duplicity on a whole range of things. Today in question time it was alleged that we are not funding community sport. The Treasurer demonstrated that we are actually funding it four times more than you ever did, but you come in here and in an act of trickery and deceit try to deceive the Victorian people. That is a rort. Why don't you focus on things that matter — the schools, the roads, the public transport and the health of Victorian hospitals? You should focus on those matters rather than coming in here with rubbish MPIs that serve no purpose and serve to obfuscate your lack of responsibility.

Ms RYAN (Euroa) (15:13) — I am very pleased to rise today to join this matter of public importance (MPI) raised by the member for Kew. I must say that I think the members for Oakleigh and Thomastown must be breathing a little sigh of relief that their own members — indeed you are certainly taking your time in the chair today, Acting Speaker — are helping to run out their time on the clock. It is interesting to note how few members of the Labor Party are in the chamber today. Why is that any great surprise, given the findings of the Ombudsman and the guilt that so many of them quite clearly have.

I just want to pick up very quickly on an issue raised by the member for Oakleigh, who has adopted the tactic used by many of those on the opposite side that this is something that has been done by all political parties. Well, it is not, and the Ombudsman makes that very, very clear in her report. On page 17, for the reference of the member for Oakleigh, the Ombudsman said:

> The other argument that surfaced regularly during our investigation was that this was simply an extension of existing approved pooling arrangement, and that 'they all do it'. It was not, and other political parties did not have similar arrangements.

As I travel around people ask me all the time: 'If I stole from my employer, would I keep my job if I paid the money back?'. Well, the answer is clearly no, but that is what those opposite believe they can do. They believe that they can steal from the Victorian taxpayer and they can keep their jobs, that they have nothing to answer for and that there is nothing to see here. That is what Victorians fundamentally want those on the government benches to front up to. They want them to be accountable for the $388 000 of taxpayers money that they stole. They do not want it just paid back; they want those opposite to be held to account. You blatantly stole it and you think that because you make the rules, you can get away with it. That is why it is causing great outrage amongst members of the public, because you create one set of rules for them and an entirely different set of rules for yourselves. Your rorting, your cheating, absolutely stinks to high heaven and the Victorian public know it.

Twenty-one MPs used money from their office budgets and put it into campaigns; 11 still sit in this Parliament, and there are others who have personally gained and personally benefited from the scam that you put in place before the 2014 election. There are 17 members of this house who owe their seats to that scam. Why do we know that they owe their seats to that scam? Because the assistant state secretary of the Labor Party at the time came out after the election and told us that it was that field campaign that won the election for Labor.

It was made very clear after the last election that it was this magnificent campaign on the ground that they had used, that they had rorted taxpayers money for, that had won them the election.

Those 17 members owe their seats to the fact that they and others in the Parliament stole taxpayers money and used it for their own personal gain. Not one has apologised, and every single one still sits on the government benches. Not one has had the decency to own up to the fact that what they did completely breached faith and was wrong, and they do not deserve to keep their jobs because of it. Not one of them has done that, and that sticks in people's throats. People are angry about that. All we have had from those opposite are pathetic excuses to try to justify those rorts. We recall the Premier saying:

> I take responsibility for each and every thing that happens under my leadership of the Labor Party and my leadership of the government.

But has he taken responsibility for this? No, he has not. He has spent $1 million trying to fight the Ombudsman and block her investigation. He took it to the Supreme Court and to the appeals court of the Supreme Court and tried to take it all the way to the High Court to stop her from even investigating. The charge was led by the Attorney-General, who was completely conflicted because he is named in the report as having been part of this scam and part of this rort.

It is a complete slap in the face for taxpayers that not only did Labor steal the $388 000 in the first place but it then spent another $1 million of the public's money trying to protect itself from having anything to answer for. We have seen them try to play trick after trick and make claim after claim that they knew nothing about it. Bizarrely, quite a lot of MPs seem to have suffered from memory loss when the Ombudsman actually sat down with them. And of course we had the principle of exclusive cognisance which had to be dragged out to prevent any of the members in this house from being interviewed by the Ombudsman. Extraordinarily, they want us to believe that everything is out on the table and they have nothing to answer for, despite the fact that the Ombudsman has quite clearly stated that she was not able to investigate them. It is absolutely extraordinary.

These are the words of the Ombudsman —

Mr Dimopoulos interjected.

Ms RYAN — The member for Oakleigh wants us to believe that everything is known, everything has been dealt with and it is all fine, despite the fact that not one member of this chamber has fronted up to the Ombudsman. This is what the Ombudsman says:

> In the end, although some pieces are missing because of claims of parliamentary privilege and exclusive cognisance, or simply loss of memory as some witnesses asserted, a clear picture emerged.
>
> It was a picture of a well-organised campaign by the ALP to recruit and deploy a full-time field organisers …

And this:

> But while the question of jurisdiction delayed the investigation, the Legislative Assembly's assertion of exclusive cognisance — in effect that I cannot investigate members of the Assembly — was detrimental to it. I did not regard the scope of my investigation to be limited to the Legislative Council, but I decided not to test my view in the courts; enough time and public money had been spent on legal proceedings, and I could still investigate the matter by focusing on Council members. But this limited my use of coercive powers. While I can draw cogent conclusions from the evidence available, there are gaps in the evidence of which Parliament should be aware.

The Ombudsman has stated very clearly that there are gaps in the evidence because those opposite refused to front up. They refused to explain their actions because they knew they had something to hide. If they had nothing to hide, they would have been quite happy to go along and talk to the Ombudsman. They would have been happy to go along and explain their actions, but they weren't, were they? The Ombudsman found that these were arrangements that existed only within the Labor Party, not within any other political party in Victoria. So as much as those opposite want to try and spread the blame around, there is no blame to be spread. You rorted $388 000 of Victorian taxpayers money. You put that into political campaigning. You won the election on the back of that field campaign — as your assistant state secretary at the time of the 2014 election was proud to tell people — and now you sit there and claim that you have nothing to answer for. Well, the Victorian people do not buy that. We do not buy that, and the Ombudsman does not buy that either.

This will go down in history as one of the greatest scandals to ever affect the Victorian Parliament. This goes to the heart of this government. It is willing to lie and cheat its way into government, and it is willing to lie and cheat to hold government. We do not have any transparency about whether these arrangements continue or whether these arrangements will be used for the 2018 election because Daniel Andrews —

Mr Pearson interjected.

Ms RYAN — Sorry, member for Essendon, the Premier. Perhaps he should not be the Premier, but the

Premier will not take responsibility like he said he would. He will not take responsibility for actions under his government.

Mr PEARSON (Essendon) (15:23) — I rise to oppose the matter of public importance (MPI) moved by the member for Kew. I think it is worthwhile just to reflect on the contents and the background of the Ombudsman's report. By way of background, allegations were raised, there was a debate in the Legislative Council and on 25 November 2015 a motion was passed by the Legislative Council asking that the Ombudsman investigate. Under the Ombudsman's Act 1973 there was therefore a requirement for the Ombudsman to investigate.

On page 7 of the report the Ombudsman indicates that the matter was referred to Victoria Police in September 2015 and the Ombudsman did not wish to get in the way of the police investigation so waited until the investigation had concluded. On 8 June 2016 Victoria Police advised me that its review of the allegations had concluded and it would take no further action. So the other place moved a motion, and Victoria Police investigated. Once that police investigation occurred and police indicated there would be no charges, the Ombudsman commenced her investigation. On page 7, paragraph 4, the Ombudsman said:

> On receiving the referral, I wrote to the government to express the opinion that I did have jurisdiction. The government responded by confirming its view that the Ombudsman did not have jurisdiction, providing advice from the solicitor-general to that effect. To settle the matter, and to avoid spending public money unnecessarily, I applied to the Supreme Court of Victoria to determine my jurisdiction.

The office of the Ombudsman was created by an act of this place — this Parliament — in 1973. The forms by which this place and the other place have operated go back hundreds of years.

Honourable members interjecting.

Mr PEARSON — Well, I think it is important. You might learn something if you bother to read the report. We are looking at an institution that has existed for hundreds of years and an institution that has existed for 45 years. So, Acting Speaker, I will put it to you: it is not like you can turn around and say these matters have been tried and tested in the courts for hundreds of years, and there is case law and there are examples. The Ombudsman said it in her own words: 'to settle the matter' — because the Ombudsman could not settle the matter. The Ombudsman said:

> To settle the matter, and to avoid spending public money unnecessarily, I applied to the Supreme Court of Victoria to determine my jurisdiction.

So the Ombudsman was sitting there saying, 'I think I have got jurisdiction, but I don't know', and the solicitor-general and the Attorney-General were saying, 'Well, we don't think you do have jurisdiction, so we are going to test it in the courts'.

Ms Ryall — On a point of order, Acting Speaker, this is not an MPI on a legal argument about whether the Ombudsman —

Mr Pearson interjected.

Ms Ryall — Excuse me, can I make a point of order? This is not about whether the Ombudsman has jurisdiction or not. The Ombudsman was found to have jurisdiction and the subject matter of the MPI is actually the contents of the report in relation to the rorting. I would ask you to draw the member back.

The ACTING SPEAKER (**Mr Carbines**) — Order! I do not uphold the point of order. I refer members to the MPI, and paragraph (4) in particular. At this stage the member is being particularly relevant to the MPI and can continue.

Mr PEARSON — Thank you, Acting Speaker, for your guidance and your ruling. The Ombudsman goes on to say on page 8:

> In August 2016 the Supreme Court determined that I did have jurisdiction to investigate the referral. The Attorney-General appealed this decision; this was dismissed by the Court of Appeal in December 2016. The Attorney-General then sought leave to appeal to the High Court of Australia, raising the issue of whether an Ombudsman's investigation would interfere with the doctrine of 'exclusive cognisance', which refers to the 'exclusive right of each House to manage its own affairs without interference from the other'.

Coming back to my earlier comments, it has been custom and practice for hundreds of years, and it goes right back if you look at *Erskine May* — the doctrine that the two houses are separate but equal. That is what has been in place. It has been custom and practice for hundreds of years. There is a very good reason for that, because there is a view about basically making sure that you do not have one house interfering with the business of the other place. It has been custom and practice for hundreds of years. Coming back to my point about not having extensive case law, page 25 of the Ombudsman's report clearly states in paragraph 86:

> At that time, this risk had existed for over 40 years, during which Parliament had made use of the power four times.

What the Ombudsman is saying in terms of the issue about the power of exclusive cognisance is that in the 40 years it has been around it has been made use of four times. So it is not exactly a regular occurrence. These things are very rare. It was certainly within the rights of the Attorney-General, based upon advice from the solicitor-general, to seek clarification on this matter.

I find it interesting that the member for Kew, who clearly works gentlemen's hours, moved this matter of public importance and then left the chamber. I think he has asked one question, made one contribution to the debate and clocked off for the day. I am assuming the member wrote the motion himself, and I am assuming that he has read the report, because these are really interesting observations I wish to go to. Paragraph (4) of the MPI states:

> it spent over $1 million of taxpayers money to keep the issue covered up and fighting the Ombudsman in the courts …

I am assuming the member for Kew chose those words very carefully: 'fighting the Ombudsman in the courts'. I am sure if you asked the member for Kew now, if he could be bothered to be in the chamber, he would say that he has read this report, which I would find interesting, because on page 7, paragraph 5, the Ombudsman clearly writes:

> I invited any parties affected by the referral to apply to the court to join the proceedings, making clear that I would remain neutral.

How do you fight someone who is remaining neutral? How do you do that? The Ombudsman clearly said, 'I am not sure whether I have jurisdiction or not. I am not sure. We will go to the Supreme Court'. Who were the proceedings against? The proceedings were actually between the President of the Legislative Council and the Attorney-General.

Ms Ryall interjected.

Mr PEARSON — Well, if you had bothered to read the report, member for Ringwood — I cannot help it if you cannot read — you would see it is very clear. So why would the member for Kew very clearly accuse the government of fighting the Ombudsman in the court, when it is clear that the Ombudsman is saying that she was neutral? The fight — the dispute — was between the President of the Legislative Council and the state of Victoria. That is the reality.

You do have to ask yourself: if this were so important — and I have heard the passion of the debate from my office; people are getting pretty fired up — where has the Leader of the Opposition been on this debate? He has been nowhere to be seen. Where has the member for Malvern been? Nowhere. The member for Hawthorn? Not here, absent. The member for Warrandyte has been running interference. It has been said that the state parliamentary Liberal Party is a bunch of B-graders. Clearly today we have had the D-generation on display — a bunch of rank amateurs. If this were that serious, why isn't the Leader of the Opposition leading this? Why isn't he here making the point? He is absent.

Ms Ryall interjected.

Mr PEARSON — He did not speak, member for Ringwood. He did not speak.

Ms Ryall interjected.

Mr PEARSON — Actually, member for Ringwood, I have been sitting in my office working, and I have been watching the telly. I saw him at the start of the debate sitting over there, but he did not speak. He has not spoken. The member for Malvern has —

Ms Ryall interjected.

Mr PEARSON — Well, if it were as important as you say it is, I would have thought the leader would take this very seriously. He has not done so. He has been conspicuously absent. We have had the D-grade team take the field today.

We know the member for Kew has always said that he has wanted to be the captain of any cricket team, or any other team. He has been absent. He has put in a desultory effort. Clearly, either he did not write this motion or he did not read the report. If he has done both, then he is clearly misleading the house. You cannot escape that conclusion.

I would also like to make the point that the Ombudsman noted that members of Parliament involved with staffing arrangements acted in good faith and derived little or no personal benefit from the use of parliamentary funds in any way. She makes no recommendation that action be taken against anyone involved in these arrangements. This has been thoroughly discussed and debated. I will make the point again: you have got a relatively new organisation, being the Victorian Ombudsman, and I would suspect the Ombudsman has not had a great deal of experience dealing with the power of exclusive cognisance, and you have got hundreds of years of practice, of understanding, the fact that both houses are separate but equal.

We are now in a set of circumstances where you have had that level of confusion. Again, it is not like you have got extensive case law that you can refer to on these

matters. The government and the Attorney-General were absolutely within their rights to seek advice from the solicitor-general. The Ombudsman stated that she was not clear in her own mind whether she had jurisdiction when she referred this matter on to the courts for an opinion. Again I refer to the member for Kew saying, 'fighting the Ombudsman in the courts'. That is absolutely false.

Ms RYALL (Ringwood) (15:33) — I rise to support the matter of public importance raised by the member for Kew — that this house condemns the Andrews Labor government for rorting at least $400 000 of taxpayers money as part of its red shirts Community Action Network at the 2014 election.

I pick up a point that was made by the member for Oakleigh when he accused this side of the house of trickery and deception. That is very, very interesting because the term for that is actually an artifice, and that is the very term used by the Ombudsman in the report in relation to Labor's rorting. She referred to this scheme behind it as an artifice — in fact trickery and deception. Some might say that an artifice is actually clever — ingenious. I have no doubt at all that that is what the Labor Party thought it was at the time until it was exposed by a whistleblower. The news article on the Ombudsman's website is not entitled this for no reason: 'Misuse of parliamentary staff budget entitlements in 2014'. That name says it all.

What we see from the Labor Party, from those opposite, is hubris, cockiness and entitlement to anything that has anything to do with taxpayers money for their use — for whatever purpose that might be. No apology has been given. An apology from the Premier was not really even an apology. It was just a, 'Sorry we got caught'. It was not actually, 'Sorry we did this' — not sorry till you got caught. Signing time sheets ahead of time for electorate officers some may not even have met, who went off and did other things in other electorates for the purposes of campaigning for the purpose of winning the election, was in fact stealing taxpayer funds.

I want to refer the house to something that the Premier said some time ago in the last term of government in relation to the then member for Frankston. The interesting part about this is you could actually put the Labor red shirts rorts for votes right in place of the now Premier's terminology for the then member for Frankston. He said this:

> His conduct has since become the subject of a damning report — few have been more damning — by the Victorian Ombudsman, which makes very interesting reading …

He said:

> The member for Frankston's conduct betrayed the public trust, brought contempt upon this Parliament and breached the codes of duty to which each of us, as members of Parliament, must conform. His conduct was deceitful. It was deceptive, and it was without any doubt deliberate. It attached public function to private interest, and it was and ought be condemned.

Those words, the Premier's words, can absolutely be applied in exactly the same context to the behaviour of those opposite — to the behaviour of the Labor Party in its theft of funds to take advantage, using those taxpayer funds, for its benefit of winning government. An Ombudsman's report and conduct that betrayed the public trust brought contempt upon this Parliament and breached the codes of duty which each of us as members of Parliament must conform to. His conduct was deceitful, it was deceptive and without any doubt deliberate. They were the Premier's words back in the last term of government in relation to the then member for Frankston, and they are the very words by which the Premier stands condemned in relation to the rorting by the Labor Party.

He also made reference to examples across the public sector of people in senior positions and others in less senior positions who have been dismissed or have resigned knowing that their positions were untenable for much less than the member for Frankston got up to:

> They have gone; they have done the right thing. They did not have to be pushed or forced. In many respects the matter was not for them — they were dismissed immediately.

I would say to the Premier: where is his dismissal of those who rorted? Where is he holding his own to the standards he holds others to? Where on earth has anybody lost their job in relation to the Labor rorts? No-one has, yet he demanded it of others. He does so, and he did so last term. He continuously came into this chamber — as did those opposite, those that were here at the time — screaming, raving, yelling and demanding the head of a member of Parliament for less than the rorting of this Labor Party and what this Labor government did in relation to winning the last election. His words apply to the Labor rorts. The words he used against the member for Frankston at that point in time are absolutely applicable to the Labor rorting to win the 2014 election. He went on to say:

> If it is good enough for a member of staff in this Parliament to go for doing what the member for Frankston did, or even perhaps less, why is it not the same? Why is it not good enough for the member for Frankston to be expelled from this workplace for having brought dishonour on all of us, regardless of what political party we are from, regardless of what electorate we represent, regardless of how long we have

been here, regardless of what motivates us and regardless of what burns inside us?

The convictions of the Premier back in the last term of government seem to have changed somewhat — flip-flopped. His convictions are no longer there. He no longer holds — or in fact he never did hold — himself and his own side of the Parliament to the same standard, to the same accountability and to the same integrity he expected of others, and he should stand condemned purely for that contradiction. It is a total contradiction. It shows a lack of conviction now, and what it has done is show a complete lack of integrity in terms of this government.

I think one of the things that has absolutely stood out in relation to those who have made contributions to this debate from the Labor Party is the total lack of respect for taxpayer funds — 'We do this, and we do that', 'We're the ones that take care of this part of the electorate or this part of the community's needs' — but not one acknowledgement, not one acceptance and not one regret has been on display by any of those opposite about the rorting that has been undertaken by the Labor Party about its theft of funds. That is what has been obvious. There is hubris, cockiness, entitlement — 'We have a right to be here'.

I take note as well in relation to my electorate of Ringwood. The Premier sat in his seat last term and even this term heckling me in relation to the Ringwood election campaign. All the while over $21 000 of taxpayer funds had been rorted from the taxpayers of Victoria to provide my opponent — Labor — in the Ringwood election campaign with an advantage over and above me. It is an absolute disgrace. I have not heard one thing. All I have heard from the Premier when I put it to him very early in 2015 when I asked whether he was aware there were taxpayer funds used in relation to Labor's red shirts Ringwood campaign was, 'I am advised no'.

Well, the Ombudsman found that in fact funds were used. As the member for Kew has said, the Premier was on the campaign team. How could he not know? Who was advising him? There is so much that needs to be exposed. There is so much covered. There is so much that the Ombudsman could not investigate because those opposite would not go before her. They have not come out with the truth. They have not exposed the full extent of what happened. They deserve to be investigated and they deserve to be interrogated about the extent to which they were a party to this and to the extent of the knowledge that they had in relation to this abuse of taxpayer funds and in relation to what has been the biggest rort and biggest scandal of the Victorian Parliament in the history of this Parliament. It is nothing short of a disgrace. I expect and anticipate that those in all electorates — not just those that were beneficiaries of the rorting — will and should hold this government to account for the misuse for the collective benefit of the Labor Party of taxpayer funds and for the misuse of what could have been spent on other important things.

Mr HOWARD (Buninyong) (15:43) — I am pleased to add my comments to this so-called matter of public importance (MPI). In starting I would like to note that here we have a so-called matter of public importance raised by the shadow Minister for Education. You would have thought that when the shadow Minister for Education had the opportunity to raise a matter of public importance it might have related to an issue that is important to the people of Victoria — that being education, the area that he has a shadow ministerial responsibility for. But no. We know why he did not choose to raise educational issues, because he knows there is a very stark contrast between this side, the Labor government, and his side of politics, which has no real interest in supporting state education — it never has. It treats it as a responsibility, like it does public transport. It is not interested in really supporting public transport or state education. They simply work for the fat cats on their side of politics and have lunches of lobster with mobsters.

Mr Morris — On a point of order, Acting Speaker, the MPI debate is generally about the MPI, not about what is not in the MPI. I have been listening closely to the member for Buninyong, and his contribution so far has been entirely about what is not in the MPI. Perhaps you may draw him back to the subject matter under debate.

The ACTING SPEAKER (**Mr Carbines**) — I appreciate the member for Mornington has been listening attentively while I have been in discussion with the clerks. I will not uphold the point of order at this time, but I will certainly provide a reminder to the member for Buninyong to continue his contribution in relation to the MPI.

Mr HOWARD — They are simply opening comments to highlight perhaps the difference between this side of politics and that side of politics, whereby they raise, as a matter of public importance, an issue that relates to an Ombudsman's report in which the Ombudsman did not recommend taking action against anyone involved. Instead of talking about issues that are of importance to the people of Victoria such as education and public transport or other important issues, they have simply tried to cry poor over the last election.

Clearly they talked about the 2014 election. The member for Ringwood again decried that in her seat she only just won because Labor used electorate office staff — or whatever she is asserting — to fight against her. On the other side of the house they continue to want to say in this MPI debate, 'We lost the election, and not because the Liberal coalition in the last government was a disastrous government and the people of Victoria voted us out'. They want to try and assert that there was something else happening, that because of this so-called issue with the red shirts they lost government. Well, they are simply not dealing with reality.

Over the last years I have been in office, and particularly in the lead-up to the 2014 election, I worked hard. I worked hard as a candidate to convince the people of my electorate as to why they should continue to vote for a Labor representative and to show them that they had received so little from the government that was elected in 2010. My margin increased from about 1.5 to 6.5 per cent not because of anything the opposition is trying to assert but because people saw that the Liberal-Nationals coalition led a disastrous government in the areas that are important to the people of my electorate, whether that be education, public transport or so many other areas like health, hospitals and so on. They knew they had seen very little from the Baillieu government and then the Napthine government that followed on when poor Ted Baillieu just could not govern any further as Premier. They knew that was a lost four years.

When I look at the schools across my electorate in the time under the Bracks and Brumby governments when I represented the people of Ballarat East, I think every one of my 30 primary schools received upgrades. In the term of the Liberal-Nationals coalition not one school in my electorate received anything in budget after budget, although there were still further upgrade works to be done, particularly in the secondary schools. There was nothing delivered in the Ballarat East electorate at all. So when Labor was re-elected in 2014 it was on the back of knowing that Ballarat Secondary College was going to receive substantial funding. Phoenix P–12, which came into my electorate then, was receiving further funding for a redevelopment, and so was Mount Clear —

Mr Paynter — On a point of order, Acting Speaker, I have sat quietly listening for the last couple of minutes, but as far as I know the matter of public importance is about Labor Party rorting at the 2014 election —

Mr HOWARD interjected.

Mr Paynter — Sit down!

Mr HOWARD — There is no need to be so rude.

The ACTING SPEAKER (**Mr Carbines**) — Order! The member for Bass will put his point of order.

Mr Paynter — He is talking about the funding of schools. This is about Labor Party rorting.

Mr HOWARD — On the point of order, Acting Speaker, the member would be aware that the Speaker also recognised that there was an opportunity within this debate to contrast, given that clearly the MPI brought forward is on a very political issue, trying to put a point of view from the Liberal Party. In contrasting it, I am simply trying to put a point from myself and representing the Labor government.

The ACTING SPEAKER (**Mr Carbines**) — The Speaker has made some comments and rulings in relation to these matters, and I take members to *Rulings from the Chair*, 'Scope of debate — contrasts', which states:

> It is reasonable for contrasts to be made and alternative opinions expressed when debating the MPI.

In particular I draw members' attention to the preamble in the MPI that relates to the 2014 election and the wider scope noted by the Speaker in *Rulings from the Chair* in relation to contrasts that are reasonable to be made, and I ask at this point the member for Buninyong to continue. He is in order.

Mr HOWARD — Thank you, Acting Speaker. Clearly at the last election people voted against the Liberal and National parties because they had let them down so badly, with four years of inept government, and they wanted to see a Labor government. So that is the story there.

The member for Bass wants me to talk about rorting. I am happy to talk about rorting. I seem to remember that the Leader of the Opposition, when his party was in government, had dealings at Ventnor. Clearly there are still some issues to come out there that the Ombudsman, as I understand, is still investigating. Suddenly land was zoned one way — against the advice of all of the planning department. Meetings were held behind closed doors with individuals, and then the zoning was suddenly changed. There was Supreme Court action, there were freedom of information requests and there were cover-ups. If ever there were a case of rorting, that was one.

If we want to talk about Fishermans Bend, we also know that the former planning minister, again without

accepting the full advice of his planning department, overnight rezoned a whole area larger than the —

Mr Paynter — On a point of order, Acting Speaker, this is the heart of the problem with the Labor Party. It does not understand very clearly what is rorting. The member for Buninyong is comparing planning decisions with rorting. He is clearly misleading the Parliament. That is not rorting. Stealing parliamentary funds is rorting, and unless they get that very clear, is it any wonder that they are here debating this issue? They do not understand what rorting is. Very clearly it is rorting public funds, which the Labor Party has done, not planning decisions.

The ACTING SPEAKER (**Mr Carbines**) — The member for Bass will get his opportunity to explain and extrapolate his definition of the matter of public importance. At this point I will continue to hear the member for Buninyong.

Mr HOWARD — In following on again from the comments from the member for Bass, he seems not to understand that if a certain planning decision is made, suddenly people who own the land associated with that planning decision stand to make millions and millions of dollars. Suddenly money goes into private hands as a result of a decision of a Minister for Planning. If he makes a decision behind closed doors against the advice of departmental staff, then clearly that is a significant case of rorting. These matters need to be properly investigated as opposed to issues of electorate staff that are continuously paid for by the people of Victoria, and no extra money is lost or gained by using them. In regard to the member for Kew —

The ACTING SPEAKER (**Mr Carbines**) — The member's time has expired.

Mr PAYNTER (Bass) (15:53) — Thank you, Acting Speaker, for the opportunity to speak about this very important matter of public importance (MPI). Gee, it is a free kick really, isn't it? You do not get too many of those in life, but this is clearly an opportunity to take exception to this rorting Labor government's actions.

It is interesting to note who the government has put up to speak. It is really lambs to the slaughter. Clearly this is what the whip and the Labor Party — the government — think about some of their members of Parliament that they have put up to speak on this MPI. The member for Buninyong has illustrated why he has been put up, because clearly they do not think a great deal of him. They have given him the opportunity to speak about this MPI, which is absolutely defenceless. The whip obviously does not think that much of the member for Oakleigh; she put him up to speak. Surprisingly I thought they thought a little bit more of the member for Essendon, because the whip has put him up to speak, which surprises —

Ms Halfpenny — On a point of order, Acting Speaker, I would just like the member for Bass to withdraw those ridiculous comments. I find them ridiculous and offensive.

The ACTING SPEAKER (**Mr Carbines**) — The member for Thomastown has taken offence to a comment from the member for Bass. Is the member for Bass willing to withdraw?

Mr PAYNTER — I withdraw. So it is surprising that they have put them up as lambs to the slaughter. I am surprised that they put up the member for Essendon. I thought they thought a little more highly of him, but clearly he has been put up for crucifixion as well. As I said, with the member for Buninyong it is not surprising. The member for Narre Warren South is on her way out, so that is not surprising. I thought they thought a little bit more highly of the member for Oakleigh as well. So these are lambs to the slaughter.

Acting Speaker Carbines, I do not know if you have ever seen the famous film *Gladiator*, but you see the gladiators about to enter the great arena. You can see the looks on their faces as they are being sacrificed for the crowds, and that is what is happening to these Labor members who have been put up to speak.

Ms Halfpenny — On a point of order, Acting Speaker, I know it is a far-reaching debate, but we are 2½ minutes in and all we have heard is a bit of a tirade of abuse of this side of the house. Perhaps the member should get on to discussing the MPI, which is in fact an opposition MPI. I would have thought he would like to talk about it.

The ACTING SPEAKER (**Mr Carbines**) — I will give the member for Bass an opportunity to bring his arguments to the MPI. He is setting some context early in his contribution, and he can continue.

Mr PAYNTER — Thank you, Acting Speaker. I am just getting warmed up, so thanks for the opportunity to take a short break. We are talking about rorting. It is rorting, it is stealing, it is lying, it is cheating —

Ms Halfpenny — On a point of order, Acting Speaker, many times there have been rulings from the Chair about unparliamentary language, like the term 'lying'. I ask the member to withdraw that.

Mr Morris — On the point of order, Acting Speaker, the member for Bass was not saying that anyone in particular was lying, either in this chamber or out, but he was saying that a fact or an action was lying. I think there is a clear distinction between the two.

The ACTING SPEAKER (**Mr Carbines**) — There has been some discussion in relation to that matter. What I think is agreed in the house is that particular term is unparliamentary language. That is how it is defined here. I do not uphold the point of order in relation to the context the member for Thomastown thinks the member for Bass meant, but it is an unparliamentary term. I ask the member for Bass, to ensure the smooth flowing of debate in his contribution, to desist from using unparliamentary terms.

Mr PAYNTER — Thank you, Acting Speaker. Clearly the term 'lying' is a verb. It is a describing word for an act. It is clearly different to calling somebody a liar. I am talking about the act of lying or, to put in a different way, the act of cheating, which the Labor Party has done, or the act of thieving, which the Labor Party has done, or perhaps they would prefer I used the term 'fraud', because it is a fraud on parliamentary funds as well. Perhaps I could use the term 'dishonesty', because this Labor government is a dishonest government, or perhaps I could use the more colourful term 'swindle'. They have swindled public money to get into government. The Ombudsman's report says that they did not do it for personal gain. Well, actually the Ombudsman did a fabulous job on the investigation and the report and in fact found that over $388 000 was misused to gain government. That is personal gain. In fact some of the members sitting on the other side would not be members of Parliament if it was not for the dishonesty of this Labor government, led by the Premier of the day, who sat on the committee and knew exactly what was going on.

To say that no member of Parliament on the other side gained any personal financial advantage, I think, is actually inaccurate. It is a shame that the Ombudsman did not make that absolutely crystal clear. One of the right-hand men who knew all about it was the Attorney-General, so to say that he did not gain financially from this fraud enacted on the Victorian public is again inaccurate, as it is for the Premier, who sits in that chair on a very good wage. To say he did not have personal gain as a result of this fraud, I think, is inaccurate. Other members of Parliament, who would otherwise not be here today, have also gained personally as a result of this fraud on the Victorian public. It is a shame that the Ombudsman did not make very, very clear that some of the people sitting in this chamber would not be here today and would not have the privilege of being members of Parliament if it was not for this fraud which has been conducted on the Victorian public.

The member for Sunbury is one of them. The member for Macedon would not be here if it was not for fraud. The member for Yan Yean probably would not be here. In fact the well-respected member for Ivanhoe may not be here if it was not for this fraud on the Victorian public. The member for Richmond may not have been here either, nor the member for Bellarine. Certainly the member for Carrum probably would not be here, in fact almost certainly would not be here, if it was not for the fraud conducted on the Victorian public. The member for Bentleigh would not be here either if it was not for the fraud on the Victorian public, which was led by the Premier. The member for Mordialloc certainly would not be here if it was not for the fraud conducted on the Victorian public, led by the Premier, who knew all about it. The member for Monbulk probably would not have held his seat if it was not for this fraud on the Victorian public.

The member for Narre Warren North, the joker from Narre Warren North, lives in Fitzroy North. He would not be here if it was not for this fraud on the Victorian public. The member for Cranbourne would not be here if it was not for the fraud on the Victorian public by this Premier. The member for Frankston would not be here —

Ms Halfpenny — On a point of order, Acting Speaker, obviously the member for Bass has not read the Ombudsman's report or perhaps even looked at the MPI itself because none of his discussion seems to be relating back to the MPI.

The ACTING SPEAKER (**Mr Carbines**) — I will ask the member for Bass to continue. I do not uphold the point of order.

Mr PAYNTER — The problem with the government is they do not know what rorting is. I think they do; they pretend they do not, but they do. It is led by the biggest rorter of all, the Premier. He led the member for Melton and the member for Tarneit to conduct the biggest frauds on the Victorian public in Victorian parliamentary history. And what did the Premier do? The day before the Ombudsman's report came out, he said, 'We will pay the money back'. Well, if there was nothing wrong, Premier, why did you pay the money back? You stood up here and you said, 'Nothing to see here. There is nothing wrong. We conducted our affairs according to parliamentary guidelines'. Well, why did you pay the money back? Why not just keep it? You would not be here if it was

not for the fraud you conducted on the Victorian public. And here is one of them standing up, who is going to waste the rest of my seconds.

Ms Graley — On a point of order, Acting Speaker, I just wanted to remind the member that the reason —

The ACTING SPEAKER (**Mr Carbines**) — The member for Narre Warren South will resume her seat, please. The time for the matter of public importance has concluded.

SERIOUS OFFENDERS BILL 2018

Second reading

Debate resumed.

Mr LIM (Clarinda) (16:03) — I rise today and am very pleased to speak on the Serious Offenders Bill 2018. I would like to commend the minister on yet another bill focused on keeping our communities safe. Community safety is paramount to this government, and it is paramount to me and to my constituents. I rose to speak on a related bill in September last year. That bill was the Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Bill 2017. That bill amended the Serious Sex Offenders (Detention and Supervision) Act 2009 to implement recommendations from the Harper review addressing governance of the post-sentence detention and supervision scheme.

On the back of those amendments, I was glad to see the Post Sentence Authority commence operation on 27 February 2018. The authority is now responsible for providing independent, rigorous monitoring of serious offenders on post-sentence orders and oversight of Victoria's post-sentence scheme.

This bill today builds on those previous amendments and others, and seeks to revise and expand the existing post-sentence detention and supervision scheme to include persons who have committed certain serious violent offences. Under the existing scheme only serious sex offenders are eligible. Under this bill serious sex offenders and serious violent offenders will be eligible for the scheme.

Notably this bill is the final piece of legislation required to acquit the recommendations of the Harper review, which was commissioned in 2015. The Harper review made 35 recommendations for significant reforms to the post-sentence scheme, including that the scheme be expanded to include serious violent offenders. I am proud that since the report was handed down to the government we have worked to implement all 35 of Justice Harper's recommendations in this term of government. With the passage of the Serious Offenders Bill, all of the legislative reforms will be acquitted, which is commendable.

Under this bill offenders on supervision orders must comply with a range of conditions as determined by the court. Conditions cover matters such as where the offender must live, who the offender may contact, activities the offender may or may not participate in, participation in treatment programs, drug testing and electronic monitoring. Orders can be made for up to 15 years, can be renewed for further periods of up to 15 years and must be reviewed at least every three years.

The bill establishes a legal framework for the supervision of offenders in a new secure residential treatment facility. This facility will be non-punitive. This is a new type of facility that will deliver short-term intensive treatment and interventions to offenders on supervision orders in a secure environment. Essentially it will offer a step up from independent community accommodation facilities and a step down from prison. The new 20-bed facility, known as Rivergum Residential Treatment Centre, is currently being constructed next to the Hopkins Correctional Centre at Ararat for this purpose.

The bill further aims to create new emergency detention orders to detain persons on supervision orders in certain situations. Emergency detention orders will be made by the Supreme Court if there is an imminent risk of further serious sex or violent offending. These types of orders allow for the short-term detention in prison of a supervised offender for up to seven days until different supervision arrangements can be made.

This bill is all about protecting our communities and it comes as part of a broad and comprehensive effort from the Andrews Labor government, including the single largest investment in police in the history of the police force. I am extremely proud of the government's $2 billion investment, which is delivering more than 3000 new police officers over five years. This bill forms part of the government's commitment to community safety, which has resulted in an 8.6 per cent decrease in recorded offences and a 9.6 per cent decrease in criminal incidents from last year.

In my electorate we are starting to see the effect of more police and tougher enforcement at the local level. As of February this year, the four cities which make up my electorate — being the City of Glen Eira, the City of Kingston, the City of Monash and the City of Greater Dandenong — all saw significant reductions in crime from last year. Reductions have been very significant and range between 5.7 per cent and 11.6 per

cent. Interestingly of those cities it was the City of Greater Dandenong, Australia's most culturally diverse community, which had the greatest decrease in criminal incidents. The level of diversity in Greater Dandenong is the highest in the country. Residents come from 157 different birthplaces and more than half are born overseas. More than 70 per cent speak a language other than English and it is home to almost 2000 asylum seekers.

So it pleases me very much to remind all of those who like to dog whistle about the supposed criminal activities of migrants and refugees that in the most multicultural community not only in this state but in this country crime is now down more than 11 per cent. These are very promising statistics, but we know that there is more work to be done, and this bill is just one example of that. This bill will contribute further to community safety by protecting the public from offenders who pose an unacceptable risk. I commend the bill to the house.

Ms VICTORIA (Bayswater) (16:11) — I rise to speak on the Serious Offenders Bill 2018. I flag at the beginning that although the opposition will not be opposing this bill, I am fully in support of the amendments put forward by the member for Box Hill. As he said in his contribution, which was very considered — as his contributions always are — it is not about what is in this bill, it is more what has been left out of this bill, so the amendments help to strengthen and clarify it. Of course what we are seeing here is a bill that does need amending. It is very typical of a government that has procrastinated in the law and order space and is known throughout the community as being soft on crime. It is certainly something that people talk with me about as I go through shopping centres or when I talk to mums at schools. They are very worried about what is happening in the state of Victoria. They are incredibly worried about the safety of not only their children but also themselves in their homes, some of them feeling this for the very first time.

Some of my constituents have said to me, 'We live in a very quiet part of Melbourne'. Bayswater is traditionally a very good part of Melbourne, whether it be in the beautiful Basin area, where crime has gone through the roof over the last couple of years; whether it be in the leafy outer eastern suburb of Heathmont, which is really quite gentrified; or whether it is in the beautiful area of Bayswater, where I live. What has happened is that all of a sudden people are locking the gate to their backyard. They are locking their front security door when they go to put their groceries on the bench after they come in from shopping in-between going to get the next load from their car, because they are frightened of turning around and having some sort of opportunistic offender come in behind them at the door. That risk may have always been there, but the problem is that our sentencing has become so lenient under the current government that people are now scared that if a perpetrator does reoffend, they are only getting a light slap on the wrist. There is no deterrent factor. I know deterrent factors are not everything, but, my goodness, it has to be part of what happens to these offenders.

This particular bill establishes a civil protective scheme for offenders who have already served a custodial sentence for very serious crimes and certain serious sex offences, and who pose what we might call a very unacceptable risk of harm to the community. The scheme allows for an ongoing detention or supervision order to be imposed on people who have committed very serious sexual offences in the past. There are certain facilities where people can go to serve extra time once their time is done, if you like, but there has not been anything for people in other categories.

The other thing the bill is going to do is facilitate the treatment and rehabilitation of offenders in that new category. They can be subject to an order to have them contained, if you like, in a facility if they do pose that unacceptable risk to the community. It will expand the post-sentence scheme to protect the community from serious interpersonal harm, whether that be sexual — as I said, there are already facilities in place for such offenders — or violent. It will also significantly improve the way in which post-sentence offenders are identified and the way they are managed and treated.

The bill also gives effect to the recommendations of the Harper review. Of course the Harper review has been brought up in this place many times. The findings of that review were released in 2015. It was actually called the *Complex Adult Victim Sex Offender Management Review Panel*. The review was commissioned after the horrific circumstances around Sean Price's murder of Masa Vukotic while he was on bail. As the mother of a beautiful 14½-year-old girl and stepmother of four other wonderful children, it scares the heck of me, what is going on in society. This sent chills down my spine, and I know that it did for many other people. I cannot imagine what Masa's family live with on a daily basis. There are very bad people out there — people like Sean Price. He was out under a supervision order and on bail at the time. We have to scratch our heads and ask why and how. How did it happen that this monster was allowed to go out and kill an innocent girl going for an evening walk or jog? He committed further offences on other victims. This is the sort of person who should never, ever roam our streets or parks again.

The review was very thorough. It was conducted by the Honourable David Harper, AM; Professor Paul Mullen; and Professor Bernadette McSherry. It made 35 recommendations, of which 24 have already been implemented. The others are well on their way to coming into being, but this has been far too delayed. I am sure there are people who could have benefited — and society could have benefited — from earlier implementation of a lot of these recommendations. Unfortunately it has taken this long for many of them to come before this house. So I would say the legislative reforms that are in front of us here in the house, although good, are belated. The bill makes amendments to various acts, and this is the final legislative reform required to basically acquit all the remaining recommendations of the Harper review.

When we are talking about these serious violent offenders we are talking about the worst of the worst — people who should not be out and about. If you look at serious sex offenders, after they serve their sentences there are places for them to go. At the moment there is nowhere for these other violent offenders to go, so a new facility is being built just outside Ararat. I am worried that it is only a 20-bed facility. The Rivergum has 20 beds, and the estimate is that it will cost $400 000 per bed per annum. That is extraordinarily high, although if the alternative is for offenders to wear ankle bracelets, which of course go off when there is a Telstra outage, then it might be worthwhile us expanding a facility like that. It does not, however, allow a step down. If we look at what happens at the moment, for example, with serious sex offenders — they can go from Corella Place to Emu Creek at Langi Kal Kal. But if the offenders we are talking about have this extended supervision order, they will literally either go straight back into detention if something else goes wrong, or they will go back on the streets. There is no step down.

I would like to see a pathway so that if there is truly treatment for these people — and I am not convinced that there is for some of them — there is a way for that to be evaluated in controlled circumstances to see if they have reformed in some way or been modified in some way so that the risk to the community is not as unacceptable as it was. That is another thing that is not set out in legislation — what is the definition of 'unacceptable risk'? That is a really important question that we as lawmakers need to grapple with.

This raises some questions for me around the current sentencing regime and whether or not it is adequate. Some of these people are not being locked up straightaway — some of them are going out on bail and some of them are reoffending when they are locked up. We might be able to give them an extended supervision order or apply one of the other measures that will be in place, but how does that actually solve the problem, which goes right back to the judiciary? Why are they out in the first place? The other thing that is being created is the emergency detention order (EDO). That gives the Department of Justice and Regulation the ability to apply for a Supreme Court order for an EDO to detain — put in jail — a person they think is an unacceptable risk for up to seven days. This is a deviation from the Harper review recommendation, which was for five days. I am quite happy with it being seven days; the longer you lock some of these people up, the better. That is a welcome relief regarding those who might pose an unacceptable and escalating risk but are not yet incarcerated.

The member for Box Hill has put forward some very logical amendments, and I do hope that they get a good hearing in this house.

Ms SHEED (Shepparton) (16:21) — I am pleased to have the opportunity to speak on the Serious Offenders Bill 2018. It is a bill that seeks to establish a protective scheme under which offenders who have served custodial sentences for certain serious sex offences which are set out in a schedule to the bill, or for certain serious violence offences similarly set out in the bill, and continue to present an unacceptable risk of harm to the community can be made subject to ongoing detention or supervision. In line with the recommendations of the Harper review, the bill expands the current post-sentence scheme to include serious violent offenders, thereby extending it from the previous circumstance where it was only available in relation to serious sex offenders. In doing so it repeals the Serious Sex Offenders (Detention and Supervision) Act 2009 and makes a number of other consequential amendments.

In a climate where law and order is a major concern to the community it is important to look at the purposes of this bill and to find out what it hopes to achieve. Clause 1 makes it clear that the bill is primarily to provide enhanced protection for the community in the circumstances that I have mentioned. Clause 5 of the bill states that in making any decision under the legislation the person or body must give paramount consideration to the safety and protection of the community. The bill also has the purpose of facilitating the treatment and rehabilitation of these serious offenders and provides a legal framework for the supervision of offenders in a new residential facility. That facility is to be regarded as non-punitive, therapeutic in its intent and is to deliver intensive treatment and intervention for offenders. A

purpose-built facility is currently being constructed in Ararat, and I notice an article in the *Wimmera-Mail Times* which has stated that it is a new 20-bed facility that will be more secure than the current Corella Place that houses serious sex offenders. This new facility is in line with the recommendations of the Harper review that recommended these violent offenders should be kept separate from other offenders.

It is an incredible shame that we have found ourselves in a position where we are building more prisons. There is no doubt that we need many more prisons, because from now on, with the changes that have come into the laws in this current Parliament, we are going to be locking up a lot more people. It is an interesting thing when you live in a regional community. When you live in a country town, you actually live with everybody. In the city you can choose the suburb you like. You may not notice what is going on in parts of your community and parts of your city, but in a country town we know most people. We know who the next group of people are who will be in the youth detention centre. We know who will probably end up in jail, and we know that they are heading in that direction because they are not getting what they need as young people. From the very earliest stages in their life they are not getting access to the sorts of services that they and their parents need to prevent them from going on this trajectory.

My husband is a consultant paediatrician in the Shepparton region and has been for over 35 years. He works in clinics for the disadvantaged in our region, and he will tell you — and there is a letter sitting on the Premier's desk now, if it has reached him — who the people in Mooroopna and Shepparton are likely to be who will end up in these places because they are all suffering from environmental trauma. They are not getting the treatment and services they need, and they are on the trajectory to be locked up in these places that we are building hand over fist because we are not addressing enough issues at the other end. We need these facilities because all of those people are out there. We have to deal with what we have got at the moment, but we have a responsibility to try to change that trajectory and try to do something about the young people, the children who are out there who we know are not getting what they need to put them on a life path that will give them some chance of avoiding being locked up, not just for a period of time but, under laws such as this, possibly forever, and that is in circumstances where they have already done their jail time and they have already served their time.

But the level of damage to these people is such that the prospect of them being rehabilitated is very low. As I say it is an incredibly disappointing time in history that I think we find ourselves in when, on the one hand, we are not doing enough to address what is clearly the emergence of the next group of people who will need this. We know we need to build these facilities, yes, but again I just say it is an incredibly disappointing situation to find ourselves in.

The bill creates new emergency detention orders to supplement the existing detention orders that we have, and it is really a temporary and short-term proposition so that people can be reined in at a very early stage if it is apparent that something is going wrong. It is the caseworkers who would normally be the person who would identify what is happening to someone. It may be that they are not complying with the terms of their supervision orders. They may be making threats or they may have mental health deterioration. In those circumstances a worker for an offender can raise the issue with the secretary of the department and an emergency detention order can be made. Again I absolutely call on the government, in putting into place something like this, to ensure the resources that will be needed to make sure that this works. We know that so many caseworkers out there are carrying huge loads when it comes to supervision of those people who are no longer in prison. Sometimes the best they can do is make a phone call to one of these people during the course of a day to ask them how they are getting on. I think we know that is probably not enough and that a much higher standard of supervision will be required from caseworkers, so there will be a greater need for caseworkers.

The Harper review was commissioned in 2015 following the shocking murder of Masa Vukotic while she was just out for a walk. It was one of those terrible things that occurred when a prisoner had been let out on parole in circumstances where he was clearly still dangerous. It is fair to say that the community is sick and tired of circumstances where serious offences such as murder are carried out by offenders who have recently been released from jail and are on parole or some kind of supervision order. In studying this bill I looked at the statement of compatibility, because it really raises some interesting human rights questions when you consider that you are looking at detaining again a person who has already served their sentence. In this regard it was considered that the scheme is a civil rather than a criminal scheme, and that it is directed towards prevention, protection and rehabilitation of offenders, so it is not to be considered a punitive scheme. Sections 26 and 27 of the Charter of Human Rights and Responsibilities Act 2006 refer to the right of a person not to be punished more than once and the right to be protected against a retrospective penalty. While the commissioner seems to draw a fine line in balancing

these competing rights the report also notes that the High Court has categorised post-sentence management schemes of high-risk offenders based on criteria relating to public safety as protective rather than punitive.

The other case that I would briefly mention is the murder of Jill Meagher. Judge Ian Gray, who is now the chair of the Post Sentence Authority, was the coroner who inquired into her death. He found that her death was entirely preventable because her killer, Adrian Bayley, should never have been allowed out on the streets of Melbourne. In Judge Gray's own words, Bayley was a man with a 'long and disturbing history of violent and sexual offences'. He had previously been convicted of rape and was out of jail, so the death of Jill Meagher will live on in the minds of many of us. For me, my daughter was at Melbourne University at the time and living in Brunswick. She was working late nights at the Arts Centre and coming home by tram. She was often walking the street late at night to get home, and the greatest relief every night it happened was when I got the text message to say that she had made it home safely.

The world we live in now demands that the interests of community protection have to override the interests of serious violent criminals, but we have to learn to deal with what is now just a really tragic set of circumstances that we find ourselves in. Judge Harper was at pains to point out in his report that the eradication of risk is impossible. The 35 recommendations that were made by the Harper review are largely now in place, and I understand that this bill just about finishes them off. The circumstances that we find ourselves in are most unfortunate, but this is a piece of legislation that is required. It is needed to deal with offenders who are so far from being able to be rehabilitated that they need to be detained after their sentence, so that our society is protected.

Debate adjourned on motion of Mr WYNNE (Minister for Planning).

Debate adjourned until later this day.

NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (COMMONWEALTH POWERS) BILL 2018

Second reading

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

Mr PESUTTO (Hawthorn) (16:32) — I am pleased this afternoon to be able to speak on the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018. Acting Speaker, the work continues — the work which began many years ago now with brave agents of change who spoke up to authority and who took great risks and overcame great anguish and pain to speak up on their own behalf and on the behalf of so many others. That work continues today. I am pleased at the outset to be able to advise that this bill will pass. We certainly do not oppose this bill, and I say that with some pleasure having had the very brief pleasure of joining some people in the gallery today who are themselves very engaged on this issue. From what I understand from my discussions with them they wish to see this bill pass.

This is an important bill, as with the many reforms that have preceded it, because it will offer survivors of child sexual abuse — meted out to them by people in institutions over many years — the option of avoiding the painstaking, traumatic and often burdensome exercise of litigation in the courts. I think I can say that a national redress scheme certainly has enjoyed in-principle support across the board.

There has been a lot of debate over recent years about particular aspects of the bill — its scope, who was in and what processes need to be implemented to enable survivors to obtain some small relief for what they have had to suffer. I think this bill — which joins with the commonwealth and New South Wales and, as I understand it, as of today's date the territories and Queensland and potentially other states that might join it — provides a real opportunity for a national redress scheme to spare survivors that otherwise painstaking task of litigation.

We do not oppose today's bill — and I will talk about aspects of the scheme in a moment — but I just wanted to say that all of these important steps follow profound and historic steps that have preceded these ones today. I guess a lot of work has been done over many years, but there are people in this chamber today who were members of the last Parliament when a committee — chaired by Georgie Crozier in the other place and deputy chaired by the member for Broadmeadows, with members including David O'Brien, formerly of the other place, Andrea Coote, formerly of the other place, the member for Thomastown and the member for Ferntree Gully — delivered a historic report, the *Betrayal of Trust* report, which paved the way for a number of important changes in our laws and processes.

First among them was to introduce offences to make it clear that those in positions of authority and power shoulder a legally enforceable obligation to speak up

and do something. No longer is it possible for people in positions of authority — or, for that matter, any people seized of knowledge — to simply pass problems from one location to another. They were important reforms.

Further work was undertaken off the back of earlier work under both Liberal and Labor governments over many years to improve and enhance reporting requirements, improve working with children checks and also tackle the problem that many victims and their loved ones faced with some of the more draconian aspects of civil procedure, which would sometimes operate as bars to claims in the courts. Limitation periods were addressed, and some of that work has been undertaken in this current Parliament, which we have supported.

These are just some of the important reforms that have preceded today's subject matter which is contained in this bill. I think all sides of politics can take some credit for and comfort in the work that has been undertaken, but that by no means suggests that our task is complete. More will need to be done even after this bill passes through this Parliament, as I happily predict that it will.

Turning to what this bill does, it is important in this respect that we as a Parliament are going to refer powers to the commonwealth Parliament under section 51(xxxvii) of the constitution of the commonwealth for their ability to implement a national redress scheme. This cannot be done without the support of states who are signing up to it. As we know, earlier this year the Victorian government and the New South Wales government announced that they would be supporting the scheme, and I think that is important. Hopefully other jurisdictions will join the scheme, which will provide more uniformity and consistency across the country. We hope that this scheme will continue to attract other jurisdictions to it, but it does depend on a referral and also a power, as the scheme evolves, to make amendments within the scope of the referral power.

It is particularly complex in that regard in that we are doing something that we do not often do, which is to refer our constitutional powers to the commonwealth. We do so in the spirit of cooperation with the commonwealth, all being of a like mind that we want to make the pathway to the vindication of rights easier for those who have suffered.

Of course it is not only dependent on a referral of constitutional powers; this scheme will — and should — involve appropriate levels of funding to ensure that those victims receive monetary amounts, support for counselling and in some cases other measures such as formal apologies, which will go some way to assuaging the anguish, pain and trauma that they have suffered. That funding is very important. I just want to call on the government to make sure that that issue of funding is properly addressed. It is not dealt with in the body of the bill, and none of what I am saying in relation to the funding in any way detracts from our sincere hope that this bill will pass very speedily through this Parliament, but I have been speaking to stakeholders in recent times about their views on the redress scheme, and everybody is of like mind that this should come into being as quickly as possible. But I have been advised of a number of concerns around funding, because in relation to particularly non-government organisations, which provide valuable services in our community but nevertheless may have in times past employed or engaged people who committed atrocious and despicable acts on innocent victims, their ability to meet their liabilities under this scheme is at the moment clouded in uncertainty for them. I have spoken to people as recently as this afternoon about this.

In particular there is an issue that I hope the government will deal with very quickly around the Victorian Managed Insurance Authority (VMIA). I have been advised by a number of people in the sector who will be affected by this that they have been informed by the VMIA that their liabilities under this redress scheme will not be met by the VMIA. That has come as a great surprise and shock to these organisations because they do support a redress scheme, they want it to go ahead, but they do not know what they are going to do.

We have seen some reports in the media, including in the *Australian* newspaper today in an article by John Ferguson that points to some of the uncertainty around the VMIA's position. If the VMIA is not going to fund or indemnify organisations that have signed up to the scheme and may be held liable under the scheme — and I will talk about the processes in a little while — what happens? Does that mean that the only way they can be covered is by calling on government? Is their liability, given that Victoria has signed up to this scheme, going to be met out of budget allocations, general revenue or the VMIA? At this stage the VMIA's position is, as I was advised this afternoon, the same as it was in recent days — namely, the VMIA is not going to meet the costs of claims against organisations that have previously enjoyed and continue to enjoy coverage from the VMIA.

It is a matter of some concern because we know that the dividends that the VMIA have produced have been called in by government in large measure. That may be a reason why it is not extending coverage to these organisations, but the matter had better be sorted out quick smart, because we are facing a commencement date, which no-one wants to delay, of 1 July 2018.

I did note in budget paper 3 that the government has only allocated $7.7 million in anticipation of liabilities for civil claims costs in relation to cases of institutional child sexual abuse, and that it is only for the 2018–19 year, with nothing allocated in the outer years of the forward estimates. There is a narration later in budget paper 3 that seems to indicate that the government is awaiting more details about the full impact of the redress scheme. The reason that concerns me is that, as I have said a number of times in my remarks, we all support the redress scheme and we all want it to come in as soon as 1 July 2018, but if the government does not know what impact the scheme is going to have, even in terms of estimates, that is a matter of concern for us, and I can well see why it is a matter of concern for those organisations that are going to be party to this national redress scheme. So I call on the government to quickly make clear what do its best actuarial forecasts indicate about Victoria's exposure to the national redress scheme?

That is not to say that it would in any way change any of our support for the redress scheme; that is a given. But we do need to know what the impact is. That is the first thing. To say only some eight weeks or so out from the commencement date of the redress scheme that we do not know what the impact is going to be is not really adequate, I think, because everybody needs to prepare for this. The organisations that are going to be affected, that are going to receive claims, that are going to be party to the scheme, need to have some idea of what they are dealing with and who is going to meet their liabilities, whether it is the government or the VMIA. So, again, I call on the government to do that.

As for the scheme itself, it is quite complex. I am not going to pretend in the short time I have got left to go through everything, but I did want to note some key things about it in relation to its scope and some aspects of the processes around it. We do know that there are very clear eligibility requirements for the scheme. It must start with the question of abuse, and abuse is given a definition in the proposed dictionary to the national act, which we will adopt. Abuse means sexual abuse or non-sexual abuse, and non-sexual abuse includes physical abuse, psychological abuse and neglect, so it is fairly tight. It is not as broad a definition as you might see in other pieces of legislation.

I understand what some of the concerns around government have been — that in order to attract more willing participants to the scheme, because remember it is an opt-in scheme, you need to at least be able to attract more and more parties to it. The more people who are involved in the scheme, the better it will be, because it will relieve more victims and survivors of the need to approach the courts and indeed will spare the courts the need to adjudicate claims in their own jurisdictions. So it starts with abuse. The abuse must have occurred when the person who would be the claimant was a child, it must have occurred before 1 July and it must have occurred in a participating state, and of course we hope that more states will join the system.

Turning quickly to how one goes about making a claim, it really starts with the claimant himself or herself. There are detailed provisions for how an application is to be made, prescribed documentation and the like. In meeting the eligibility requirement the person must have been sexually abused or otherwise abused within the scope of the scheme; the abuse is of a kind for which the amount of redress payment worked out under the assessment framework in the bill will be more than nil but up to a maximum of $150 000. There has been some discourse around the issue of what standard has to be met in order for the scheme to recognise a claim as valid and for it to be met. What the scheme has settled on, and we think this is appropriate, is that the operator, who is the secretary of the federal department administering the scheme, must be satisfied that there is a reasonable likelihood that the person is eligible for redress. That is a slightly tougher standard to meet than the balance of probabilities, but I think it is something that has enjoyed general consensus that it is the best approach to adopt in relation to that.

It is up to the person who has made the claim once that decision is made by the operator to accept or reject it. It is important in a scheme like this that although you obtain some benefits by administrative efficiencies you still need to account for those situations where a claimant might want to dispute a finding by the operator. So if the operator, for example, declines a claim, then the person who has made the claim has a right to seek a review. That review can be undertaken internally or if the operator commissions an external independent person to conduct that, then it can occur in that fashion.

It will also provide that where a person accepts the offer, the person becomes entitled to redress. The person is required to release the institution or institutions, if there are others, and also the officials who may have been involved in that from all civil liability for the abuse. So it does not exculpate anyone or any institution for any criminal behaviour, which it may well be, but it certainly provides some finality so that if a claim is accepted and if a person who has made a claim for a monetary amount and counselling and the like under the redress scheme accepts that amount, then that will conclude the civil claim by that person against that institution. That is important obviously, to finalise matters. That is the whole point in a scheme like this.

Just turning to some of the other aspects of the matter: in terms of how matters are to be assessed, the operator must satisfy a range of fairly prescriptive steps in determining whether a person is entitled to it — first of all, meeting the standard, but then what that amount is. As I said, that is subject to review under the scheme. It is important also to realise that a determination in favour of an application only has effect in relation to the scheme itself, so it does not have broader application and there are very strict limitations around the admissibility of materials that are produced in the course of a claim for other contexts. So I have spoken about the concept of offer and acceptance, and there is clearly finality in the way these matters are concluded.

Just turning to a clause which has been raised with me by a number of stakeholders — some have raised uncertainty around insurance. I think putting aside the issue of the VMIA, which I spoke about before, the redress scheme does propose to clarify that where organisations are drawing on their insurance coverage section 49 of the proposed national act provides that a redress payment is a payment of compensation under the scheme. It carves out a couple of exceptions but it makes it clear that, in other words and in effect, it is an insurable event under their policies.

I have had many discussions with people in organisations that may be affected by the redress scheme, and of course the complication for insurers is that while some may be tempted to deny indemnities for their insured clients, it is important to understand — particularly for those in the insurance community — that that may well produce a more onerous burden for the insurer if a claimant is left with no choice but to follow a litigious path rather than pursue a claim through the redress scheme. So the decision confronting insurers is that it is probably better in some ways to participate in this scheme than to force claimants — because of obstacles of coverage, particularly if the government is not going to indemnify — to approach the courts.

From the insurer's point of view many of them have concerns about the level of rigour in the assessment of claims. Many in the insurance community are worried that if you have a redress scheme, the standards of proof, the testing of evidence, cross-examination and the like are either not present or, if there is some kind of exacting assessment of the weight to be attached to evidence, it is just not something that compares well with what would go on in normal litigation. Whilst there may be some truth to that, I hope and trust that on reflection if you have got a scheme that can minimise enormously the time and legal costs involved in satisfying claims from victims, you can usually work out very quickly the meritorious nature of the claims.

My own view is that it would probably be counterproductive to take a position that would force, in effect, any claimant to seek relief from an organisation that has to choose to stay out of the scheme because to be in it would mean they are denied an indemnity under their insurance policy. It is really important that everybody involved in the scheme sees the upsides in a scheme like this and does not get spooked by some of the differences that are to be employed in assessing claims within a national — or any — redress scheme when compared with litigation. The whole point of course is to provide an earlier resolution of the claims.

Certainly in terms of insurance I think it is fairly clear that this will benefit not only claimants but the insured clients as well. I do note that there are strict provisions around the disclosure of information. I think that is very important, because when you have a redress scheme, many parties to that are taking positions that they might not have taken in litigation. I think that the integrity and workability of a scheme like this is improved if there are very strong protections around what can be done with information in a scheme like this that is produced in the course of the assessment of a claim. So I think that is really important.

The only other thing I really wanted to touch on — because as I said, the scheme itself is exceedingly complex — is that we hope that the government will bring any major matters back to this Parliament if it is proposed that the scheme be changed in any significant way. The bill proposes that the government has a fairly wide berth in what it can do if the federal government wants to change aspects of the scheme. To some extent that is understandable, because when you have a referral of power you have to allow for some unforeseen events and developments; that is pretty

standard. But with a scheme like this, given what it involves, we hope and trust that the government will respect our wish to be involved in any significant future changes. We are not asking the government to come back to the Parliament if there are minor changes that are fairly straightforward, but we do expect that the government will come back to us in the future if there are going to be any significant changes to the national redress scheme.

I do not have any further contributions to make other than to conclude where I started. In the interest of those who have taken the time to come to Parliament today — and whom I had the pleasure of meeting very briefly before my remarks — this is an important step. It will bring great relief, I hope and trust, to many claimants who would otherwise be forced to go to the courts to vindicate their rights, and I look forward to this bill passing the Victorian Parliament.

Mr McGUIRE (Broadmeadows) (16:57) — We turned our backs on our children. We turned a blind eye when they were most vulnerable. We stifled their voices. We accepted the denials of men over the cries for help from women and children. We placed our faith in people claiming to represent God, only to uncover that wilful blindness, codes of silence and cultures of concealment had protected paedophiles. Victorian governments failed in their duty with regard to orphanages and homes. Children suffered the triple betrayal of neglect and abandonment as infants and then, on being taken into the community's care, were grievously abused physically, emotionally and sexually. Children bear the sense of guilt and shame like shadows blighting their lives. Consequences are horrendous. Perpetrators often remain unrepentant while some victims do not survive.

Survivors relied on Parliament to become the institution that did not fail them. Innocents testified before the Victorian Parliament's inquiry that produced the landmark report, *Betrayal of Trust*. It examined crime, not faith, but like the journey through Dante's *Inferno*, the deeper the descent, the more horrific the suffering. The fortitude of survivors who testified was inspiring. Their courage remains humbling. *Betrayal of Trust* revealed a cover-up that killed. Many share the blame. The dark heart of sexual crimes against children has always been individuals and organisations getting away with the abuse and the use of power.

Perpetrators claiming to represent God committed the foulest crimes against children — formerly hanging offences — while religious denominations practised wilful blindness, protecting paedophiles through cultures of concealment. The Anglican and Catholic churches and the Salvation Army frequently took steps to conceal wrongdoing, according to their own concessions and a substantial body of credible evidence. Other faiths, community organisations and even sporting bodies could not even acknowledge that child sexual abuse may have occurred, yet we had silver-haired men cradling photographs of themselves as schoolboys with sunshine smiles testifying before the inquiry and a middle-aged woman presenting a happy snap from her first Holy Communion. Each memento was a cry from the heart, a yearning for innocence lost. An 87-year-old woman revealed her childhood trauma for the first time. The existential impact of being raped as a child by a cleric was disclosed by a man who confided, 'I was only asking for help when he took advantage of me and stole my soul'.

Children bear the sense of guilt and shame. Despite high-profile criminal prosecutions and incontrovertible evidence, victims reported to the Victorian parliamentary inquiry that there were still people who refused to accept the reality and consequences of abuse or the extent to which respected individuals concealed their knowledge.

Admissions secured during the Betrayal of Trust inquiry led to the commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse. Incontrovertible evidence secured during these inquiries surely ends the era of blind faith and cover-ups once and for all.

Betrayal of Trust recommended the establishment of an alternative mechanism to civil litigation to provide redress to survivors of institutional child abuse, and a national redress scheme for survivors of institutional child sexual abuse became a key recommendation of the royal commission. This bill enables Victoria to participate in the national redress scheme. All institutions controlled by the Victorian government will be covered. The referral bill paves the way for churches, charities and other non-government organisations operating in Victoria to participate.

The Andrews Labor government has urged non-government institutions to promptly opt in to the scheme in the interests of survivors who have waited too long. Even if no institutions opt in by the commencement date of 1 July, the scheme will begin on that day in relation to state institutions. I want to acknowledge the leadership of the Premier and the Attorney-General, at the table, for delivering these results.

I also want to acknowledge former Premiers Ted Baillieu and Denis Napthine; the former Attorney-General, the member for Box Hill; and the members of the parliamentary inquiry: the Chair, Georgie Crozier; the member for Thomastown; the member for Ferntree Gully; former Liberal MP Andrea Coote; and former Nationals MP David O'Brien.

Securing bipartisanship has been critical in restoring at least a measure of trust in an institution. Today the Victorian Parliament acts again with bipartisanship to support survivors. But the impact must never be forgotten. The evil that men do lives after them.

When Wendy Dyckhoff first came to the Victorian Parliament, the enormity of bearing witness to the physical, psychological, emotional and sexual abuse she suffered as a ward of the state was unbearable. Fearful and overwhelmed, Wendy regressed to her childhood self, the little girl who was abused. She could not speak. Wendy delivered a written submission so her story as a forgotten Australian could be recorded before the Parliament's Family and Community Development Committee's inquiry, of which I was the Deputy Chair.

Wendy is a constituent. Fittingly, Wendy has joined us today in the Victorian Parliament to again bear silent witness. In my electorate office this week she explained the lifelong ramifications of child abuse and wants her testimony recorded in Parliament. I quote:

> I was robbed of living as a child which meant that I did not know how to live as an adult.
>
> I was like a trained animal, taught when to eat, sit, stand and pray.
>
> My emotions and my voice were suppressed.
>
> My voice was only heard and encouraged for prayer.
>
> I wandered through life as a shell of a person.
>
> Emotionally, I was destroyed. I felt worthless.
>
> I was robbed of my soul. I wandered without purpose, like the living dead.
>
> On numerous times I attempted suicide because I felt death would have been better.
>
> I'm only now getting the acknowledgement that what was done to me was real and not a child's vivid imagination.
>
> Only now am I getting the help and support I need, which is deeply appreciated.
>
> I would like to acknowledge the Victorian Parliament for the *Betrayal of Trust* report that gave the opportunity for state wards to be heard and unburden their grief and loss.
>
> Past Victorian governments failed us as children. Forgotten Australians and I need current governments around Australia to acknowledge the damage to ex-state wards and address our special needs, particularly as we enter aged-care facilities, because we have lost faith in institutions.
>
> We want to be treated like war veterans because we have been on the battlefield of life and there are lots of casualties.
>
> We do not want to be retraumatised, so we need a special card to identify us as forgotten Australians to government service providers, especially for the health we have left for the rest of our lives.

I support Wendy's request and acknowledge all the innocents who have survived that miser fate. I call on other states to join Victoria, New South Wales and the commonwealth government to be part of this national redress scheme. Funding, apologies and scope of the scheme are still critical issues that are being finalised. I want to acknowledge the support from the member for Hawthorn and the coalition for this bill. Surely after all that has been taken, after all that has been done, the institutions involved do not have to be shamed into making the same commitment. I commend the bill to the house.

Ms KEALY (Lowan) (17:05) — It is a privilege for me to make my contribution to the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018. This is a bill that I feel very closely attached to. I would like to make acknowledgement of the forgotten Australians that I have met in my own electorate of Lowan, particularly those who have shared their story with me. Many of the stories are quite horrific, whether it be sexual abuse that was sustained during the time in institutional care or whether it be around physical abuse that was sustained during that time or verbal abuse. This for many of my local people has had a lifelong impact.

I do recall in particular one lady, who has since passed away and so will not benefit from any redress scheme which is implemented at a Victorian level or at a national level. This lovely lady felt the lifelong impact of some of the suffering that she underwent during her time in orphanages early in her life. This lovely lady would recount times when she could not even have a door fixed to her own bedroom because of the memories that that brought forward from her childhood. She also of course then had significant difficulties in adjusting to any situation where there was a fixed door with hinges, whether it was closed or open, so when she would go to hospital for care it was an entirely terrifying experience for her to even see a door with hinges, let alone for that time if the door did close. To think that somebody who was in their later years was still suffering at such a significant level — still had such

mental trauma after all of that time — really shows the devastating impact that was put on some younger people during their early years many years ago.

I also heard from other locals who, while they did not have a fantastic time when they were in orphanages during their younger years, actually found that when they ended up in a foster family later on in life and settled in western Victoria and called it their home, while they were difficult conditions, they may have been doing things. I know there was one gentleman who told me that he was in a foster home, worked at the foster home, worked a 12-hour day, milked six cows by hand and separated all the milk for cream — worked all day and then milked again at night — and was paid around one pound and some shillings a week for this for four and a half years. He still sees that as an enormous benefit in how he was able to live his life and become an independent man who still contributes very, very strongly to the community in my local area. So there are certainly people who have had horrific times in orphanages, but there are fortunately also people who really have found their own pathway through life. While they are still part of the forgotten Australians in my area, they do see that they have been able to work through some of those awful situations which occurred in their early life.

I would encourage anybody who is unaware of the forgotten Australians or of some of the abuse which did occur in institutional care many years ago and sometimes more recently to get in touch with Open Place and have a look at some of the documentation and stories that they have recorded over the years. Some of their stories are quite confronting, particularly the ones in recent years. While we would think that this is all something of a historic nature and would not be occurring now, it is not that long ago that some of these instances occurred and we cannot forget what occurred.

I think it is right that there should be a level of redress, and it is something that I have written to the government about on a number of occasions. I note that the Attorney-General is in the chamber at the moment. I wrote to him back in 2016 about this exact matter — that we do need to make sure that we care for the people who were treated inappropriately during their time in institutional care over the years.

I also would like to note another local person who is in regular contact with my office and who has been an extremely strong advocate for the implementation of a redress scheme, and that is Mr Phillip Chalker. Phillip has been actively involved in the community and with the forgotten Australians for many, many years and has been a tireless advocate for a redress scheme. I am sure he will certainly welcome this bill being passed and of course the steps that are being made at the moment in relation to the creation of a national redress scheme.

I know the federal government have put some very strong steps in place, and this is currently a matter for negotiation. I do commend the federal government for taking those bold steps to ensure that although the wrongs of the past cannot be righted, at least there is some form of redress for those wrongs that have occurred in the past. I do not want to go into specific details of the bill. I know that many people will, but I do want to make sure that the people who will benefit from this redress scheme understand that there are many, many members of this chamber and there are many members of my local community and of Victoria who do deeply regret that any harm was caused in the past. We understand your story. You are not forgotten Australians. We understand exactly what you have been through and support you to this day. I commend the bill to the house.

Ms HALFPENNY (Thomastown) (17:12) — I rise to speak on this bill, which is the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018. As previous speakers have said, this is a bill that provides the mechanism for Victoria to become part of a national redress scheme that is designed to support and compensate those that have been subjected to sexual abuse as children. Many survivors and their families have been waiting a very, very long time in order to get some form of justice. I was a member of the Family and Community Development Committee that originally inquired into this issue and that produced the *Betrayal of Trust* report. I acknowledge the chair of that committee, Georgie Crozier, in the other place; the member for Broadmeadows; Andrea Coote, a former member of the other place; and the member for Ferntree Gully, who is also in the chamber today.

Following on from the establishment of that Victorian inquiry there was also a national royal commission announced to look into the devastating and most despicable situation across the country. In doing so, as I understand it, there were something like 4000 institutions found guilty by the royal commission of being responsible for the sexual abuse of children — 4000 institutions.

I would also like to thank people like Bev and Alf, who are in the gallery today and who are also residents in the electorate of Thomastown. They have been tireless, strong and long campaigners on this issue and have

stuck with this all the way, despite the ups and downs and all sorts of disappointments. I hope they feel very proud today to be two of many who have succeeded in shining the spotlight on these most terrible injustices done to and treatments of children by those who were there to protect them, and that finally there will be a redress scheme that will provide compensation and support for those that have been victims of child abuse.

In saying that, one of the things we found during the Victorian inquiry was that it is not really about the money. Most of the people who came to speak to us were very modest people but were upset about the fact that people had not believed them and had not listened to them. It was about justice, whatever form justice takes. One of the major concerns that most people who presented to us had in their stories was not concern for themselves but for other children in the future. They could not bear the thought of the things that had happened to them happening to other children. So they were there in a very selfless way, really, to ensure that this awful injustice is not done to others.

This redress bill starts the implementation of one of the last recommendations of the Victorian *Betrayal of Trust* report. I am going to talk a bit about that, because it is one I was involved with, along with those that I have mentioned before. I just want to quote from the foreword of the Victorian government's response to that report from May 2014 and to then go through some of the responses in terms of the acceptance of the recommendations:

> The Family and Community Development Committee's inquiry into the handling of child abuse by religious and other non-government organisations exposed horrific abuse of children by adults who were entrusted with their care. By initiating this inquiry, the government allowed a light to shine on this appalling abuse and its devastating consequences. It has made evident the impact criminal child abuse can have on the lives of victims, some of whom are survivors, and some of whom have taken their own lives, so profound have been the consequences of their abuse. Many victims have suffered severe, ongoing harm and in many cases this was intensified by the failure of those in positions of authority to act when abuse became apparent. There is no doubt this represented an enormous betrayal of trust by institutions that were entrusted with the wellbeing of children.

Following this response, the Labor government was then elected at the 2014 state election. One the first things I recall the Andrews Labor government did upon election was confirm it would accept in total all the recommendations and findings of the inquiry's *Betrayal of Trust* report, and I know it began to implement very quickly many of those recommendations. As I said, the bill before us today is one of the final parts of the suite of recommendations that were made by the inquiry to be implemented by the government. I will just go through some of the categories of recommendations in the *Betrayal of Trust* report.

There were recommendations that we make legislative change to provide stronger laws around things such as the grooming of children and child endangerment, and this has happened. We have done this. We have strengthened laws to make, for example, grooming an offence and also child endangerment. Improving access to civil avenues of justice is of course what we are talking about today as a redress scheme for people to apply for compensation. We will request that institutions that caused harm or were responsible for harm contribute to compensation for those that were abused under their care.

Only a few weeks ago something that was really strongly put forward by many people that have been affected by child abuse was the issue of the property trusts of churches and the inability to sue a church because of the way it structures its finances. It is such a relief to have legislation drafted that requires an entity to nominate a person or a legal entity that can be sued, thereby paving the way for people not to have such legalistic barriers preventing them from being able to sue organisations that commit harm. While originally there was talk about property trusts and how you dismantle them, I think a really creative way has been found by the Department of Justice and Regulation and the Attorney-General in that these organisations must nominate a legal entity and can therefore now be sued.

Also there is legislation around the recommendations to ensure that there is greater protection for children in schools and in sporting and camping organisations that work with children, again making the future much safer for children in those organisations.

I could go on and on, but I am looking at the time; there is not much longer. I just want to wrap up by saying that the inquiries could not have been done and these results for those abused in the past as well as those in the future could not have been achieved without the people who are sitting in the gallery today and the many, many others who have fought for justice for all children.

Ms THORPE (Northcote) (17:22) — I rise to speak on the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018. The Greens are pleased that we have finally arrived at this point. The road to redress has been, and continues to be, a long and traumatic journey for victims and survivors of institutional child abuse.

The bill will refer powers to the commonwealth Parliament to enable Victoria's participation in a long-overdue national redress scheme. The national redress scheme will in turn implement a key recommendation of the Royal Commission into Institutional Responses to Child Sex Abuse. The intent of the national scheme is to provide for a number of elements of redress, including: access to counselling; a personal response — for example, an apology from a responsible institution; and a monetary payment. Monetary payments will be capped at $150 000, 25 per cent less than the amount recommended by the royal commission, and the Greens do not support that decision. Notwithstanding this, the Greens welcome this bill and we commend the Victorian government's decision to join the national scheme.

My Greens colleagues around the country strongly advocate for a national redress scheme that provides compassionate, readily available redress to all victims and survivors of child abuse in institutional contexts. Clearly this bill represents one step in what has been a very drawn-out and complex process. But it is important to note that the establishment of a national redress scheme does not represent a conclusion of the redress process by any means. While we commend the government on this particular bill, there is so much more to be done in Victoria, and progress has been painfully slow on many fronts. The national scheme will only partly fulfil the Victorian government's *Betrayal of Trust* obligations, and there are wider redress issues to be addressed in this state, including the expungement of historical criminal records for wards of the state and a formal apology to the care leavers affected.

We will have more to say on this bill in the other place in due course, but at this point I commend the bill to the house.

Ms KILKENNY (Carrum) (17:25) — I am very pleased to rise in this place to speak on this bill, the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018. We have heard that the bill operates as a state reference. It is a bill for an act to refer certain matters relating to the national redress scheme for institutional child sexual abuse to the Parliament of the commonwealth for the purposes of section 51(xxxvii) of the constitution of the commonwealth. Once passed, this bill will enable Victoria to participate in the national redress scheme, and this is a very good thing. The redress scheme was a key recommendation of the Royal Commission into Institutional Responses to Child Sexual Abuse made back in 2015. Survivors should not be made to wait any longer. So many survivors are no longer with us. Many others are ageing, and the very sad truth is that they cannot be made to wait much longer.

It was on 12 November 2012 that then Prime Minister Julia Gillard announced that she would be recommending to the Governor-General the creation of a royal commission, and in January 2013 the commission was established. We have heard that the inquiry ran for five years and had 444 days of public hearings. It delivered its 17-volume final report on 15 December 2017. Staggeringly, it heard evidence in respect of more than 3400 institutions, including educational institutions, religious groups, sporting organisations, state institutions and youth organisations, and heard from almost 8000 witnesses in private sessions. It heard that abusers had been moved from place to place instead of their abuse and crimes being reported. It revealed that adults failed to try to stop further acts of child abuse. It found that most survivors, 63.6 per cent, were male and that most survivors, 93.8 per cent of them, were abused by a male. Each victim was, on average, just 10 years old when they were first abused.

The royal commission released its *Redress and Civil Litigation Report* in November 2015. It found that our current civil litigation systems and past and current redress processes have not provided justice for so many survivors. Importantly and significantly obviously for today, it recommended a single national redress scheme for survivors of institutional child sexual abuse, designed to be a simple, accessible way for survivors to access compensation.

Before I go on, I want to again acknowledge all the survivors of institutional child abuse in Victoria and say to them how deeply sorry I am for all the hurt, the pain and the shame they have endured for years and years, exacerbated further by the pace of change and community silence. We know that for years these survivors suffered past wrongs in silence. They were not listened to, they were not believed and they were not acknowledged. That is so very wrong, and things must change.

I would like to also acknowledge all the thousands of people who contributed to the royal commission; the commissioners and commission staff; and of course all the witnesses and survivors whose personal stories have had a profound impact and will now help guide us in making sure Australian institutions are safer in the future. Here in Victoria I wish to acknowledge all those people who worked so very hard and contributed their personal stories as part of the Betrayal of Trust inquiry, set up under the previous government in April 2012.

Many of them were from my electorate — people like Valda Hogan, who has not stopped campaigning for a national redress scheme despite significant health challenges over the years.

This government has now made a commitment to implement all the recommendations of the *Betrayal of Trust* report, and we have been doing that. We have seen criminal and civil law reform with the introduction of new criminal offences, we have made changes to the Limitation of Actions Act 1958, we have amended the Wrongs Act 1958 and we have created child safe organisations through child safety standards and a reportable conduct scheme. Most recently we introduced legislation to close that loophole in relation to the legal identity of defendants.

It was in March this year that the Andrews Labor government committed to join the national redress scheme. This is a groundbreaking agreement. It means that finally thousands of abuse survivors will be recognised. They will get some justice and, to the extent possible, some alleviation of the impact of the crimes committed against them whilst they were children. Earlier this month the Senate referred the national redress scheme bill to the Senate Community Affairs Legislation Committee for inquiry and report. The reporting date is 15 June 2018. It is subject to the passage of that legislation that the national redress scheme will commence on 1 July 2018 and run for 10 years.

This government opting in will mean that people in Victoria who were abused as children in places run or controlled by the state will receive redress. It will also mean that Victorian organisations, including charities, churches and other non-governmental institutions and organisations, can opt in and participate in the scheme and ultimately take responsibility to make amends for the sexual abuse that happened to children in their care. It is for organisations to opt in, and they are absolutely urged to do so in the strongest possible terms, because there really should be no more excuses. Obviously the more institutions and the more states that participate in the scheme, the more survivors will access redress.

We have heard that this national scheme will consist of three components: a redress payment of up to $150 000, access to counselling and psychological services and a direct personal response from the participating organisation responsible for the abuse. So many of us cannot even imagine the pain and the hurt inflicted upon thousands of Victorians when they were children and the utter betrayal of trust they have endured. The payment and support will obviously go some way to acknowledging the harm, that serious harm, caused and help survivors move forward.

Importantly, as part of this redress program, survivors will be eligible for access to counselling and psychosocial services. As part of the scheme, the royal commission has recommended that applications need to be verified. But I note that this will generally be by way of a statutory declaration and will generally not require any other further supporting documentation. I think this is important because it recognises that so many of those victim survivors just will not have access to that evidence, and it goes without saying that access to the scheme is absolutely critical.

The average payment to survivors is expected to be around $76 000, which is $11 000 more than the average recommended by the royal commission. Importantly, I note that clause 49 of the bill states clearly that a redress payment is a payment of compensation under the scheme and that nothing prevents a liability insurance contract from treating a redress payment as a payment of compensation or damages. Just as importantly, these payments will not be subject to income tax, nor will they be treated as income for the purposes of assessing social security entitlements or other benefits. Survivors will have access to independent legal advice before accepting any offer of redress and signing a deed of release.

Finally, I do just wish to note that the national scheme proposes to exclude some people. Anyone convicted of sex offences or sentenced to prison terms of five years or more for crimes such as serious drug, homicide or fraud offences will be ineligible. Obviously measures need to be taken to preserve the integrity of and confidence in the system, but I think above all else it is important to remember that the sexual abuse this scheme will redress was perpetrated on children. All the survivors of child sexual abuse were once children. Those children have grown up with the trauma, the shame and the hurt. I do not for one moment think that we can imagine that the wrong done to those children has not impacted some way on their development, has not impacted their lives and perhaps has not contributed in some way to their behaviour as adolescents and adults.

This scheme will finally provide recognition, apologies and justice for so many people who, whilst mere children, were abused in institutional care, were ignored or not believed when they did try to speak up and have endured and suffered the consequences of that abuse, in some cases for decades. I commend the bill.

Mr WAKELING (Ferntree Gully) (17:35) — I am pleased to rise to contribute to this debate on the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018. I rise as part of this contribution to recognise those members of the Victorian community who came forward to tell us their stories as part of the Betrayal of Trust inquiry that was conducted during the last Parliament. As a member of that committee with the member for Thomastown, the member for Broadmeadows, Ms Crozier in the other house as well as former members David O'Brien and Andrea Coote, it was arguably the most important parliamentary work that I have been engaged in, but it was a very harrowing exercise. I know that the member for Thomastown would probably share my views in the sense that we spent days and weeks just listening to ordinary Victorians telling us their stories of the abuse they endured as children. The locations were different and the times were different, but the stories were invariably the same. Young Victorians endured horrific and on many occasions repeated abuse, not just physically but also psychologically.

That inquiry certainly took a toll on me during its time, but as a member of that committee I was left with a very strong feeling that we owed to those Victorians who came forward a very great debt and we owed them a solution. We handed down the *Betrayal of Trust* report, which provided a range of recommendations, and I was very pleased to see that both the former Parliament and this Parliament have continued the delivery of those recommendations by way of legislative change.

I know that abuse of children in institutions has unfortunately been a scar on our landscape for generations. I was reminded recently of my own grandfather who, upon the death of his mother in Sydney at the very young age of five — over a century ago — was put on a boat with his siblings to Perth and, I am told, was picked up by his aunty, who then put him in the Clontarf Boys Orphanage, so the story goes. I am told that he never spoke of his time in the orphanage. However, as an adult he did make it known that he would never step foot inside a Roman Catholic church. Hearing that story gave me a very strong indication of the possible level of abuse that he had endured within that institution, but obviously he grew up in an era when people did not talk about their experiences. Many of us will know of friends, family or neighbours who endured significant hardship and significant pain, and for some it was too great. The committee heard the harrowing stories of those who succumbed to the pain and suffering that they had endured at the hands of others and took their own lives. We knew from the inquiry that abuse was endemic in institutions. We knew that institutions knew the abuse that was occurring. We knew that leadership within those institutions had knowingly moved perpetrators from institution to institution, and those perpetrators continued to abuse. The evidence that came to us from many brave Victorians both publicly and privately certainly demonstrated the level of that abuse. I have mentioned in this house before the story of Father O'Donnell and the Foster family, who are known to many and who in many respects led the charge for this inquiry. I am reminded of a story that one woman presented to us in private. She was in her 70s and had suffered at the hands of Father O'Donnell when she was a child. Decades later the same priest was perpetrating similar crimes on other young children.

The issue of redress was raised by many care leavers, some of whom are in the gallery, and also by representatives of Care Leavers Australasia Network, who are the peak body for care leavers in Victoria. Redress was also a vexed issue because it certainly had issues involving other states, and whilst the Victorian inquiry had not sought to introduce a redress scheme in the terms outlined in this legislation, it was certainly an issue that was to be addressed at a national level, which obviously occurred through the Royal Commission into Institutional Responses to Child Sexual Abuse. I certainly commend the Attorney-General, who is at the table — not that I say that very often.

Mr Pakula — Taken in the spirit in which it was intended.

Mr WAKELING — Exactly right. In passing I think it would be fair to say that he and other attorneys-general of various political colours from around the country had to come to the terms of referral that would keep all the states happy, and that had to be done in the context of having a referral that was also amenable to the federal government. I think this is a good example of where politics is set aside, where governments, both state and federal, of all political persuasions, can actually work together to reach an outcome that achieves an outcome for the Australian community and in our context the Victorian community. The wording of this bill before the house mirrors that of other states, so I just forewarn the house that any move to change the wording of this piece of legislation actually will inhibit the capacity for this redress scheme to be established. I only place that on the record if others in the Parliament are seeking to make changes to the legislation, but I will put that issue to one side.

I know that the issue of redress is significant for victims of crime but I also know that no amount of redress will overcome the pain and suffering that Victorians have endured, and will not overcome the pain and suffering that Victorians continue to endure as they live day by day with the dreadful effects of this level of abuse. Many resorted to drugs and alcohol. Many have been involved in our prison system. Clearly the impact of what happened to these Victorians when they were children lives with them still today.

Again I wish to place on record my thanks to those who came forward and told us their stories. I think it would be fair to say that for the first time they felt that they were actually listened to by those in authority. I hope that we have gone a small but important way to live up to the trust you placed in us by putting in place a series of legislative changes that help you, and I trust that this bill will be part of that support.

Mr PEARSON (Essendon) (17:45) — I am honoured to join the debate on the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018. I have indicated in the house previously and I will again restate it: I initially thought that allocating this work to the Family and Community Development Committee was not the appropriate or right step. I thought at the time that it would be more appropriate that it be referred on to a royal commission. That was my view then. Really, what has been borne out by the work done by others shows that I was wrong. I want to place that on the record because you look at these things and you think it is the right thing to do, you think it is the appropriate course, and in that initial position I held my thought process was a disservice to the members of that committee. I thought that the work would be done better through a royal commission, not a parliamentary committee of inquiry, and I was wrong. The work that was done by the committee was landmark work. It was a really important piece of work, and obviously it was a contributing factor to the Gillard government establishing the Royal Commission into Institutional Responses to Child Sexual Abuse.

The bill that is before the house today is really important, because it looks at trying to penalise those institutions that did the wrong thing. I agree with the member for Ferntree Gully, who spoke exceptionally well and was very eloquent in his contribution, in that money does little for a victim of abuse later in life. I absolutely concur with that view. What I would say, though, is that if larger organisations and institutions realise that there is a financial penalty for having inadequate systems and processes in place that they will need to seek insurance cover for because of the appalling behaviour of their employees, then perhaps they might ensure that there are appropriate systems and processes in place to ensure that there are no more victims of institutionalised child sexual abuse. I think that for a number of these institutions, when you try to quantify the financial compensation they will have to pay or the penalty that will be levied against them as a consequence of these failings, you will start to see them changing their processes and taking this far more seriously than they ever did previously.

I have spoken in the past about the ratings for adverse childhood experiences, and I do not propose to go through the 10 different measures. I think if you are male and you have had four or more adverse childhood experiences — and clearly physical and sexual abuse would be indicators — you are 47 times more likely to be an intravenous drug user. Studies have shown that when a child is traumatised, particularly at a young age, their cognitive — brain — development starts to shut down. When you think about it, it is a bit like when you are in an extremely stressful position and the fight or flight tendency takes over — your mind shuts down. You focus on the one thing in front of you — that is, to try to exit the situation or fight your way out of it. The impact that has upon a young child is that the synapses in their brain just shut down and their brain cannot develop in the way the brain of a child growing up in a functional environment does.

What does that mean? That means that when the child starts school they are significantly behind their peers because they have been traumatised so much that they do not have the ability to read or write as well as those who have grown up in a loving, supportive, nurturing environment. Therefore you have what is called the achievement gap. A child who is in prep or grade 1 who has been physically or sexually abused starts to feel worthless and stupid because they cannot read or count up as well as their peers. They feel worthless; they feel useless. They fall behind, and then they fall further and further behind. In Australia at the moment every year around 40 000 children drop out of the high school system, so on a per capita basis it is reasonable to suggest that 10 000 of those would be Victorian children. I am hopeful that with the investments that this government is making we will close that gap, but it is still a very large number.

When you look at what has happened over the passage of time, many of those children who drop out or are lost to the system would have been victims of sexual or physical abuse. How many times would we have walked down the streets of Melbourne or a country

town and seen a homeless person who is drunk or drug affected? We think — quietly, maybe — that we are better than them, that we are leading full and productive lives and they are not, that they have thrown their lives away. How many of those people would have been victims of child sex abuse? I think it would be a very high number.

The Attorney-General is to be commended for bringing a bill like this before the Parliament, because we are harmonising the different jurisdictions of the states. If you want to tackle this seriously and make a serious contribution, you need to have harmonisation that addresses these differences across the states — you need to have a uniform approach — and you need to do it in a very thorough, measured and consistent way to ensure that these institutions are held accountable for the abuse they have perpetrated over decades against young and vulnerable children.

I do think that as a Parliament and as members we owe not only an obligation to the members of the 57th Parliament who served on the Family and Community Development Committee inquiry but actually a debt of gratitude in a peer support way. I cannot imagine how hard it must have been for those members to sit through some of that evidence. I imagine that would have had an impact on those members who sat through those hearings, read the evidence and wrote up the report. I think it would have been extremely difficult for those members. I know I would have really struggled if I had been tasked to serve on that committee. I know in myself I would have found it incredibly stressful, difficult and challenging.

This bill is about doing what is right. It is about recognising the systemic failures that occurred in these institutions over a long period of time. It is about righting a wrong. It is about ensuring that we say sorry and we compensate the victims of institutionalised child sexual abuse. It is about making sure that we put the onus back on these institutions to get their house on order and force them to make sure that they deal with these matters seriously, because if they do not, there will at the very least be a significant financial penalty levied against them and their assets, and in addition to that obviously there will be criminal charges. We are far more worldly now than we were previously, and we are far more aware of the insidious nature of these crimes. And as parents I think we are all far more vigilant than our forebears may have been. We are not as trusting. We are not as willing to hand our children over to people of some reputed standing and think that they will be fine. We do not do that.

This is a really significant piece of legislation that is before the house. It represents the tireless labour and endeavours of many across both sides of the house. It is probably the most sincere way of acknowledging the pain and grief that victims of child sex abuse have endured, and I commend the bill to the house.

Ms WILLIAMS (Dandenong) (17:54) — It is my pleasure to rise in support of such an important bill. In fact this is one of the most important bills that any one of us in this place will ever have the opportunity to support. It goes deeply to a state of national shame — the shame that is the abuse of children in institutions that were meant to care for them, institutions that were meant to ultimately protect them. Many children found themselves in these places because they were already in extremely vulnerable circumstances. Others found themselves in these places for far more unjust reasons.

For vulnerable children to be preyed on by the very people charged with caring for them is nothing short of evil, in my opinion, and the lifelong damage caused by the abuse — these crimes of abuse — has marred far too many lives in our community and has had impacts through generations. It is for this reason that I am pleased to be able to stand here in support of a bill that goes some way to doing something about that, although I do this knowing that it can never fully take away the pain or undo the harm that was done.

I will start with some background to the bill. As others have outlined, in November 2016 the commonwealth government announced that it would establish a national redress scheme for victims of institutional child sexual abuse, then in March of this year our Premier announced the Victorian government's intention to opt into this scheme. Child abuse is sadly an issue that has come before this place many times, and I have spoken on most if not all pieces of relevant legislation since I came to this place in November 2014. It is an issue I feel very passionately about, and it goes to a profound injustice that I believe needs recognition and redress to the best of our ability. As I have outlined, I do this all while knowing that no amount of money can ever take away the pain or undo the damage that has been caused by the abuse of children that has taken place in government and non-government institutions over many, many years.

As we have heard, a national redress scheme was a key recommendation of the commonwealth royal commission into institutional child sexual abuse and is also in line with recommendations that arose from the Victorian Parliament's *Betrayal of Trust* report. Our participation in the redress scheme is important because

it provides support to those who have suffered these past wrongs. It will go some way to acknowledging the years of community silence and institutional corruption that created even deeper wounds, and it tells the survivors of abuse very clearly that they are believed, that they are acknowledged and that they will be listened to.

The legislation will enable redress to be provided to survivors of institutional child sexual abuse that occurred in state-based, government and non-government institutions, and the bill also paves the way for, say, churches, charities and other non-government organisations, as has been outlined by others, that have operated in our state to participate in this scheme. This is obviously something that we strongly encourage, and to that point I want to say that it is incumbent on non-government institutions that have been responsible for abuse to do the right thing, to do the just thing and to commit to this scheme. This means churches, this means those charities and this means all those other institutions which have ultimately been responsible for the abuse of children. I think it is fair to say that organisations will be fairly judged by our community if they do not take this important step, but I hope it does not come to that.

In terms of the scheme itself, firstly some might wonder why state legislation is required to give effect to a recommendation of a commonwealth royal commission. The reason is that the commonwealth does not have power to legislate for a scheme that applies to the states and to state-based institutions, so a state referral of powers is required for this national scheme to apply to Victoria and to Victorian institutions. That is why we have this referral bill. I understand that New South Wales has also introduced referral powers legislation into its Parliament in the same way, and others will follow.

The scheme will run for 10 years. Eligible survivors will be eligible for a monetary payment of up to $150 000 as well as access to counselling, psychosocial services and a direct personal response, should they want it — for example, an apology from the responsible institution. An application for redress by a survivor will be assessed by an independent decision-maker on a case-by-case basis guided by an assessment framework. Survivors will also be able to access independent legal advice, which will be funded under the scheme, before accepting any offer of redress or signing any deed of release. Subject to the passage of this legislation, and as we have heard, it has strong support across the Parliament, the scheme will commence on 1 July this year.

Now that I have touched on the key elements of the scheme — the technical details if you like — I want to move to the more human face of this issue. Like many in this place, I have many constituents who have suffered abuse as children in government and non-government institutions. I attended a meeting of Open Place in Dandenong, and I met with local survivors. I have met with Leonie Sheedy from the Care Leavers Australasia Network — or CLAN, as they are better known. I know how important this legislation is to the people that these organisations represent. For those who may not know, Open Place is a support and advocacy service that coordinates and provides direct assistance to address the needs of people who grow up in Victorian orphanages and homes, many of whom who experienced various forms of abuse.

I was introduced to Open Place and to the plight of forgotten Australians by one of my constituents, Sue Glassborow, and her husband, Gary. Sue approached me first during the 2014 state election campaign to discuss the challenges that were often experienced by care leavers, and Sue is a care leaver herself. Over the years Sue has spoken to me about everything from the need for services, the long-term damage caused by abuse, the need for victims of abuse to have their experiences recognised and the need for redress. She has also talked about the day-to-day challenges of people who have been raised in institutional care: the challenges inherent in becoming parents themselves, of having no lived example of a mother or father and how that impacts on their ability to play those roles in their own lives.

That particular conversation resonated with me profoundly. I suppose it stayed with me because it highlighted that, even apart from the horrific abuse that some in care suffered, most if not all children raised in institutional care experienced disadvantage: separation; abandonment and loss of family; poor health, including often the denial of dental care; denial of educational opportunity; and loss of identity. I could go on and on. That is even before you get to cases of brutality and sexual assault where children were often told they would not be believed if they ever chose to speak out. Sadly that was in fact the lived experience of many who did try to speak out over the years.

The effects of a childhood experience of institutional care are lasting. They can include lack of trust; risky behaviours; an inability to form or maintain loving relationships; challenges in parenting, as I have outlined; mental health struggles; and lack of identity, which can often be made worse by challenges associated with not having a birth certificate, or in some

cases having multiple birth certificates, which was outlined to me by one of my constituents. Obviously these things affect different people to varying degrees, but none of us in here can doubt that the impact is real, it is lasting and it is just so unimaginable that these circumstances did exist and have existed and maybe even continue to exist.

Open Place produced a book that contained the experience of people who spent time in care institutions in their own words. One of the quotes in this book stands out to me. It was by Patricia, who was aged 62 when she wrote these words. They are:

> My experience is a long-lived one. This life won't be enough time to repair or to learn all that I was blocked from knowing, or enough time to get the balance right.
>
> I would like my childhood again — full of love and respect.

You would not think that that is too much to ask. We all want our children to have a childhood full of love and respect, and it is just so very sad that so many did not get that.

It has taken a significant period of time for justice to be delivered to victims of institutional sexual abuse, but I am glad that we are eventually here. I am proud to be part of a government that has led the way here in Victoria in reforming sexual offence laws, including creating new laws to quash an unfair legal loophole that prevented survivors from suing certain organisations for their abuse. We have also abolished civil claim time limits to allow law suits to be lodged regardless of how long ago the abuse occurred, and we introduced the Australian-first 'duty of care' for organisations exercising care, supervision or authority over children.

This is a proud legacy in the protection of children, and one that I know we will continue. The redress scheme this bill enables is perhaps the most important next step that we can make.

Ms COUZENS (Geelong) (18:05) — I am pleased to rise to speak on the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018. In my electorate of Geelong we had many, many children affected by sexual abuse, particularly in church-related organisations and institutions. I have met many of those people since coming into this place, and I have heard the horrific stories about the things they had to endure as children in institutions. Going into those places they felt safe and that they were going to be cared for, but in fact they were horrifically abused by those they put their trust in. For many of those people their lives did not turn out the way they would have expected; in fact they have had great difficulties.

The member for Essendon very clearly outlined the impact of such trauma and abuse on children and also that the impact it has on them going forward in their lives is quite significant. It changes their lives forever. Their childhood is taken away from them. They do not have the same childhood as other children have, and the experience of abuse that they have had to endure is horrendous. The suffering is unimaginable to those of us who have never experienced it. As I said, for the people who are now adults and who endured such shocking sexual abuse by people they thought they could trust, having their stories heard was really significant for them. I am really proud to be part of a government that acknowledges what those people had to endure as children and is putting measures in place to prevent that from happening again.

As we heard from other members in this place today, it is not just about the money; it is about acknowledgement and about protection for children going into the future. I think the Andrews government making the commitment to do everything possible to protect children from child abuse is really significant, particularly for the many people we have heard from who were abused; they do not want other children to have to endure what they experienced. I cannot even really talk about it, but having listened to many people talk about their experiences was difficult for me. It was more difficult for them, though — what they have had to endure. I really take my hat off to those that have campaigned strongly over this issue. My congratulations to them. I think what they have done is fantastic. Going into the future it will help us do what we can to prevent these things from happening again and protect children as much as possible.

We have proudly signed up to the national redress scheme, a scheme recommended by the royal commission. The bill before the Parliament will enable Victoria to participate in the scheme. Ensuring that Victoria participates in the scheme will provide critical support to those who have suffered past wrongs, including abuse, community silence and institutional corruption which meant survivors were not listened to, believed or acknowledged. For a lot of the people that I have spoken to that has been one of the really difficult things for them to deal with, the fact that nobody wanted to know and that nobody believed them, or if they did, they tried to sweep it under the carpet; we saw evidence of that time and time again throughout the royal commission. Governments cannot ease the harm that was caused by institutional child sexual abuse —

we know that. The abuse occurred in state-based government and non-government institutions.

The bill also paves the way for churches, charities and other non-government organisations operating in Victoria to participate in the scheme. We encourage institutions, be they churches, charities or other non-government institutions, to sign up to this scheme. We hope these laws pass quickly in the interests of survivors who have already waited for far too long.

As the commonwealth does not have powers to legislate for a scheme that applies to the states and state-based institutions, a state referral of powers is needed for the national scheme to apply to Victoria and Victorian institutions. This referral bill will enable Victoria to participate in the national redress scheme. It refers powers to the commonwealth to the extent necessary for Victorian state-based and non-government institutions to participate in the scheme. New South Wales also introduced referral of powers legislation to its Parliament on 1 May. The bill refers powers to the commonwealth to pass the National Redress Scheme for Institutional Child Sexual Abuse Bill 2018, the national bill which forms part of this referral bill that was introduced to the commonwealth Parliament on 10 May. The Victorian bill also refers powers to enable amendments to the national bill with the agreement of all participating jurisdictions and in accordance with the provisions of the intergovernmental agreement on the National Redress Scheme for Institutional Child Sexual Abuse which Victoria has signed.

A national redress scheme for survivors of institutional child sexual abuse was a key recommendation of the royal commission. Chapter 28.1 of the *Betrayal of Trust* report also proposed the establishment of an alternative mechanism to civil litigation to provide redress to survivors of institutional child abuse. We made an election commitment to implement all recommendations from the *Betrayal of Trust* report. A redress scheme was also recommended by the Family and Community Development Committee of the Victorian Parliament in its report on the handling of child abuse by religious and other non-government organisations, *Betrayal of Trust*. All institutions controlled by the Victorian government will be covered by the scheme. The referral bill paves the way for churches, charities and other non-government organisations operating in Victoria to participate in the scheme. The Andrews Labor government has urged non-government institutions to promptly opt into the scheme in the interests of survivors who have waited too long. Even if no institutions opt in by the commencement date of 1 July, the scheme will begin on that day in relation to state institutions.

The scheme will run for 10 years. Eligible survivors will be eligible for a monetary payment of up to $150 000, access to counselling, psychosocial services and a direct personal response such as an apology from the responsible institution or institutions. Applications for redress by survivors will be assessed by independent decision-makers on a case-by-case basis, guided by an assessment framework. Survivors will be able to access independent legal advice, which will be funded under the scheme, before accepting any offer of redress and signing a deed of release. The commonwealth Department of Social Services will be the operator of the scheme. The scheme is due to commence on 1 July, subject to the passage of legislation.

The Andrews Labor government has led the way in reforming our laws to help survivors of institutional child sexual abuse. We have created new laws to quash an unfair legal loophole preventing survivors from suing some organisations for their abuse. We also abolished time limits for civil claims so that lawsuits can be lodged regardless of how long ago the abuse occurred, and we introduced an Australian-first duty of care for organisations exercising care, supervision or authority over children. It must be an emotional day for those victims of institutional child abuse. I think it is important that we acknowledge what they have experienced, and I know with this bill the Andrews Labor government is committed to doing the right thing, the fair thing and the just thing. Although those victims will never receive justice, this is an important bill.

Mr DIMOPOULOS (Oakleigh) (18:15) — It gives me pride to speak on this very, very important bill, the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) 2018. 'Pride' is probably not an appropriate term, but I am proud that we are delivering on the commitments we made to survivors, to families and to the Victorian community both in terms of the Royal Commission into Institutional Responses to Child Sexual Abuse and in terms of the Victorian Parliament's own inquiry.

This is about justice. It is about building the framework for justice, and it will not be easy. It is a big framework. The devastation was huge, so the framework for justice must be equally large. This is one of the building blocks. We have seen a few come through this Parliament, but this is another one. I have got to say that the survivors and victims must reflect sometimes, in the quietness of their minds — if they have that ability,

given the devastation they have been through — on how far they have come.

We are talking about a national redress scheme in a federation. It is very difficult to get agreement on anything in one jurisdiction let alone get agreement nationally with different governments of different political persuasions. So in a sense with this national redress scheme, while it initially only includes New South Wales and Victoria, those victims and survivors must have a sense of pride that they have achieved this. It is their victory that governments have come together and decided that they would do this in a national sense. I think it is a profound victory for them, and I am profoundly proud that we are a government that is helping to deliver that outcome.

In September 2015 the royal commission released the *Redress and Civil Litigation Report*, which recommended that a national redress scheme be established to recognise the harm suffered and enable some reparation for the survivors of abuse. As I mentioned, there was also the *Betrayal of Trust* report, which was the Victorian Parliament's report. I was not in Parliament then, but I want to commend my colleagues who worked on that inquiry. That report also proposed the establishment of a redress scheme for survivors of institutional child abuse as an alternative to traditional avenues of litigation. In fact I do not even know that that is the right terminology, because for many survivors there was no alternative. This is why we are where we are.

One of the purposes of this national redress scheme is to achieve consistency in outcomes for survivors regardless of which state or territory they reside in, as the Attorney-General said in his second-reading speech. It is actually about consistency within the same jurisdiction as well. There are profound differences in how survivors and victims were treated in Victoria, let alone between Victoria and New South Wales. In fact there were even differences in how survivors and victims were treated in Victoria within the same institution — within the Catholic Church, for example, or within a Jewish synagogue community — depending on when they raised redress matters with the authorities. So consistency is not just about national consistency; it is about consistency here in Victoria. The Victorian government strongly believes that participating in a national redress scheme will provide critical support to those who have suffered institutional child sexual abuse.

I did go to the important report, *Redress and Civil Litigation Report*, of the royal commission. It is interesting to read the evidence and stories shared by survivors that have been captured in it. The report says:

> A number of survivors, and many survivor advocacy and support groups, have highlighted the importance to survivors of 'fairness' in the sense of equal access to redress for survivors and equal treatment of survivors in redress processes. They regard equal access and equal treatment as essential elements if a redress scheme is to deliver justice.
>
> Equality in this sense does not prevent recognition of different levels of severity of abuse or different levels of severity of impact of abuse. However, it does mean that the availability and type or amount of redress available should not depend on factors such as:
>
> > the state or territory in which the abuse occurred
> >
> > whether the institution was a government or non-government institution
> >
> > whether the abuse occurred in more than one institution
> >
> > the nature or type of institution
> >
> > whether the institution still exists
> >
> > the assets available to the institution.

I am really pleased because if any redress scheme was to take into account those things, it would not be for the victims or survivors; it would be for the institutions. We are saying this is about the victims and survivors. The report goes on to say:

> We accept the importance to survivors of equality in this sense.

So this is what this bill tries to deliver — exactly the elements I have just read out from that report of the royal commission.

I just want to take you to a family in my community, the Foster family in Oakleigh, a suburb that I grew up in and an electorate that I have the absolute privilege of representing. I read from an article in *ABC News* by Karen Percy on 24 February 2017. It says:

> A 2015 report into the Melbourne Response by former Federal Court judge Donnell Ryan, QC, was released by the Royal Commission into Institutional Responses to Child Sexual Abuse late this afternoon, at the conclusion of hearings featuring senior Catholic figures.
>
> The report was suppressed by the Catholic Church for more than a year.
>
> In it, Mr Ryan makes 17 recommendations, several of them suggesting those in charge of the scheme not be under the Archbishop's power, that files and archives be held separately, and that budget and administrative matters also be separated out.

It is a pity that the Catholic Church did none of that. They did absolutely none of that when it came to the Foster family. While the report that they commissioned recommended that, they did none of that. That is why the government is now doing it and has been doing it. The article goes on to say:

> The Fosters have been pushing for changes to the Melbourne Response for nine years.

And it quotes Anthony Foster:

> That independence is something that would have gone a long way to alleviating or solving or preventing many of the problems that have been created within the Melbourne Response for so many victims.

That is correct and that is the key element of this bill: independent decision-makers case-by-case and not under the influence of the paymaster being the decision-maker for redress. What the Fosters suffered was just an extraordinary example of exactly what we are trying to avoid. So in the early days the scheme was capped at $50 000. Then when there was a bit of pressure on the Catholic Church they went to $75 000. Of course when the Foster family took them to court they settled for $750 000. Anthony Foster said:

> The really, really sad thing is that if the church had listened to us, if they had really made it an independent process all those years ago, if George Pell had listened to us in 1996 … much of what is recommended now would have been put in place.

That is the lived experience of just one of many, many families — and not just with the Catholic Church, of course not — with many, many institutions, religious and otherwise.

As the member for Geelong also said, while this bill has the support of the entire Parliament — and I am really pleased about that — I am really proud that this government, the Andrews Labor government, has led the way in reforming our laws. As the member for Geelong and others said, we have created new laws to quash an unfair legal loophole preventing survivors from suing some organisations. I was privileged to speak on that bill. We abolished time limits for civil claims so that lawsuits can be lodged regardless of how long ago the abuse occurred and we introduced Australia's first duty of care for organisations exercising care supervision authority over children. I have also spoken, as many of us in this chamber have, on those bills.

In the little time I have remaining I want to thank and applaud — and no words could really do them justice, as I have said in speaking on previous bills — the courage and conviction and the heart of victims and survivors and their families. In fact families are also victims of another sort. They are often retraumatised in seeking redress — and that is what the Foster family's experience opened my eyes to. They were retraumatised in seeking redress by being ignored by arrogant Catholic clergy and senior people in the Catholic Church and others, by having doors shut in their face, by being made to wait for appointments for weeks and months and by not having their questions answered. They were often retraumatised, and I want to thank from for their fortitude and for their steely courage. As I said, this is their victory and a victory for those people in a similar cohort.

I want to again thank my predecessor in Oakleigh, Ann Barker, who is a champion of this cause; the former Attorney-General, the member for Box Hill; and colleagues involved in the *Betrayal of Trust* report. While money, as others have said, is not redress in and of itself, it is a measure of something. This is not just about money of course, but it is a key element. I commend the bill to the house.

Debate adjourned on motion of Ms HUTCHINS (Minister for Aboriginal Affairs).

Debate adjourned until later this day.

SERIOUS OFFENDERS BILL 2018

Second reading

Debate resumed from earlier this day; motion of Ms NEVILLE (Minister for Police).

Ms RYALL (Ringwood) (18:25) — I rise to make a contribution to the Serious Offenders Bill 2018. You cannot approach this bill without certain horrific and tragic events coming to mind. Jill Meagher's death springs to mind as something that occurred in the last term of government, to the absolute shock and dismay of the wider Victorian community and of the members of this house. It was a tragic, horrific and abhorrent outcome as a result of somebody being on the streets who should not have been on the streets at that point in time.

Masa Vukotic also springs to mind as a young woman who was murdered not too far from my electorate. Once again it was tragic; once again it was shocking and incredibly traumatic for her family. I recall the absolute shock and dismay of MPs in this house as well because that was as a result of someone being on the streets who should not have been on the streets.

I recall the young Ballarat mother who was repeatedly raped over a 29-hour period by a serial sex offender back in 2006. There are many tragic, abhorrent and

highly distressing murders that have been perpetrated by people who should not have been out on the streets, who should not have been in circumstances where they were able to commit these horrific crimes and perpetrate their evil acts on innocent victims going about their daily lives.

I recall Masa Vukotic was going for a walk; she was a young woman in the prime of her life going for a walk in her local area. Jill Meagher was heading home from a place where she had been out for the evening. These are things that women and all people should be able to do as part of their daily activities, as part of their normal lives. But they were not able to do so with the reassurance and safety in circumstances where they were protected from the evil perpetrators who committed horrendous crimes against them.

This Serious Offenders Bill repeals and replaces the Serious Sex Offenders (Detention and Supervision) Act 2009. I want to refer to the message that has been sent to criminals over the last few years by this government. That is a soft-on-crime approach. It began at the commencement of the term of the Andrews government when it weakened youth bail laws. It sent a very strong message to youth that it is okay to breach bail.

We have had times when the courts have not reflected the will of the Victorian people. The courts have not reflected the intent of the Parliament in addressing and sentencing perpetrators of all different sorts of crimes. It is incumbent on us as a Parliament that when the courts do not reflect the intent of the Parliament and the courts do not reflect the intent of the Victorian community, that this Parliament addresses that and makes sure without delay that legislation is tightened so that the courts do reflect the intent of the Parliament. And so if the courts feel, from the second-reading speech, that they can cite something whereby they can perhaps give a lighter sentence when the intent is actually for a more significant and harsher sentence, it is incumbent upon the Parliament to act. We need to act.

Things like drops in police numbers — certainly in the first two and a half years of the Andrews Labor government the police academy sat empty. Crime was escalating, and we were not getting new police recruits. The population was growing significantly, and so per capita our police numbers were seriously deteriorating — our frontline policing numbers. This is another signal sent to the community that it is okay to commit crime. When we have the condoning of weak sentencing — I think that was a reference made by the member for Box Hill — and we fail to strengthen those sentencing provisions and when the courts clearly are not implementing the intent of those provisions, we need to deal with it.

This bill builds on the Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Act 2017, which established the Post Sentence Authority. That is a new statutory body with expanded powers to more rigorously monitor and manage serious sex offenders who are subject to post-sentence orders. While most of the provisions of the Serious Sex Offenders (Detention and Supervision) Act 2009 and those subsequent amendments are maintained, the new act actually incorporates some of the recommendations of the Harper review. More significantly, it expands the post-sentence detention and supervision scheme to make sure that it includes not just sexual offenders but other criminals who should not be out on the streets — who pose such a safety concern to Victorians going about their daily activities or who may have served time for serial violence offences but are an unacceptable risk of reoffending. We have certainly seen that happen, and it is incumbent upon us to address it.

The new provision will apply only to offenders who are sentenced in the higher courts — the Supreme Court and the County Court. That includes anyone convicted of murder, manslaughter — except culpable driving — child homicide, defensive homicide, arson causing death, causing serious injury offences and kidnapping. It also establishes a legal framework for the supervision of eligible offenders in a new secure residential treatment facility that is focused on intensive therapy and rehab for up to two years. The period of detention can be renewed, only once, for up to 12 months if the threshold criteria for ongoing detention continue to be met, with further extensions applying if ordered by a court where the court has found exceptional circumstances exist.

Another provision is the creation of the new emergency detention orders (EDO), which allow the Secretary of the Department of Justice and Regulation to apply to the Supreme Court for an EDO, requiring an offender on a supervision order or an interim supervision order to be detained in prison for up to seven days. This means that an offender who is demonstrating behaviour that is deemed to present as escalating and is an imminent risk to the community can be held while alternative supervision arrangements are made or an application for a detention order is made.

Going back to the Harper review, which was conducted by the Honourable David Harper, AM, Professor Paul Mullen and Professor Bernadette McSherry, 35 recommendations were made for significant and complex reforms to the post-sentencing scheme. The

government agreed in principle to implement all of them. There are some concerns in relation to the new 20-bed secure facility in Ararat. Will the facility that is being built be sufficient? The operating cost per bed per year of $400 000 is very, very large and the member for Box Hill did ask, 'Does it need to cost that much to ensure the security of these people?', and 'Is there an opportunity for other funds to go to, for example, victims of crime or for other purposes?'.

The opposition does not oppose this bill, but there are concerns that we would like to see addressed. Based on that contribution, I will allow others to make their contribution this evening.

Mr PEARSON (Essendon) (18:35) — At the outset I do want to place on the record, having listened to the member for Ringwood's contribution, that Victoria Police has never had a larger budget than the one it has for the upcoming 2018–19 financial year. At the start of our term we said we were going to employ 400 additional custody officers to get police officers out on the street rather than have them babysitting criminals, and in the *Community Safety Statement* of 2016 we said we would be employing 3135 additional police officers. I think it is really important to state that after listening to the member for Ringwood's contribution, because she skated over all of that. It is almost as if none of that matters. Nor did the member seem to indicate the contribution that the government has made in terms of tightening up bail laws and strengthening the justice system in the time we have been here.

It was the former Attorney-General, the member for Box Hill, who attempted to introduce baseline sentencing, and it was thrown out because it just did not stack up. We as a government have taken this task extremely seriously. Listening to the member for Box Hill's contribution earlier today it was almost as if he had forgotten the notion that there is a separation of powers. In his contribution he talked about how the government is not tough enough on the courts. Last time I checked, we have a separation of powers that has been in this state and in Western liberal democracies for hundreds of years. You want to keep that separation between the judiciary and the executive arm of government.

It is also important to note that the Serious Sex Offenders (Detention and Supervision) Act 2009 makes it very clear that courts have the discretion to decide whether or not to make a supervision order or a detention order in sections 9(7) and 36(5) respectively. It is important that the judiciary are allowed to keep that absolute discretion because it ensures the independence of the courts and makes sure the courts are seen to be independent of the executive. Therefore such a ruling would not be open for a constitutional challenge.

The other point I make in relation to some of the comments made by the opposition is about the capacity to manage the number of offenders. It is important to note that at the start of a custodial sentence Corrections Victoria will notify offenders of their eligibility in relation to what rehabilitation they have to go through and the consequences of them not going through that rehabilitation — that is, if they refuse treatment or rehabilitation, then they may well be subject to one of these orders.

A bill like this is important because you really want to try and split the offender cohort. You want to try and work out who did something very serious because they were stupid or affected by drugs or alcohol but are unlikely to reoffend. It might be about trying to provide them with the skills and the ability to be able to go off and get a qualification and gain gainful employment so you reduce the recidivist rate, as opposed to those who are really bad and who the community has every right to be fearful of, and therefore there is an appropriate measure in place. So it is about trying to understand that not all prisoners are the same and there is a need to make sure that there is a distinction. Doing that intensive one-on-one case management work, I think, will help reveal those cohorts.

I dare say I am showing my age when I say that I remember the debates about Garry David in the early 1990s under the Kirner government.

Ms Williams interjected.

Mr PEARSON — The grey hair would seem to indicate that yes, indeed I am. I remember the debates, so I am pretty sure it was the Kirner government on Garry David. There were huge debates about how this prisoner had threatened further violence if he were to be released. He talked about mass murders; he talked about what these days we would almost regard or describe as acts of terrorism. Legislation was introduced and, I believe, was successfully passed, and David died shortly after incarceration.

As they say, the past is a foreign country: they do things differently there. There were huge debates back then. There was this great notion that if you did your time, you served your sentence, then you were free to go. I think one of the problems at the time was that it was almost a bit like the opening scenes of *The Blues Brothers*; you were basically shown the gate and then you were left to your own devices. I think what we

have seen over the course of time is that people like Sean Price, who really did not have any support around them at all — they were completely directionless; there was none of that control over that individual — went off and committed heinous crimes. I think that what has happened is that there is a recognition now that we do not want that to occur again. We do not want any more Sean Prices out in our community. The community expect us as legislators to act and respond accordingly. That is where we find ourselves now in the debate.

The bill will also allow for emergency detention orders to be made for a maximum of seven days rather than five days, as recommended by the Harper review. Again that is as a result of further consultation and discussion with the department. Seven is seen as a more appropriate number. But again, the court will have the power to make emergency detention orders for a shorter period as it sees fit.

The bill will also ensure that there is a review after five years. I think it is important that we ensure that we refine the statute books to reflect community sentiment. The bill will also, in terms of looking at the probability that an offender poses an unacceptable risk, introduce an evidentiary threshold, so there is a sense of at least a scientific measure about what we think the prospects are that someone is likely to reoffend. Therefore you can start to think about what steps and measures you should put in place. Obviously if there is a higher likelihood that someone is going to reoffend, then there is an appropriate measure in place.

Part of the challenge to date has been that there has been, over successive governments and over probably a lengthy period of time, a sense of, 'You committed a crime. You have been found guilty by a court of law. A custodial sentence has been applied. We are going to lock you up for a period of time. We are going to treat you all the same, and we will then turf you out and let you go'. I do not think that is really what the community expects these days. I think the community these days would expect that there would be a far more hands-on approach to prisoner management. I think when we do that, we are going to then reduce the rate of recidivism.

The other point to make is that the bill will allow detention orders to be imposed for a maximum of three years and supervision orders for a maximum of 15 years. I think that that is an appropriate length of time. The supervision orders will also have core conditions that will automatically attach to every supervision order and discretionary conditions tailored to the particular risks posed by an offender. Again I think it is a case of really drilling down and trying to understand the make-up — the nature — of the offender and the risks we are trying to manage. I think if you can try and manage risks more effectively, you are less likely to have some of the issues that we have seen to date.

The Rivergum Residential Treatment Centre will provide that intensive treatment and intervention to up to 30 offenders on supervision orders. Really what you are looking at with these cohorts, I suspect, would be ascertaining either, 'Does an offender pose a real risk that they are going to reoffend?', or, if they are less likely to do that, 'Can we have some really intensive treatment to try and work out how we can try to rehabilitate them as well?'.

The bill also looks at providing the courts with the ability to consider a treatment and supervision plan. Again I think this does leave the door open to provide that more tailored response to the cause of the individual and some of the challenges with particular individuals.

Community attitudes and sentiments have moved on. People are not prepared to put up with these heinous crimes being perpetrated and say, 'Well, look, that is just a one-off and we'll just let that go through'. The community is expecting action. We are delivering action in terms of tightening up the legislation and making Victoria a far safer place by deploying more police. I commend the bill to the house.

Mr T. BULL (Gippsland East) (18:45) — It is a pleasure to rise and make a shortish contribution on the Serious Offenders Bill 2018, as I know there are members on both sides of the house who would like to speak before the 7 o'clock adjournment. As we have heard, the general purpose of this bill is to enhance community protections by enabling the continued supervision or detention of offenders who have served sentences for specified sex and serious violence offences but who are determined to be still posing what is best described as a further unacceptable risk to the community. We on this side of the house certainly welcome any course of action that is stronger in this regard, if you like, particularly when we are dealing with and talking about crimes of a serious nature.

Under this government we have unfortunately seen increases in many serious crimes. I did note that the member for Essendon in his contribution spoke about the record police budget. He did not have the privilege of being here in the last Parliament, but when that was put across the table the answer we continually got back was, 'Well, it's not working. It's not working'. Unfortunately we are in a situation here where we have

seen significant increases in crimes like murder, attempted murder, common assault, aggravated robbery and aggravated burglary.

The reality is that people in all of our communities are feeling less safe, and not only in the metropolitan area. I come from a rural electorate, as members well know, and when parents in my electorate who are sending their kids to Melbourne for either employment or university read in our papers what is going on they have a high level of concern. I am sure it would be the same for the member for Lowan, who is sitting at the table.

The Harper review was commissioned in 2015, and we have heard the commentary from both sides on Sean Price, a man who probably does not deserve to have his name mentioned in this place, and the horrendous crime that was committed by him. That review made 35 recommendations. Given the seriousness and urgency of the reforms that the review suggested, it has been surprising, and I guess to a degree a little bit disappointing, that it has taken this amount of time to implement those final recommendations. The review results were handed to the government in November 2015, and I believe the final recommendations should have been acted on before this.

The expansion of the post-sentence scheme to include serious violent offenders is good, but it does pose a couple of questions. We do have a new 20-bed facility being constructed, but it is unlikely that this will be able to deal with the increased numbers. That is an ongoing problem.

Another area of concern that needs to be addressed is the transition plans for these offenders. As I understand it, serious sex offenders have a step-down pathway, and a good pathway, to re-engage with the community with plenty of support, but serious violent offenders seem to either go straight back into the community on a supervision order or they are detained on a detention order rather than having a clear and specific pathway to help them reintegrate. That is the case as I see it, and perhaps that is something that would require further investment into the future.

I noted in the minister's second-reading speech that there was a statement that this bill was about protecting the community. I take that on board and I understand that that is the nature of the bill, but the reality of it is that on the ground we have seen those serious crimes raging out of control, and too little has been done to rein that in.

It has also been made clear in this bill that the courts will continue to apply the unacceptable risk test. I note the previous speaker referred to the separation of powers. The courts will apply this unacceptable risk test when deciding whether or not to impose an order. I think therein lie some of the problems we have seen, particularly in recent times, where the application within the court system is not in line with what community expectation determines to be appropriate for a consequential punishment for a crime that has been committed. This discretion — and we do need to have a level of discretion — is an area of great contention, because we sometimes have the public looking at these offences through a different lens than those who are undertaking the sentencing. So that is an area that needs to be constantly reviewed. In winding up, we do not oppose the bill. We would have liked to have seen it much sooner. We hope that those who determine sentences in the future do so more in line with community expectations.

Mr J. BULL (Sunbury) (18:50) — I am pleased to have the opportunity to contribute to the debate on the Serious Offenders Bill 2018. I am aware there are other members wishing to contribute to the bill, so I will keep my remarks reasonably brief. Every Victorian has the right to be safe. Every Victorian has the right to go about their daily life within their local community knowing that they are safe and that those whom they love and care for are safe as well. This government understands that serious offenders are a significant risk to the community and of course must be treated accordingly. They must be treated appropriately by a system that relies on sound advice from experts. This of course results in a safer community but also, most importantly, what we all strive for, which is a better system.

The Serious Offenders Bill 2018 is part of the Andrews Labor government's $390 million investment to overhaul the post-sentence scheme and to expand it to include serious violent offenders who pose an unacceptable risk of reoffending at the end of their sentence. What we know is that the scheme already applies to serious sex offenders and allows courts to make orders for the continued detention of an offender and to impose a rigorous supervision requirement, which can include things such as electronic monitoring, curfews, exclusion zones and other conditions that can be placed on particular individuals. Serious violent offenders captured under the new scheme include those convicted of murder, manslaughter, child homicide, causing serious injury intentionally in circumstances of gross violence, causing serious injury recklessly in circumstances of gross violence, causing serious injury recklessly or intentionally, kidnapping and arson causing death.

We know, as other speakers have mentioned this evening, that expanding the scheme was a key recommendation of the Harper review, led by the Honourable David Harper, a Supreme Court justice. The review was commissioned after the tragic death of a 17-year-old girl at the hands of a serious sex offender. What we know is that the primary purpose of this bill is to better protect our community. As I mentioned earlier in my contribution, each and every Victorian should be entitled to that and to know they can go about their working lives and daily lives while living in their local communities safe and protected from those who want to do others harm.

The bill overhauls and expands the existing post-sentence scheme. The post-sentence scheme allows for the ongoing supervision or detention of serious offenders who pose that ongoing, unacceptable risk to the community. If you move within your local community, you know that this bill will be very well supported, and I note that it has the support of those opposite. The bill of course facilitates the treatment and rehabilitation of serious offenders who are placed on supervision or detention orders.

The post-sentence scheme assures that offenders on supervision orders must comply with a range of conditions as determined by the court when making the order. Conditions cover matters such as where the offender must live, who the offender has contact with, the activities the offender may undertake or in some cases not undertake, participation in various treatment programs, drug testing and electronic monitoring. Supervision orders are made by the County Court or Supreme Court, and they can be made for up to 15 years and renewed for a further period of 15 years.

What we know is that the Andrews Labor government has made the single biggest investment in Victoria Police in the state's history, with a 20 per cent increase to the force — over 3000 new police. This bill moves further to overhaul the post-sentence scheme. It is incredibly important to ensure that people are protected and that for those who commit some of the worst crimes we have a system whereby the state is able to monitor these people as they move back into the community and try to integrate back into the community. What is important of course is that it is done in a safe way, and I commend the bill to the house.

Mr THOMPSON (Sandringham) (18:55) — I am pleased to make a brief contribution to the Serious Offenders Bill 2018. The primary purpose of the bill and the civil, non-punitive, post-sentence scheme that the bill will establish is to enhance community protection by enabling the continued supervision or detention of offenders who have served custodial sentences for specified serious sex offences and serious violence offences but who are determined as posing further unacceptable risk of harm to the community. The secondary purpose is to facilitate the treatment and rehabilitation of those offenders.

There are a number of concerns that the opposition has raised in relation to the bill in terms of the expansion of the Victorian post-sentence scheme from just serious sex offenders to include serious violence offenders on the basis that it raises a number of questions about both the adequacy of the sentencing regime and the rights of offenders to live freely in the community once they have done their time. The *Alert Digest* covers a number of those issues, and there is also, in terms of violence, no step-down pathway or other facility for serious violence offenders as there is for serious sex offenders, who can go from Corella Place to Emu Creek and Langi Kal Kal. For serious violence offenders it is either going straight back into the community on a supervision order or otherwise being contained on a detention order.

When members are elected to this place they would not necessarily expect to come into contact with matters of a heinous, horrific, monstrous nature. It has been my sad journey that that has been part of my work role. I note one headline in the *Age* newspaper of 12 August 2004, 'A tragic life ends at the hands of a monster'. In this particular case, this monster went on to what another press report records as involvement in 'at least four murders' and 'the mutilation of two elderly women when he was a teenager'. Early on in this person's life he raped one woman and threatened to harm her baby with a knife. About two months after being released from prison, this person molested women in four attacks over 10 days. He received a five-year minimum for those offences. Thereafter in 1985 a 21-year-old woman was raped at the Rye ocean beach. There were a number of murders that this particular fellow went on to commit — knife attacks, multiple stabbing wounds, horrific attacks. In the case of one of the families they lost a daughter, and sibling family members said on the day, 'We lost our sister. We lost our parents as well, as they wedded themselves to the cause that they would not rest until justice was brought to the killer of their daughter'.

One other aspect of the tragedy is that this family found themselves united in grief with other families through different pathways. Sometimes people who have encountered such horrific tragedy or have been victims of horrific offences have the rightful authority both to speak to public policy and also to take care of others who have been through that horrific torment and that

horrific turmoil. For families who have to bury their children their grief is lifelong. To the extent that measures incorporated in legislation can determine and predict aberrant behaviours, on another occasion I had the opportunity to represent a —

The SPEAKER — Order! The time has now arrived under sessional orders for me to interrupt business. The member for Sandringham will have the call the next time this matter is before the house.

Business interrupted under sessional orders.

ADJOURNMENT

The SPEAKER — The question is:

That the house now adjourns.

Public housing

Mr ANGUS (Forest Hill) (19:00) — (14 421) I raise a matter of importance for the attention of the Minister for Housing, Disability and Ageing. The action I seek is for the minister to urgently resolve a matter that I first wrote to him about on 22 March 2017. The issue is that a constituent who lives in Barter Crescent, Forest Hill, has been battling with the housing department for almost two years to have some important maintenance works completed. My constituent is a law-abiding resident who has been extremely long suffering regarding these outstanding maintenance issues.

The minister's chief of staff replied to me on 6 June 2017 and advised me that the minister had written directly to my constituent regarding her concerns. The minister's letter in June 2017 to my constituent, following a meeting with her and departmental staff, stated:

> I am pleased to hear these matters are being addressed …

The only problem with this is that almost one year later the problems identified have not been addressed at all. I note that in the minister's letter to my constituent he also stated:

> … I acknowledge your frustration in not having these matters resolved to your satisfaction.

The minister goes on to say:

> The department takes all complaints seriously and I am advised the particular housing services officer has been counselled and reminded of the expectation to provide support in a timely and professional manner.

However, it looks like departmental staff might need a bit more counselling and reminding. My constituent has had to continually put up with these unresolved issues, including regular flooding in her backyard, a damaged and ineffective side gate and a fence that is falling down. I ask the minister to urgently resolve these long outstanding maintenance issues at my constituent's property. I look forward to hearing from the minister for housing that this has been done and that my constituent's housing maintenance issues are finally resolved.

Home Road Kindergarten

Mr NOONAN (Williamstown) (19:01) — (14 422) My adjournment matter is for the Minister for Early Childhood Education in the other place, the Honourable Jenny Mikakos, and the action I seek from the minister is for her to consider favourably the application made by Home Road Kindergarten in Newport for an inclusive kindergartens facilities grant in the equipment stream. I am really pleased about our government's commitment to help kindergartens across Victoria upgrade their buildings and playgrounds and to buy equipment to provide more inclusive environments for children with disabilities and additional needs.

I am aware that a number of early childhood services in my electorate of Williamstown have in fact applied for grants through this funding round, one of those being Home Road Kindergarten in Newport, which has applied for a grant for enhanced sensory equipment to assist children that have additional needs. The Home Road kinder has been educating and caring for children in the Williamstown electorate for over 50 years. Part of what makes it unique is the emphasis that it places on two key aspects. The first aspect is the way in which it teaches children to respect and embrace the environment. Outdoor play is highly encouraged and sustainable practices are incorporated into daily activities, including programs such as the bush kinder program. The second aspect that makes the Home Road kinder so special is its willingness to embrace all people, including those children with additional learning needs and disabilities.

I understand the kinder is seeking a very modest amount of funding to purchase equipment, which will ensure that children at Home Road Kindergarten can play in an inclusive manner. Therefore I ask the minister to view favourably the funding application made by the Home Road kinder under the equipment grant stream.

Jetty licences

Mr McCURDY (Ovens Valley) (19:03) — (14 423) My adjournment matter is to the Minister for Water,

and the action I seek is that the minister or a senior member of Goulburn-Murray Water come to Yarrawonga and explain to those with jetty licences why the Andrews government has increased the jetty licence fee by over 100 per cent, and higher in many instances.

Some background to this issue is that the Murray River is a resource shared by Victoria and New South Wales. On the Victorian side Goulburn-Murray Water is the responsible authority for managing that waterway. I started receiving phone calls and emails to my office two months ago, and there has been a steady flow since then. Jetty owners have been paying a reasonable fee for the privilege of accessing the waterways from their home properties. This has been a fair and reasonable fee up until this year. However, this year Goulburn-Murray Water has decided that it will change the criteria without consultation, and in most cases it has more than doubled the fee for the coming year. This is an outrageous increase and is nothing more than a cash grab by a government determined to increase taxes and charges to all and sundry.

Goulburn-Murray Water has been caught red-handed gouging customers, and I respectfully request that Goulburn-Murray Water visit Yarrawonga between now and when licence fees are due and payable, which is 15 June this year, and justify the charges, not just send a 'Dear John' letter from the safe haven of its comfortable offices. The cost of living is now the number one concern of Ovens Valley residents, and this grab for cash is not helping. Many residents have been in their homes for many, many years and cannot afford such outrageous increases. I ask the minister to dispatch a Goulburn-Murray Water delegation to Yarrawonga to talk with the community. The government holds a monopoly over licence fees and has a responsibility to be fair, not to take a bloody-minded approach to taxing and charging, particularly in this instance where there are no other options for customers. In fact 'customers' is probably not the correct terminology in this instance; 'hostages' is a better word to describe the situation.

I would be delighted to chair a meeting on behalf of the community, so I respectfully ask that the meeting not be planned on a parliamentary sitting day and that I be contacted to confirm suitable dates.

Autumn Place Family and Community Centre

Ms WILLIAMS (Dandenong) (19:05) — (14 424) My matter is for the attention of the Minister for Local Government. The action I seek from the minister is that she provide me with an update on the Autumn Place redevelopment. In 2016 the Andrews Labor government committed $3.6 million to support the City of Casey's construction of a brand-new family and community centre in Autumn Place, Doveton, as part of our $50 million Growing Suburbs Fund. Construction is now well underway on this new centre, which will include an integrated family and community centre with community space, kitchen, courtyard, kindergarten, flexible community room with outdoor yard as well, two maternal and child health consultation rooms, and upgrades to the surrounding parks. It will deliver significant benefits for our Doveton community.

Doveton has its well-known challenges, but what many people do not know is that Doveton is a strong, diverse and active community of residents who are proud of where they live and the community life that is fostered there. They have been crying out for more modern and upgraded facilities for a number of years. Despite sitting amongst one of Victoria's fastest growing areas, Doveton is a community that has not always attracted the attention that it deserves from the City of Casey, which has typically been focused on the other end of the municipality. I am very proud that the Andrews Labor government has stepped in where conservative administrations will not, by being the major contributor to this project. I recently held a street stall in Autumn Place and, with construction works in full swing for all to see, I received some really great feedback from local residents. I would like to be able to keep them posted on progress.

Graffiti

Mr THOMPSON (Sandringham) (19:08) — (14 425) The matter I wish to raise is for the attention of the Minister for Public Transport, and the action that I seek is for the minister and representatives of Metro Trains Melbourne (MTM) and VicTrack to meet with local constituents who have raised concerns regarding the condition of the railway corridors. In this particular case I had sought responses on the part of those agencies approaching two months ago. I do not believe that those matters have been fully followed through, so I am melding this request the minister, MTM and VicTrack to meet with constituents with my earlier request so that there can be constructive programs developed which will lead to the removal of graffiti on both the Frankston line corridor and the Sandringham railway line corridor.

There are numbers of stations within the Sandringham electorate — at Mentone, now Southland, Cheltenham, Highett and Sandringham. I might add that the role of protective services officers (PSOs) within those precincts has been outstanding. The PSOs have done an outstanding job in helping to eliminate crime within the

immediate precincts of railway stations. However, members of the community remain concerned that outside those immediate precincts there are a number of sites that are regularly done over.

Graffiti and graffiti tagging has taken place in relation to wider infrastructure — United Energy infrastructure, Adshel bus shelters, Australia Post bins, street poles and municipal signage. Graffiti on railway corridors can serve to promote tagging in particular ways, and I think it is important that something be done in a practical way to remove graffiti and to encourage Melbourne to be the most livable city in the world. Corridors, as previously mentioned, might incorporate the utilisation of plants that might be a botanical feature along some of them so that the residents of this great city, the tourists that come to this great city and the international students who study in this great city can enjoy what Melbourne offers to the world in the spirit of those who have gone before and have sought to establish the world's most livable city.

Mordialloc bypass

Mr RICHARDSON (Mordialloc) (19:10) — (14 426) My adjournment matter this evening is for the Minister for Roads and Road Safety, and the action I seek is for the minister to update my community on what travel savings and benefits will be provided to local residents and businesses with the recently announced and budgeted Mordialloc Freeway. Our community in the City of Kingston will grow by 10 per cent over the coming 10 years. With greater pressure out in the south-eastern suburbs, particularly in the Casey-Cardinia region, and with the opening up of Thompsons Road in the longer term we will see more traffic trying to enter our community looking for employment precincts. So we have to be ready for those challenges and build the projects for tomorrow.

The Mordialloc bypass has been talked about for many years. In fact it was set aside in the road reserve some five decades ago. It is now the Andrews Labor government which is delivering this project to save residents time, to support local businesses and to get families home safer and sooner. It has been a proud moment for our community for me to be leading that work. It goes with our investment in the Melbourne Metro rail tunnel, a substantial public transport upgrade that will mean there will be no timetable required along the Frankston train line and will return the city loop to the Frankston train line. It goes with our level crossing removals, half going on the Frankston line between Frankston and Caulfield.

There is a lot going on in our local community. It is an exciting time in my community because for every procurement project over $20 million, 10 per cent of the workforce has to be apprentices. So we will literally be training the next generation of workers in our community on these major projects. When you think about the TAFE investment that we have made as well, you can see a local person, potentially a young person, getting those skills, getting onto a Victorian major project and getting underway with their work and employment.

We recently had our first community reference group meeting for the Mordialloc bypass, and it is well underway. Its completion date will be 2021 and we will look to start work next year. Residents and businesses in my community are asking: what will be those wider benefits, and how will that support us in the wider south-eastern road network? So I ask Minister for Roads and Road Safety, who is in the chamber today, to update my community on this very important project.

VicRoads services

Mr NARDELLA (Melton) (19:12) — (14 427) My adjournment matter is for the Minister for Roads and Road Safety. The action I seek is that VicRoads review their policy regarding the timeliness for private developers undertaking roadworks so that they are made to complete those roadworks quickly. On the Western Highway a private developer is upgrading the Paynes Road intersection so that people going into or out of an estate have long lanes to turn into the estate and to merge safely when going out of the estate towards Melton or Ballarat. A similar intersection was done at Mount Cottrell Road up the road by the same developer. It took an inordinate amount of time and now they are doing this again. I raised the matter about the Mount Cottrell Road intersection at the time with the minister and he got VicRoads to get the developer to pull out the digit and they completed it after his intervention.

There has to be a policy put in place so that firm time lines are put in place with deadlines to finish this work. It is slowing down the traffic as the highway is down to two lanes at 80 kilometres per hour, making it unsafe and causing inordinate delays in the afternoon peak. Every time that I or my constituents go through this bottleneck we see that no work is being done — there are no workers, there is no equipment — and there is no concern for the motorists or commercial vehicles using this national highway. It is very frustrating for motorists going down the road. It is causing real time delays to both trucks and people trying to make a living or just trying to get home to the family at night. Developers must be responsible and quickly undertake their work

on the roads that they are working on, especially national highways. The way that we are going, I reckon that we are going to finish the Metro Tunnel before we finish this particular intersection.

I ask the minister to see if VicRoads can put in place a policy for these roadworks by private developers to try to minimise frustration and delay. VicRoads tries to complete works as quickly as possible; they do it on the West Gate Bridge and other places. I think it would be a good idea to see if this could be done in these types of instances in the future.

Derinya Primary School

Mr EDBROOKE (Frankston) (19:15) — (14 428) My adjournment matter is for the Minister for Education, and the action I seek is that the minister visit Derinya Primary School in my electorate of Frankston. Derinya Primary School has finally, after years of setbacks, obtained the applicable permits required to commence the build of Stephanie Alexander kitchen garden. This amazing opportunity for the school will not only be a source of discussion in class but will provide the school with a tool for learning. The learning resource from this type of facility within school grounds has the potential to cover a broad spectrum of subject matter from maths to science, history, language and art. Together with these subjects, the kitchen garden provides an invaluable tool for hands-on learning — and I have seen this firsthand.

The kitchen garden program has had amazing success in other schools offering this tool across the state. Schools use kitchen gardens not only in a teaching and learning format but also as a resource — and that is as a resource to eat. I witnessed this when I attended lunch at Mahogany Rise Primary School earlier this year, where they told me that the produce from the actual school garden was used on a daily basis in the school kitchen to make breakfast and lunch for those programs at the school. They provide three lunches a week for the children there.

I look forward to the minister's visit and watching the project flourish. I take this opportunity to congratulate the member for Mordialloc as well on a great project with the Mordialloc bypass. It does affect the Frankston community a hell of a lot too, and people are very, very appreciative of what is going on in that space.

Cape Otway Lightstation

Mr RIORDAN (Polwarth) (19:17) — (14 429) My adjournment matter is for the Minister for Energy, Environment and Climate Change. The action I seek from the minister is an immediate review into the expression of interest (EOI) process for the Cape Otway lighthouse tender, announced in August 2017, in light of contradictory positions put out over less than a week by the department over whether Parks Victoria is taking control of the park or not. Despite a clear expression of interest published on the department's website, despite the fact that interested parties in good faith have entered into the process, spending many tens of thousands of dollars on building plans, business plans and ideas, at the swipe of a pen the department has decided during stage 2 of the process in a letter to tenderers dated 16 May to, and I quote:

> … terminate this EOI process and will be managing the Cape Otway precinct directly.

This position is of course in stark contrast to that put by Parks Victoria spokesman Simon Talbot, who on ABC radio today said that Parks Victoria have not abandoned the process, they have just slowed it down. What message does this send to private operators seeking to renew such leases in the future? What message does this send to existing operators, their banks and investors on the quality or otherwise of their Crown leases?

The Crown owns and manages some of the most loved and iconic places on the Victorian landscape. Over time around 600 arrangements have been put in place to manage these special places for the benefit and development of their sites. We have seen in Polwarth the much-improved benefits for both users of these sites and the community as a whole. Over the last 20 years we have seen stunning upgrades of public land in Polwarth at wonderful sites in Anglesea, Cumberland River and Cape Otway. These improvements have come about through innovative lease contracts that give rewards to private operators but encourage much-needed investment in infrastructure.

The backlog in Parks Victoria infrastructure in Polwarth alone is in the hundreds of millions of dollars. We have a harbour with real management issues, which is silted up and with dredgers that do not work; we have closed waterfalls that have been left abandoned and to run down; and bush tracks that are no longer open to the public. Most embarrassingly we have the iconic Twelve Apostles, the most visited natural attraction in Australia, but Parks Victoria cannot even get the car park right, they do not have toilets that work, they do not have running water and they are unable to clear the rubbish away. None of it is fit for purpose. They have no capacity to invest or to maintain basic upgrades. Regional Victoria needs tourism. It needs investment. It does not need this government playing politics with local communities and businesses.

Sunshine Hospital

Ms SULEYMAN (St Albans) (19:19) — (14 430) My adjournment matter is to the Minister for Health. The action I seek is that the minister update the house on the newly announced funding of over $29 million for the emergency department (ED) at Sunshine Hospital. The Andrews Labor government understands that the west is growing and that annual births at Sunshine Hospital will exceed 7000 by 2026. With the construction of the $200 million Joan Kirner Women's and Children's Hospital nearing completion, Sunshine Hospital is becoming a world-class medical precinct.

I would like to take this opportunity to thank the wonderful, dedicated, hardworking staff at Sunshine Hospital for their fantastic work day in, day out, caring for our community under at times very challenging circumstances. As part of the Joan Kirner Women's and Children's Hospital that we are building — we are at the seventh level at the moment and completion will be by November — the community, in particular the local school community, and I would like to make special mention of Jackson School, which has contributed artwork for patients and visitors to see as part of this development. The real point of this is to bring the community together and be part of this project — again, it is thanks to the Andrews Labor government for building, yet again, a hospital in the west.

I have previously mentioned the $29.6 million recently announced for the Sunshine Hospital emergency department, and I ask the minister to update the house on how this funding will address the current circumstances and challenges of the ED at Sunshine Hospital.

Responses

Mr DONNELLAN (Minister for Roads and Road Safety) (19:21) — Specifically to the member for Melton, I think his matter very much makes sense and I am very happy to get VicRoads to do a bit of work on that. Obviously we have to stick to time lines as much as we can, subject to unforeseen circumstances, but to have a private development with a requirement to actually undertake a road as part of their agreement with council but not sticking to time lines and having it run on forever is not appropriate. I am very happy to see what VicRoads can do in that space, and I will get back to the member for a second time after we actually have had a look at it properly.

In relation to the matter raised by the member for Mordialloc, yes, the Mordialloc Freeway was a bypass but now it is a freeway all the way through to the Dingley bypass, and as the member for Frankston mentioned, his people are probably as excited about it as your people are. It is all grade separated. The travel time savings are going to be substantial. There are substantial improvements for the supply chain locally, for all the industries, whether it be for the Monash Business Centre, for Braeside and all those areas which rely upon it. We know that at the end of the day it is going to take —

Mr Thompson — Toll free?

Mr DONNELLAN — Well, no-one has ever suggested a toll, unless the Liberal Party wants to put a toll on it. I will not be putting a toll on it; you may. I will leave that up to you. The Mordialloc Freeway will get cars off the Nepean Highway, Wells Road and the like, and as you know, it will improve the local area generally. I would encourage the member to get out there and sell it with all his heart, which he does a very good job of doing — there is no lack of sales skills with the member for Mordialloc.

The member for Williamstown had a question for the Minister for Early Childhood Education; the member for Forest Hill had one for the Minister for Housing, Disability and Ageing; the member for Dandenong had an issue for the Minister for Local Government; the member for Ovens Valley had a question for the Minister for Water; the member for Sandringham had a question for the Minister for Public Transport; the member for Polwarth had a question for the Minister for Energy, Environment and Climate Change; and the member for St Albans had a question for the Minister for Health. I will refer them on.

The SPEAKER — The house now stands adjourned.

House adjourned 7.24 p.m.