### The Governor
The Honourable LINDA DESSAU, AC

### The Lieutenant-Governor
The Honourable KEN LAY, AO, APM

### The ministry

<table>
<thead>
<tr>
<th>Role</th>
<th>Minister</th>
</tr>
</thead>
<tbody>
<tr>
<td>Premier</td>
<td>The Hon. DM Andrews, MP</td>
</tr>
<tr>
<td>Deputy Premier, Minister for Education, Minister for Mental Health and Minister for Disability, Ageing and Carers</td>
<td>The Hon. JA Merlino, MP</td>
</tr>
<tr>
<td>Attorney-General and Minister for Emergency Services</td>
<td>The Hon. J Symes, MLC</td>
</tr>
<tr>
<td>Minister for Transport Infrastructure and Minister for the Suburban Rail Loop</td>
<td>The Hon. JM Allan, MP</td>
</tr>
<tr>
<td>Minister for Training and Skills, and Minister for Higher Education</td>
<td>The Hon. GA Tierney, MLC</td>
</tr>
<tr>
<td>Treasurer, Minister for Economic Development and Minister for Industrial Relations</td>
<td>The Hon. GA Tierney, MLC</td>
</tr>
<tr>
<td>Minister for Public Transport and Minister for Roads and Road Safety</td>
<td>The Hon. BA Carroll, MP</td>
</tr>
<tr>
<td>Minister for Energy, Environment and Climate Change, and Minister for Solar Homes</td>
<td>The Hon. L D’Ambrosio, MP</td>
</tr>
<tr>
<td>Minister for Health, Minister for Ambulance Services and Minister for Equality</td>
<td>The Hon. MP Foley, MP</td>
</tr>
<tr>
<td>Minister for Ports and Freight, Minister for Consumer Affairs, Gaming and Liquor Regulation, and Minister for Fishing and Boating</td>
<td>The Hon. MM Horne, MP</td>
</tr>
<tr>
<td>Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice and Minister for Victim Support</td>
<td>The Hon. NM Hutchins, MP</td>
</tr>
<tr>
<td>Minister for Local Government, Minister for Suburban Development and Minister for Veterans</td>
<td>The Hon. SL Leane, MLC</td>
</tr>
<tr>
<td>Minister for Water and Minister for Police</td>
<td>The Hon. LM Neville, MP</td>
</tr>
<tr>
<td>Minister for Industry Support and Recovery, Minister for Trade, Minister for Business Precincts, Minister for Tourism, Sport and Major Events, and Minister for Racing</td>
<td>The Hon. MP Pakula, MP</td>
</tr>
<tr>
<td>Assistant Treasurer, Minister for Regulatory Reform, Minister for Government Services and Minister for Creative Industries</td>
<td>The Hon. DJ Pearson, MP</td>
</tr>
<tr>
<td>Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business and Minister for Resources</td>
<td>The Hon. JL Pulford, MLC</td>
</tr>
<tr>
<td>Minister for Multicultural Affairs, Minister for Community Sport and Minister for Youth</td>
<td>The Hon. RL Spence, MP</td>
</tr>
<tr>
<td>Minister for Workplace Safety and Minister for Early Childhood</td>
<td>The Hon. I Stitt, MLC</td>
</tr>
<tr>
<td>Minister for Agriculture and Minister for Regional Development</td>
<td>The Hon. M Thomas, MP</td>
</tr>
<tr>
<td>Minister for Prevention of Family Violence, Minister for Women and Minister for Aboriginal Affairs</td>
<td>The Hon. G Williams, MP</td>
</tr>
<tr>
<td>Minister for Planning, Minister for Housing and Minister for Child Protection</td>
<td>The Hon. RW Wynne, MP</td>
</tr>
<tr>
<td>Cabinet Secretary</td>
<td>Ms S Kilkenny, MP</td>
</tr>
</tbody>
</table>
OFFICE-HOLDERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-NINTH PARLIAMENT—FIRST SESSION

Speaker
The Hon. CW BROOKS

Deputy Speaker
Ms JM EDWARDS

Acting Speakers
Ms Blandthorn, Mr J Bull, Mr Carbines, Ms Connolly, Ms Couzens, Ms Crugnale, Mr Dimopoulos, Mr Edbrooke, Ms Halfpenny, Ms Kilkenny, Mr McGuire, Ms Richards, Mr Richardson, Ms Settle, Ms Suleyman, Mr Taylor and Ms Ward

Leader of the Parliamentary Labor Party and Premier
The Hon. DM ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier
The Hon. JA MERLINO

Leader of the Parliamentary Liberal Party and Leader of the Opposition
The Hon. MJ GUY

Deputy Leader of the Parliamentary Liberal Party
The Hon. DJ SOUTHWICK

Leader of The Nationals and Deputy Leader of the Opposition
The Hon. PL WALSH

Deputy Leader of The Nationals
Ms SM RYAN

Leader of the House
Ms JM ALLAN

Manager of Opposition Business
Ms LE STALEY

Heads of parliamentary departments
Assembly: Clerk of the Legislative Assembly: Ms B Noonan
Council: 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-NINTH PARLIAMENT—FIRST SESSION

<table>
<thead>
<tr>
<th>Member</th>
<th>District</th>
<th>Party</th>
<th>Member</th>
<th>District</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Addison, Ms Juliana</td>
<td>Wendouree</td>
<td>ALP</td>
<td>Maas, Mr Gary</td>
<td>Narre Warren South</td>
<td>ALP</td>
</tr>
<tr>
<td>Allan, Ms Jacinta Marie</td>
<td>Bendigo East</td>
<td>ALP</td>
<td>McCardy, Mr Timothy Logan</td>
<td>Ovens Valley</td>
<td>Nats</td>
</tr>
<tr>
<td>Andrews, Mr Daniel Michael</td>
<td>Mulgrave</td>
<td>ALP</td>
<td>McChic, Mr Stephen John</td>
<td>Melton</td>
<td>ALP</td>
</tr>
<tr>
<td>Angus, Mr Neil Andrew Warwick</td>
<td>Forest Hill</td>
<td>LP</td>
<td>McGuire, Mr Frank</td>
<td>Broadmeadows</td>
<td>ALP</td>
</tr>
<tr>
<td>Bawin, Mr Bradley William</td>
<td>Gembrook</td>
<td>LP</td>
<td>McLeish, Ms Lucinda Gaye</td>
<td>Eildon</td>
<td>LP</td>
</tr>
<tr>
<td>Blackwood, Mr Gary John</td>
<td>Narrengan</td>
<td>LP</td>
<td>Merlino, Mr James Anthony</td>
<td>Monbulk</td>
<td>ALP</td>
</tr>
<tr>
<td>Blandthorn, Ms Elizabeth Anne</td>
<td>Pascoe Vale</td>
<td>ALP</td>
<td>Morris, Mr David Charles</td>
<td>Mornington</td>
<td>LP</td>
</tr>
<tr>
<td>Brayne, Mr Chris</td>
<td>Nepean</td>
<td>ALP</td>
<td>Neville, Ms Lisa Mary</td>
<td>Bellarine</td>
<td>ALP</td>
</tr>
<tr>
<td>Britnell, Ms Roma</td>
<td>South-West Coast</td>
<td>LP</td>
<td>Newbury, Mr James</td>
<td>Brighton</td>
<td>LP</td>
</tr>
<tr>
<td>Brooks, Mr Colin William</td>
<td>Bundoora</td>
<td>ALP</td>
<td>North, Mr Russell John</td>
<td>Morwell</td>
<td>Ind</td>
</tr>
<tr>
<td>Bull, Mr Joshua Michael</td>
<td>Sunbury</td>
<td>ALP</td>
<td>O'Brien, Mr Daniel David</td>
<td>Gippsland South</td>
<td>Nats</td>
</tr>
<tr>
<td>Bull, Mr Timothy Owen</td>
<td>Gippsland East</td>
<td>Nats</td>
<td>O'Brien, Mr Michael Anthony</td>
<td>Malvern</td>
<td>LP</td>
</tr>
<tr>
<td>Burgess, Mr Neale Ronald</td>
<td>Hastings</td>
<td>LP</td>
<td>Pakula, Mr Martin Philip</td>
<td>Keysborough</td>
<td>ALP</td>
</tr>
<tr>
<td>Carbines, Mr Anthony Richard</td>
<td>Ivanhoe</td>
<td>ALP</td>
<td>Pallas, Mr Timothy Hugh</td>
<td>Werribee</td>
<td>ALP</td>
</tr>
<tr>
<td>Carroll, Mr Benjamin Alan</td>
<td>Niddrie</td>
<td>ALP</td>
<td>Pearson, Mr Daniel James</td>
<td>Essendon</td>
<td>ALP</td>
</tr>
<tr>
<td>Cheeseman, Mr Darren Leicester</td>
<td>South Barwon</td>
<td>ALP</td>
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<td>Greens</td>
</tr>
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<td>Connolly, Ms Sarah</td>
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<td>ALP</td>
<td>Richards, Ms Pauline</td>
<td>Cranbourne</td>
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<td>Couzens, Ms Christine Anne</td>
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<td>ALP</td>
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<td>ALP</td>
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<td>Cruagnale, Ms Jordan Alessandra</td>
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<td>Cupper, Ms Ali</td>
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<td>Ind</td>
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<tr>
<td>D'Ambrosio, Ms Liliana</td>
<td>Mill Park</td>
<td>ALP</td>
<td>Ryan, Stephanie Maureen</td>
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<td>Nats</td>
</tr>
<tr>
<td>Dinhopolous, Mr Stephen</td>
<td>Oakleigh</td>
<td>ALP</td>
<td>Sandell, Ms Ellen</td>
<td>Melbourne</td>
<td>Greens</td>
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<tr>
<td>Donnellan, Mr Luke Anthony</td>
<td>Narre Warren North</td>
<td>ALP</td>
<td>Scott, Mr Robin David</td>
<td>Preston</td>
<td>ALP</td>
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<tr>
<td>Edbrooke, Mr Paul Andrew</td>
<td>Frankston</td>
<td>ALP</td>
<td>Settle, Ms Michaela</td>
<td>Buninyong</td>
<td>ALP</td>
</tr>
<tr>
<td>Edwards, Ms Janice Maree</td>
<td>Bendigo West</td>
<td>ALP</td>
<td>Shedd, Ms Suzanna</td>
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<td>Ind</td>
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<tr>
<td>Eren, Mr John Hamdi</td>
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<td>ALP</td>
<td>Smith, Mr Ryan</td>
<td>Warrandyte</td>
<td>LP</td>
</tr>
<tr>
<td>Fokey, Mr Martin Peter</td>
<td>Albert Park</td>
<td>ALP</td>
<td>Smith, Mr Timothy Colin</td>
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<td>LP</td>
</tr>
<tr>
<td>Fowles, Mr Will</td>
<td>Burwood</td>
<td>ALP</td>
<td>Southwrick, Mr David James</td>
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<td>LP</td>
</tr>
<tr>
<td>Fregon, Mr Matt</td>
<td>Mount Waverley</td>
<td>ALP</td>
<td>Spence, Ms Rosalind Louise</td>
<td>Yuroke</td>
<td>ALP</td>
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<td>Green, Ms Danielle Louise</td>
<td>Yan Yean</td>
<td>ALP</td>
<td>Stakos, Mr Nicholas</td>
<td>Bentleigh</td>
<td>ALP</td>
</tr>
<tr>
<td>Guy, Mr Matthew Jason</td>
<td>Bulleen</td>
<td>LP</td>
<td>Staley, Ms Louise Eileen</td>
<td>Ripon</td>
<td>LP</td>
</tr>
<tr>
<td>Hall, Ms Katie</td>
<td>Footscray</td>
<td>ALP</td>
<td>Suleyman, Ms Natalie</td>
<td>St Albans</td>
<td>ALP</td>
</tr>
<tr>
<td>Hall, Ms Katie</td>
<td>Footscray</td>
<td>ALP</td>
<td>Tak, Mr Meng Haung</td>
<td>Clarinda</td>
<td>ALP</td>
</tr>
<tr>
<td>Halse, Mr Dustin</td>
<td>Ringwood</td>
<td>ALP</td>
<td>Taylor, Mr Jackson</td>
<td>Bayswater</td>
<td>ALP</td>
</tr>
<tr>
<td>Harmer, Mr Paul</td>
<td>Box Hill</td>
<td>ALP</td>
<td>Theophanous, Ms Katerina</td>
<td>Northcote</td>
<td>ALP</td>
</tr>
<tr>
<td>Hennessy, Ms Jill</td>
<td>Altona</td>
<td>ALP</td>
<td>Thomas, Ms Mary-Anne</td>
<td>Macedon</td>
<td>ALP</td>
</tr>
<tr>
<td>Hibbins, Ms Samuel Peter</td>
<td>Prahran</td>
<td>Greens</td>
<td>Tiley, Mr William John</td>
<td>Benamba</td>
<td>LP</td>
</tr>
<tr>
<td>Hodgett, Mr David John</td>
<td>Croydon</td>
<td>LP</td>
<td>Vallence, Ms Bridget</td>
<td>Evelyn</td>
<td>LP</td>
</tr>
<tr>
<td>Horne, Ms Melissa Margaret</td>
<td>Williamstown</td>
<td>ALP</td>
<td>Wakeling, Mr Nicholas</td>
<td>Ferntree Gully</td>
<td>LP</td>
</tr>
<tr>
<td>Hutchins, Ms Natalie Marce Sykes</td>
<td>Sydenham</td>
<td>ALP</td>
<td>Walsh, Mr Peter Lindsay</td>
<td>Murray Plains</td>
<td>Nats</td>
</tr>
<tr>
<td>Kairouz, Ms Marlene</td>
<td>Kororoit</td>
<td>ALP</td>
<td>Ward, Ms Vicki</td>
<td>Ellim银行</td>
<td>ALP</td>
</tr>
<tr>
<td>Kealy, Ms Emma Jayne</td>
<td>Lowan</td>
<td>Nats</td>
<td>Wells, Mr Kimberley Arthur</td>
<td>Rowville</td>
<td>LP</td>
</tr>
<tr>
<td>Kennedy, Mr John Ormond</td>
<td>Hawthorn</td>
<td>ALP</td>
<td>Williams, Ms Gabrielle</td>
<td>Dandenong</td>
<td>ALP</td>
</tr>
<tr>
<td>Kilkenny, Ms Sonya</td>
<td>Carrum</td>
<td>ALP</td>
<td>Wynne, Mr Richard William</td>
<td>Richmond</td>
<td>ALP</td>
</tr>
</tbody>
</table>

PARTY ABBREVIATIONS

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

Economy and Infrastructure Standing Committee
Ms Addison, Mr Blackwood, Ms Couzens, Mr Eren, Ms Ryan, Ms Theophanous and Mr Wakeling.

Environment and Planning Standing Committee
Ms Connolly, Mr Fowles, Ms Green, Mr Hamer, Mr McCurdy, Ms McLeish and Mr Morris.

Legal and Social Issues Standing Committee
Mr Angus, Mr Battin, Ms Couzens, Ms Kealy, Ms Settle, Ms Suleyman and Mr Tak.

Privileges Committee
Ms Allan, Mr Carroll, Ms Hennessy, Mr McGuire, Mr Morris, Mr Pakula, Ms Ryan, Ms Staley and Mr Wells.

Standing Orders Committee
The Speaker, Ms Allan, Mr Cheeseman, Ms Edwards, Mr Fregon, Ms McLeish, Ms Sheed, Ms Staley and Mr Walsh.

Joint committees

Dispute Resolution Committee
Assembly: Ms Allan, Ms Hennessy, Mr Merlino, Mr Pakula, Mr R Smith, Mr Walsh and Mr Wells.
Council: Mr Bourman, Ms Crozier, Mr Davis, Ms Mikakos, Ms Symes and Ms Wooldridge.

Electoral Matters Committee
Assembly: Mr Guy, Ms Hall and Dr Read.
Council: Mr Erdogan, Mrs McArthur, Mr Meddick, Mr Melhem, Ms Lovell, Mr Quilty and Mr Tarlamis.

House Committee
Assembly: The Speaker (ex officio), Mr T Bull, Ms Crugnale, Ms Edwards, Mr Fregon, Ms Sandell and Ms Staley.
Council: The President (ex officio), Mr Bourman, Mr Davis, Mr Leane, Ms Lovell and Ms Stitt.

Integrity and Oversight Committee
Assembly: Mr Halse, Ms Hennessy, Mr Rowswell, Mr Taylor and Mr Wells.
Council: Mr Grimley and Ms Shing.

Public Accounts and Estimates Committee
Assembly: Ms Blandthorn, Mr Hibbins, Mr Maas, Mr Newbury, Mr D O’Brien, Ms Richards and Mr Richardson.
Council: Mr Limbrick, Mrs McArthur and Ms Taylor.

Scrutiny of Acts and Regulations Committee
Assembly: Mr Burgess, Ms Connolly, Mr R Smith and Ms Theophanous.
Council: Ms Patten and Ms Watt.
CONTENTS

ANNOUNCEMENTS
Acknowledgement of country .......................................................... 3679
Fiji Day ......................................................................................... 3679

BUSINESS OF THE HOUSE
Notices of motion ........................................................................... 3679

DOCUMENTS
Documents ...................................................................................... 3679

COMMITTEES
Privileges Committee ....................................................................... 3679
Public Accounts and Estimates Committee ....................................... 3679
Membership .................................................................................... 3679

BUSINESS OF THE HOUSE
Adjournment .................................................................................. 3679
Standing and sessional orders ......................................................... 3680

BILLS
Domestic Animals Amendment (Reuniting Pets and Other Matters) Bill 2021 ................................................................. 3701
Statement of compatibility .............................................................. 3701
Second reading ............................................................................. 3704
Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021 ....................................................... 3707
Second reading ............................................................................. 3707

COMMITTEES
Privileges Committee ....................................................................... 3736
Membership .................................................................................... 3736

BILLS
Firearms and Other Acts Amendment Bill 2021 ........................................ 3737
Second reading ............................................................................. 3737

MEMBERS
Minister for Water .......................................................................... 3748
Minister for Energy, Environment and Climate Change ....................... 3748
Assistant Treasurer ......................................................................... 3748
Minister for Multicultural Affairs ....................................................... 3748
Absence .......................................................................................... 3748

QUESTIONS WITHOUT NOTICE AND MINISTERS STATEMENTS
Independent Broad-based Anti-corruption Commission ....................... 3748
Ministers statements: COVID-19 ...................................................... 3749
COVID-19 ...................................................................................... 3749
Ministers statements: COVID-19 vaccinations .................................... 3750
Ambulance response times ............................................................... 3750
Ministers statements: family violence ............................................... 3751
Healthcare workers ......................................................................... 3752
Ministers statements: rural and regional housing .................................. 3753
COVID-19 ...................................................................................... 3754
Ministers statements: COVID-19 vaccinations .................................... 3754

BILLS
Firearms and Other Acts Amendment Bill 2021 ........................................ 3755
Second reading ............................................................................. 3755
Third reading .................................................................................. 3755
Water and Catchment Legislation Amendment Bill 2021 ....................... 3768
Second reading ............................................................................. 3768
Third reading .................................................................................. 3768
Essential Services Commission (Compliance and Enforcement Powers) Amendment Bill 2021 ....................................................... 3768
Second reading ............................................................................. 3768
Third reading .................................................................................. 3768
Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021 ....................................................... 3769
Second reading ............................................................................. 3769
Third reading .................................................................................. 3769

MEMBERS STATEMENTS
COVID-19 ...................................................................................... 3770
COVID-19 ...................................................................................... 3770
COVID-19 ...................................................................................... 3771
COVID-19 ...................................................................................... 3771
COVID-19 ...................................................................................... 3771
COVID-19 vaccinations ................................................................. 3772
COVID-19 ................................................................. 3772
COVID-19 vaccinations ................................................................. 3772
COVID-19 ................................................................. 3773
Barwon Heads arts and community hub ........................................ 3773
COVID-19 ................................................................. 3774
COVID-19 vaccinations ................................................................. 3774
Trentham Sports Ground Reserve pavilion ....................................... 3774
Macedon electorate schools .......................................................... 3774
Great Alpine Road ................................................................. 3775
East Cape Boardwalk ................................................................. 3775
COVID-19 vaccinations ................................................................. 3775
Princes Highway ................................................................. 3775
Steven Watts ................................................................. 3775
COVID-19 ................................................................. 3776
Pakenham Lions Netball Club ......................................................... 3776
Community organisations support .................................................. 3777
COVID-19 vaccinations ................................................................. 3777
David Black ................................................................. 3778
COVID-19 vaccinations ................................................................. 3778
U3A Knox ................................................................. 3778
COVID-19 ................................................................. 3778
Frankston electorate health services .............................................. 3779
National Police Remembrance Day ................................................. 3779
South Sudanese-Australian Academic Society .................................. 3780
COVID-19 vaccinations ................................................................. 3780
Mid-Autumn Festival ................................................................. 3781
COVID-19 vaccinations ................................................................. 3781
CONSTITUENCY QUESTIONS
Hastings electorate ................................................................. 3782
South Barwon electorate ............................................................ 3782
Mornington electorate ............................................................. 3782
Wendouree electorate ............................................................. 3783
Brighton electorate ................................................................. 3783
Burwood electorate ................................................................. 3783
Shepparton electorate ............................................................. 3784
Northcote electorate ................................................................. 3784
Ovens Valley electorate ............................................................. 3785
Melton electorate ................................................................. 3785
ADJOURNMENT
The Male Hug ............................................................................. 3787
Lyrebird Drive–Ballarto Road intersection, Carrum Downs .................. 3787
COVID-19 vaccinations ................................................................. 3788
Small business support ............................................................. 3788
Lake Boga silo art ................................................................. 3789
Early childhood education .......................................................... 3789
Public housing wi-fi ..................................................................... 3789
COVID-19 ................................................................. 3790
Blackburn High School ................................................................ 3791
Thursday, 7 October 2021

The SPEAKER (Hon. Colin Brooks) took the chair at 9.03 am and read the prayer.

Announcements

ACKNOWLEDGEMENT OF COUNTRY

The SPEAKER (09:03): We acknowledge the traditional Aboriginal owners of the land on which we are meeting. We pay our respects to them, their culture, their elders past, present and future, and elders from other communities who may be here today.

FIJI DAY

The SPEAKER (09:03): Members, I wish to bring to your attention that Sunday, 10 October, is Fiji Day, the anniversary of Fiji’s independence. The Victorian and Fijian parliaments are twinned under the Pacific parliamentary partnerships program. I take this opportunity to wish a happy Fiji Day to our friends at the Fijian Parliament, to the people of Fiji and to members of the Fijian community here in Victoria.

Business of the house

NOTICES OF MOTION

The SPEAKER (09:04): I wish to advise the house that general business, notices of motion 34 to 36, will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 1.00 pm today.

Documents

DOCUMENTS

Incorporated list as follows:

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT—The Clerk tabled the following documents under Acts of Parliament:

Gambling Regulation Act 2003—Amendment to Public Lottery Licence under s 5.3.19

Committees

PRIVILEGES COMMITTEE

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Membership

The SPEAKER (09:05): I wish to advise the house that I have received the resignations of Mr Guy from the Privileges Committee and Mr Riordan from the Public Accounts and Estimates Committee, both effective from 6 October 2021.

Business of the house

ADJOURNMENT

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure, Minister for the Suburban Rail Loop) (09:05): I move:

That:

(1) the house, at its rising, adjourns until Tuesday, 12 October 2021, at 9.00 am, or an earlier day and hour to be fixed by the Speaker;
(2) if, in the opinion of the Speaker, the date of the next scheduled sitting or a rescheduled sitting should be changed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to set a new day and hour to meet;

(3) the Speaker will notify members of any changes to the next sitting date.

I understand from the Manager of Opposition Business that this is a motion that will be agreed to. It clearly articulates that we are back here next Tuesday morning at 9 o’clock, ready to go and debate legislation and all the other bits and pieces that members come here to contribute to this house, so I look forward to this motion moving through expeditiously.

Ms STALEY (Ripon) (09:06): As the Leader of the House has foreshadowed, we do not oppose this motion. We also look forward to being back here next Tuesday.

Motion agreed to.

STANDING AND SESSIONAL ORDERS

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure, Minister for the Suburban Rail Loop) (09:06): I move:

That so much of standing and sessional orders be suspended to allow the following temporary arrangements to come into effect on 12 October 2021 and to remain in place until revoked by the house:

Order of business

(1) The order of business is:

**Tuesday**
Formal business
Government business
Questions without notice and ministers’ statements—1.00 pm
Government business *continued*

**Wednesday**
Formal business
Government business
Matter of public importance or grievance debate—11.00 am
Government business *continued*
Questions without notice and ministers’ statements—1.00 pm
Government business *continued*

**Thursday**
Formal business
Government business
Questions without notice and ministers’ statements—1.00 pm
Government business *continued.*

(2) The processes for interruptions under Sessional Orders 2 and 3(4) apply at the times set out in paragraph (1).

Time of meeting

(3) Unless otherwise ordered, the House will meet each Tuesday, Wednesday and Thursday at 9.00 am.

Automatic interruption and no adjournment debates

(4) The Chair will interrupt business each day at 2.00 pm and SO 32 applies accordingly. There will be no adjournment debate.

Cleaning in the Chamber

(5) The Speaker may order additional breaks to facilitate cleaning in the Chamber.
Face masks in the Chamber
(6) Members must wear face masks in the Chamber except when they have the call to speak or if an exception applies.

Reduced numbers of members to assist with physical distancing
(7) Subject to paragraphs (11) and (12), the House will be composed of the Chair and no more than 24 other members, being 13 from the Government, seven from the Opposition, one Greens member and three independent members on the floor of the Chamber; and

(8) Except as provided for in paragraphs (11) and (12), if more members than those listed in paragraph (7) vote in a division, the Clerk will not count their vote.

Quorum
(9) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.

(10) If, under paragraph (9) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (7) are suspended until a quorum is formed.

(11) If, under SO 29(2), there is found not to be a quorum during a division:
(a) the provisions under paragraph (7) are suspended;
(b) the bells must be rung for a further four minutes;
(c) the Chamber will be composed of the Chair and no more than 40 other members, being 23 from the Government, 13 from the Opposition, one Greens member and three independent members for the remainder of the sitting day; and
(d) if more members than those listed in paragraph (c) vote in the division, the Clerk will not count their vote.

Divisions
(12) For questions relating to the passage of bills on the government business program that week, the provisions of paragraph (7) are suspended and divisions will take place as follows:
(a) the Chair will direct that the lower public galleries be cleared for the duration of the division;
(b) members will vote in up to four voting groups;
(c) for each voting group:
   (i) no more than 24 members, in addition to the Chair, the Leader of the House and Manager of Opposition Business (or their representatives), will be permitted into the Chamber;
   (ii) the Chair will direct that the doors be locked and state the question being voted on;
   (iii) the Chair will ask members who are voting ‘aye’ to stand in their place and, in turn, will ask members who are voting ‘no’ to stand in their place;
   (iv) the Clerk will count the votes and the Chair will announce the number of votes cast for the ‘ayes’ and ‘noes’ in that group;
   (v) subject to subparagraph (e), all members except the Chair must then leave the Chamber;
   (vi) the Chair will then ask the Clerk to ring the bells for one minute to call members to the Chamber for the next voting group, or to resume the make up of the Chamber as set out in paragraph (8), as required;
(d) subject to subparagraph (e), members will only be permitted to enter the Chamber once for each division and any member present in the Chamber must vote;
(e) the Leader of the House and Manager of Opposition Business, or their representatives, may remain in the Chamber for the entirety of the division, but can only stand to vote in one group; and
(f) at the conclusion of the four voting groups, the Chair will announce the result of the division.

Register of opinion on division questions
(13) If a division has taken place, a member not in attendance for the division can register their opinion on the question:
(a) any members wishing to do so must notify the Clerk in writing of their opinion (either ‘aye’ or ‘no’) by no later than one hour after the division has been completed, and
Remote participation
(14) Members may participate in debate remotely using an audio link or audio visual link as follows:
(a) the Chair must be satisfied that the quality of the audio link or audio visual link allows the Chair to verify the identity of that member and for the member to participate;
(b) a member participating remotely is not counted for the purposes of a quorum and may not vote;
(c) members may only participate remotely to speak on:
   (i) motions;
   (ii) bills, including consideration in detail;
   (iii) questions without notice—to ask questions only;
   (iv) matters of public importance;
   (v) grievance debates;
   (vi) a personal explanation;
(d) members participating remotely may only speak when given the call, must comply with all the usual rules of debate and may not:
   (i) refuse leave;
   (ii) respond to questions without notice, make ministers’ statements or respond to matters raised in the adjournment debate;
   (iii) call the Chair’s attention to the state of the House;
   (iv) take, or speak on, a point of order unless it is taken by another member during their speech or relates to the answer to a question they have asked;
   (v) move a motion (except an amendment to a motion or bill when they have the call);
   (vi) interject;
   (vii) chair the debate;
(e) members participating remotely may circulate amendments to bills under SO 64;
(f) in order to assist members participating remotely, the Chair will use a formal call list to allocate the call for each debate where practical and members wishing to participate remotely may seek the call by:
   (i) informing their whip, or the whip’s representative, who will inform the Chair in advance—for a Government or Opposition member;
   (ii) informing the Clerk, who will inform the Chair in advance—for any other member;
(g) when a member participates remotely, the Chair may exercise all their usual powers to control the debate;
(h) the Chair is given any additional powers necessary to facilitate the smooth running of the House and/or to address any technical issues, including but not limited to:
   (i) stopping the clock;
   (ii) returning to a member’s contribution;
   (iii) reordering business; and
   (i) the Speaker may issue guidelines about remote participation.
Other business to be published in Hansard
(15) Members may submit:
   (a) members’ statements;
   (b) statements on parliamentary committee reports;
   (c) constituency questions; and
   (d) adjournment matters—
   for each sitting day by emailing them to the Clerk by the adjournment of the House.
The Clerk will accept matters up to the number usually given in the House and as allocated between the parties and independents in accordance with the call lists approved by the Speaker.

The House authorises and requires these matters to be published in Hansard at the end of each day’s Hansard accordingly:

(a) subject to the Hansard editorial policy; and

(b) if any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Incorporation of speeches

Members may incorporate their speeches for any bills on the government business program or substantive motions considered by the House that day.

Members must submit their speeches for incorporation by the following deadlines:

(a) for any bill on the government business program, they must email their speech to the Clerk by the time set down for consideration of that bill under the government business program; or

(b) for substantive motions, by the adjournment of the House each day.

Incorporated speeches for bills and motions will be published in Hansard—

(a) for bills, after the relevant second reading speeches made in the House (if any) and before the minister’s reply (if any); and

(b) for substantive motions, after the relevant speeches made in the House (if any) and before the mover’s reply (if any).

If any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Given the length of the motion, I am confident that MPs will be relieved if I ask for their forgiveness for not reading it into the record; I did that yesterday morning. But I will make a few brief comments. I am advised that there are others opposite who may want to make a few more comments. I will speculate that I think we could just run a rinse-and-repeat cycle on that part of the debate because it will be a repeat of yesterday. Notwithstanding that, it is of course every member’s right to stand and speak on these items, even if they are a little repetitious.

The government decided to bring this motion forward to set in place the sitting arrangements for next week to provide MPs with certainty, and this is something that I know colleagues on my own side have raised with me. It has been a bit of a challenge, I think, for all of us to go into the weekend ahead of a parliamentary sitting having a bit of uncertainty as to what might be happening the following week. We are all reasonable people. I think we all understand why there has been that uncertainty. We are, after all, in a global pandemic, and workplaces of every stripe have had to make various adjustments to their normal operating practices. Clearly we are no different to any other workplace; we have had to make adjustments to our practice.

Importantly, the government has supported these adjustments with a clear view and a clear statement that we want the house to be sitting, and that is why we have added the days that were lost back in August to the legislative calendar. It has caused some further disruption to the normal business of the house, but importantly—unlike our colleagues north of the border in New South Wales, who have also got a bit going on at the moment—we have been sitting. I think that is a stark contrast in terms of how different governments and different parliaments work through these matters. We have been sitting, and we have worked really hard across the Parliament, across both sides of this chamber and also both houses in this place, to make sure that Parliament can sit in compliance with the advice we are given by public health officials, because we should be no different.

We are no different to any other workplace. We should be respecting the health advice, because you know what the outcome of that is? It means we are respecting the people we work alongside. It means that we understand that we all have an individual responsibility and a collective responsibility to keep our workplace as safe as possible so that we are not taking the virus back home to our communities and to our families and indeed not exposing the wonderful staff who support us every single day to unnecessary risk. That is why, as much as I do not enjoy these perspex screens, they have become an
important part, as is mask wearing, as are the split chamber sittings and the other measures that we have now become used to. But I do understand that colleagues would like some certainty, and that is why we have taken some heed of what is happening in the Legislative Council. I know we often like to think of ourselves in this place as being ahead of the pack when it comes to these matters, but we have looked at what the Legislative Council have been doing for the last I think two or three weeks at least. They have had in place what are known as ‘temporary orders’ to give that certainty of sitting to members in the Legislative Council, so I thought it was only fair and reasonable to give that certainty to colleagues in the Legislative Assembly. Also it was in response to those questions I had certainly been fielding from colleagues on my side of the chamber, who quite rightly wanted to know and have some certainty about the forthcoming sitting arrangements.

Now, I also want to be clear on what this motion allows. This motion clearly allows the Parliament to sit, which is most important. The motion also provides for the house to sit in the form that we have been sitting this week and the last couple of sitting weeks in September as well. As part of that it does mean that there is the important opportunity for question time, and from my discussions with the opposition I understand why they are very keen for question time to happen every day. The government is also very keen for question time to happen every day. We have got a strong agenda and a strong set of issues to put forward to the Victorian community.

But also there is legislation to be done, and it would be a great shame if legislation was put through this week without the opportunity for all members to make a contribution in the running of the debate. I appreciate that is a lesser priority of the opposition, although I do find that position inconsistent with their claim that MPs come to this place to represent their community. They do come to this place to represent their community. They come not just to speak on members statements, constituency questions and adjournments; they come to represent their communities on legislation as well, and that is at the heart of why Parliament sits. It is to consider and debate legislation, and that is why this motion also continues to allow for those other functions—the members statements, the constituency questions and the adjournment debates—to happen and be responded to.

This is an important point. There was little bit of bluff and bluster yesterday—and as I said, the rinse-and-repeat cycle will no doubt bring it back today—about the outrage that people were not allowed to contribute their members statements. Well, they are. Members are able to contribute their members statements, their constituency questions and their adjournment debates, but we do need to get the balance right in terms of allowing time for that and space for that and also allowing time for the important legislative agenda, because I also understand—and the member for Ripon likes to quote the constitution a lot—that the role of the opposition is to scrutinise legislation. Indeed the role of this Parliament, if you go back to what Parliament is about, is to scrutinise legislation that comes before the Parliament. However, that seems to be a lesser order priority for the opposition. I also must admit it was Tuesday—I correct myself—when the rinse-and-repeat debate was undertaken.

I also had a bit of a wry smile to myself because I remember when members statements were introduced to this place. Yes, I know, I have been around a while. I have even been around longer than the member for Murray Plains in this place—shocking, I know.

Mr Walsh interjected.

Ms ALLAN: You have aged me, my friend. But I remember when members statements were introduced into this place following the 1999 state election. Guess what? They were opposed by the then Liberal-National opposition. I also remember, following the 2014 election—and wasn’t that a great day; the member for Frankston loved that day, I know, particularly—that the government moved swiftly to bring in via sessional orders the additional opportunities for members to speak on constituency questions. We also provided for the additional opportunity in question time for supplementary questions to be asked. We also abolished the Dorothy Dixer practice during question time as well. I remember that debate well, like it was just yesterday. I remember well those opposite opposing strongly those
sessional order changes, so it is crocodile tears from those opposite about what goes on in this place. Hypocrisy, thy name is the Liberal and National Party opposition, I do think.

So that is why I am really pleased as the Leader of the House to bring forward a motion that gives that certainty to members of Parliament and gives an opportunity for individual members of Parliament to make their contributions to represent their community, because I think we do have dual roles. We are here as representatives of our constituents and we are here as legislators. They are the dual roles that we are here to perform, and the parliamentary week allows for both of those things to take place.

I would hope that those opposite do support this motion. I have had a bit of a tip-off: they are going to have a bit to say about it. As I said, I do not think we will hear anything new, but what I do anticipate will be an issue raised is that there is no end date to these arrangements. That is consistent with the sitting of the house motion that has just been passed and supported in this place. The sitting of the house motion contains the capacity for the Speaker to consult with me, as Leader of the House, and the Manager of Opposition Business on the operation of the Parliament. This motion is consistent with that, because we do have to be governed by the epidemiology of the day. We do need to know what the circumstances of the day are.

Now, I want to put this on record very, very clearly. I hope you have got your listening ears on over there because I want to put this on the record really, really clearly, because I would hate to get up and raise some points of order during your debates. I would really be disappointed to have to raise some points of order. I want to be really, really clear.

Mr Walsh interjected.

Ms ALLAN: I do not think the member for Murray Plain has got his listening ears on, but I will push on nonetheless. I want to be really clear. The government is keen, as soon as the circumstances of the day and the health advice allow—

A member interjected.

Ms ALLAN: Listening ears. I would really like—

Members interjecting.

The SPEAKER: Order!

Ms ALLAN: And this is why I will take points of order if any member in this debate verbals me on this issue. I want to be really clear. The government intends, as soon as the health circumstances provide for it and we get that tick-off from public health, for the house—

Members interjecting.

The SPEAKER: Order! The Leader of the House has the call.

Ms ALLAN: to return to as normal a sitting as we can. And I have had this conversation with the Manager of Opposition Business. I actually think, Speaker, you might have been witness to some of that conversation as well. I have been really, really clear on this. I want Parliament to go back to its normal sitting schedule, where we have longer days and more members in this chamber and we can keep pushing on with both the legislative functions and the other activities that those have previously opposed in this place, but we are not quite there yet, clearly.

We know that the role of vaccination in this place is going to play a big part in getting us there. There have been, I want to put on record, very, very good discussions. It is where we are at our best, when we have these sorts of discussions that are evidence based and focused on the outcome and understand that we all need to work through the issues to get to the shared outcome, which is Parliament returning with those longer hours and increased members in the chamber. But as I said, we are just not there yet. We have got to work through other mechanisms to give effect to the mandatory vaccination requirements for members of Parliament, and we hope that we will be in a position that we can give
effect to that mechanism during the next sitting week. Once we do that, I would hope that we can, the following sitting week, see a more normal resumption of business. But we are not there yet.

I will not have the lack of an end date in this motion be interpreted as the government wanting to extend these arrangements forever; we do not. We want to move as quickly as we can to more normal programming, if you like, but we are not there yet. We have to get our vaccination processes in order, we have to have the mechanisms put in place for the Parliament to deal with those issues and we have to get the tick-off from the health advice. We will also, I would expect, over that passage of time have got close to, if not have exceeded, the 70 per cent double-dose rate in the rest of the Victorian community, because the Victorian community are doing such a wonderful job in going out and getting vaccinated.

My friend the member for Yuroke sitting here next to me—her community has been outstanding in understanding that relationship between getting vaccinated, protecting their community and getting us to open up, and that is why the government has clearly laid out this pathway in its road map for delivering against the national plan. So I will not have any misinterpretation during the debate this morning or any aspersions cast on what the government’s intentions are. I have been absolutely clear on that. But to get there we need cooperation. To get there we need to do these things by agreement, because we are in uncharted territory.

No Parliament, to my knowledge, in Victoria—I am happy to be corrected; the member for Essendon is very good for historical records—has really had to grapple with these sorts of challenges about how we can continue to operate in a global pandemic that has been the most difficult two years any of us have lived through and experienced, personally and professionally. We are getting closer and closer to being able to have our community open up. We have a role to play in that, and part of our role in that is putting mechanisms in place to achieve it. It gets the Parliament opened up. It gets the Parliament to be operating something like full tilt. I look forward to the day that we can do that.

So I would hope that this motion is supported. I appreciate that those opposite will have a bit to say about the end date. I understand that, and that is okay, provided that it is a debate that is within that framework that I have set out about the government wanting Parliament to return to normal as soon as we can. I would hope that we can have this debate in a reasonably efficient way.

I will have a bet with you, Speaker. I do not know if that is allowed. I should be careful; that might be seen as being inappropriate action with the office. I will have a bet with my friend the member for Yuroke: I reckon we might see some repetition; we might see some tedious repetition from the other day. If the opposition want to do that, I guess ultimately they will tell me that that is their right as members of Parliament—to stand up and be repetitious. That is fine. What I am saying is we want to sit. We have put in place certainty for members, and we are setting out a pathway. We have a pathway through this. I would hope that those opposite can support the motion. As I said, there have been great conversations on those other mandatory vaccination matters, because they are really difficult and complex.

These building blocks all go together: the sitting of the house motion, which has been supported, and the sitting of the house arrangements, which are entirely consistent with the motion that was put on Tuesday that was supported—debated, I acknowledge, but supported. There is frankly nothing new here. The new part of the journey is the conversations we have been having about the mandatory vaccination implementation in this place and how we can get to that pathway of the Victorian Parliament opening up alongside the rest of the Victorian community.

I would hope that this motion is supported. I would hope it is supported in a timely way. I have no doubt the member for Ripon will have a bit to say, and that is okay. She has certainly demonstrated over the course of this week she is not following the Marise Payne pathway. Paul Keating described Marise Payne as someone who has made an art form of hiding her light under a bushel. The member for Ripon is taking a very different approach—a very, very different approach—to the Marise Payne approach, and good on her for that. But I do hope on this one that we can get this motion debated, considered and hopefully agreed to as quickly as we can to set up the arrangements for next week and
to give members certainty for perhaps one more week—one more week that we have to do this whilst we work through those mandatory vaccination requirements.

So with those comments, I am very happy to commend the motion to the house. I hope that it can be supported by all members of this chamber as we look forward to working through how we continue to have Parliament operate in the midst of a global pandemic.

Ms STALEY (Ripon) (09:26): I rise to speak on the motion that the Leader of the House gave notice of yesterday and has introduced now that enshrines some sitting arrangements for this place, and in doing so I move the following amendment to the Leader of the House’s motion. I move:

That the words ‘revoked by the house’ be deleted and replaced with the words ‘15 October or earlier if revoked by the house’.

The reason I do that is because the Leader of the House has just said, and I quote, ‘I will not have the lack of an end date … be interpreted as the government wanting to extend these arrangements’, and therefore I think it is appropriate that we test that comment by seeking to amend this motion. As the Leader of the House suggested, I do have a bit to say on this motion. I am going to start with the places where I agree with what the Leader of the House has just said. I do agree that bringing certainty to the sitting arrangements is a good idea. I actually do not have any problem with the idea of moving such a motion as this on the Thursday of a sitting week to apply to the next sitting week. I actually do not have a problem with that. I do think that there is some merit in the idea that we know before we come in what our sitting arrangements will be.

But I do note on that that the reason we have not done that to date is that the government have repeatedly said that they are entirely guided by the health advice and our sitting arrangements therefore come from the health advice. So the Speaker, for each proposed sitting week, asks for and receives health advice, or at least he receives a letter from the Department of Health setting out their views on the sitting of the house. For the duration of this pandemic we have then had discussions between the Leader of the House and the Manager of Opposition Business to give effect to the letter that is received by the Speaker from the department. That is why we have had this pattern so far. But I agree with the Leader of the House that it does in fact create uncertainty, and there are in many ways things that we can do that we know are going to be required of us, with lower numbers, with the screens. Those things we can absolutely agree to, and we have in the past agreed to them, so I do agree with her in relation to that.

I do also agree that there is a clear legislative role for the Assembly. We are the Legislative Assembly, and therefore debating legislation brought to this place is one of the functions of this place. But so are other things that this place deals with, and whether they be adjournment matters, whether they be members statements or in fact whether they be constituency questions, these are the ways in which both government backbenchers but primarily non-government members get to bring their matters to the Parliament.

The trouble with this motion is that it enshrines things in a never-ending way in its current formation. If my amendment is passed, then that would resolve that problem, but at the moment it is never-ending that we always have those things incorporated by written statement rather than standing up and giving them. Now, I did ask the Leader of the House in our conversation prior to this sitting week for the ability to give those things in person, and I have raised the request many times. I raised it on Tuesday when we debated this very similar motion as a set of sitting orders for this week. I noted then that that was a request that was denied and it was something that is important to us.

I would note that since then we have had two sitting days of 5 hours each and on Tuesday we had 2 hours and 40 minutes of legislation debated. Yesterday we had 5 minutes of legislation debated, and it is not clear how much we will have today in the time left to us. By contrast, had the Leader of the House acceded to my request that we have adjournment matters and members statements made live, that would have taken opposition members 63 minutes. It would have all been done and dusted in 63 minutes.
Instead what we have seen are very big incursions into the government’s desire to debate legislation because of the way they have done things in this chamber this week—for example, bringing in those amendments yesterday and then debating them effectively forthwith. That is one. Then there is this motion today. There is one other aspect of certainty that this motion gives the Leader of the House of course. We agreed that we would give the government leave to bring in this motion on Tuesday and we also agreed that we would not oppose it. We did not discuss whether we would debate it. I think the Leader of the House was somewhat surprised when we decided that we would in fact debate the motion. So that is why we are getting this debate today, because we had the debate on Tuesday, which was not expected. The Leader of the House would prefer that we do not have these debates anymore, and therefore if she has one now, her motion does not have an end date; it is simply revoked by the house.

I do agree with the Leader of the House that we have started to have some conversations about the difficult issues around vaccination and mandatory vaccination and how the house may resolve that. I look forward to those conversations continuing, because I agree with the Leader of the House that they have started in a productive way. They have got a way to go, but they are I think moving in a good direction. But that being the case, why do we therefore need this motion to be without an end date? That is the problem. That is the single largest problem I have with this motion. I could of course object to the fact that we do not have members statements and adjournments live in the chamber. I have made that point, as the Leader of the House has suggested, more than once, and I will continue to make that point. However, that actually is not the biggest problem I have with the motion. The biggest problem is that it has no end date.

The Leader of the House when she moved the motion referred to Victoria’s Roadmap: Delivering the National Plan, and it just so happens that I have both the national plan and Victoria’s road map with me, and I would like to make some remarks in relation to how this motion sits with that national plan and Victoria’s response to delivering the national plan. The reason I do so is that it goes to this issue of no end date in the motion. There are four phases of the national plan. We are currently in the first phase and we are waiting until we get to 70 per cent double vaccination, and then we move to the second phase, where we have a lifting of some restrictions until we get to a double vaccinated rate of 80 per cent. At that point it says that we will still be encouraging vaccination, and I would reiterate my personal support for encouraging vaccination. That is the way out of this pandemic. Everybody should take up the opportunity to get vaccinated. That is the single best way we will get out of this pandemic. When we move to the second phase, that means lockdowns are less likely but possible, and there are supposedly ongoing low-level restrictions.

Now, I will leave it up to the people of Victoria to decide whether the restrictions proposed in Victoria’s Roadmap: Delivering the National Plan are in fact low-level restrictions, because I actually want to move to ‘C. Vaccination consolidation phase’ under the national plan, which is once we get to 80 per cent double vaccinated—and that day is coming, because Victorians have really rolled up their sleeves and got the jab. I have two local government areas in Ripon that are over 90 per cent vaxxed, and all are over 80 per cent—first dose, but the first dose is a marker of the direction we are going in, and it is a good direction. It is a great direction. I see the member for Yuroke is sitting opposite, as minister at the table, and I know her community has also made great efforts to get vaccinated and they also have rolled up their sleeves and done the right thing, and I reiterate my strong support for all Victorians to do that.

Once we get to 80 per cent double vaccinated then we move to a situation where the national plan requires:

Minimum ongoing baseline restrictions, adjusted to minimise cases without lockdowns

It has a number of other provisions, including continuing the vaccine program, but the big one is:

Exempt vaccinated residents from all domestic restrictions …

This suggests that once we get to the 80 per cent double vaccinated rate, which Victoria is closing in on as well—we are on the path to getting there—if we are to be congruent with the national plan then
we will have all restrictions on vaccinated residents removed. This will apply, presumably, to the Parliament, and it is not very far away. We are talking November, perhaps. We really are not very far away from a situation where we would expect that this chamber and the whole Parliament would return to a normal sitting pattern of 9.30 in the morning till adjournment at 7 o’clock Tuesday, Wednesday and Thursday with no restrictions on numbers in the chamber, and we all go back to doing what we used to do before COVID came and blighted the planet. Those days are close, so it seems to me curious—very curious—that if the government is absolutely committed to the national plan, why would it then at this point in the pandemic when we can see the end in sight, when we can see how close we are, bring in a motion of sitting arrangements that has no end date? That to me does not seem absolutely congruent with the national plan.

Now, I appreciate that the Leader of the House went to a great deal of trouble—lots of finger wagging—to suggest that that is not the government’s intention, but the fact is the motion says one thing, and that is the motion we are debating. We are not actually debating what the Leader of the House said in her opening remarks. We are actually debating what is written on the paper, and what is written on the paper is no end date. So forgive me if I put it within the context of the national plan, as I was asked to do by the Leader of the House.

I then move to the national plan, phase D, which the Victorian government has said will occur at 80 per cent of 12-year-olds-plus fully vaccinated. Once we get to there—and the government has given some initial dates on when that would be the case; again, they are in November, I believe—the plan says:

For all settings, align with National Plan to transition Australia’s National COVID-19 Response

That goes through every single category. Everything you can do is completely left as the way Victoria will go. I have got to say it is very pleasing that it does suggest that there is a sign-up to the national plan. But when we go to the national plan and we look at section D, the ‘Post-Vaccination Phase’, it says:

Manage COVID-19 consistent with public health management of other infectious diseases.

All of the measures are really to do with inbound travel from overseas. There are two that are in the community, where it says:

Minimise cases in the community without ongoing restrictions or lockdowns;

Live with COVID-19: management consistent with influenza or other infectious diseases …

If that is the mechanism and the government is set up to follow the national plan and the national plan says that when we get there we manage COVID-19 in the same way we manage influenza, that means there are not vaccine passports and there are not mandatory vaccinations outside of a couple of specific industries such as health care. Because if we are managing it consistent with influenza, then that is what we would get.

But in relation to the Parliament, we certainly do not put screens up, reduce hours, reduce the number of people in the chamber—do any of those things—to manage the annual flu problem. What we do as a Parliament is we have a nurse down in a room on the ground floor with flu shots available to all of us. If that is the model that we have here for how we manage the flu, then that is the model that the government says it has signed up for once we get to phase D. But this motion that we are debating says that we are going to have screens, very restricted numbers, restricted sitting times and a restricted program in terms of what goes on in the house until revoked. There is no end date, hence my amendment. It is to test the Leader of the House’s comments. She wanted us to be very clear—very clear—that she will not have the lack of an end date be interpreted as the government wanting to extend these arrangements. Well, there is a very simple way to ensure that that is in fact what the government is doing.

Ms Allan: On a point of order, Acting Speaker, I did indicate during my contribution to the debate that I would not have a tolerance level for being misrepresented. I indicated also that it would be based
on the epidemiology of the day. So I ask the member for Ripon, if she is going to represent my position, that she represent it accurately.

Ms STALEY: That is not a point of order.

The ACTING SPEAKER (Mr Dimopoulos): Misrepresentation is a point of order.

Ms STALEY: I quoted from her. They were her exact words. I did not add to them or interpret them; I quoted the words that she said in her contribution.

The ACTING SPEAKER (Mr Dimopoulos): I ask the member for Ripon to observe the context in which she quotes the manager of government business. She may continue.

Ms STALEY: Thank you, Acting Speaker. So I will repeat the comment from the Leader of the House, which was, 'I will not have the lack of an end date … be interpreted as the government wanting to extend these arrangements'. I think the Leader of the House was clear. That is what she said. I am not in any way explaining or adding to it; I am giving her words back. I then said, given that they are her words, that we have a mechanism to see whether they are just words. Now, that is not misrepresenting her position in any way.

Ms Allan: On a point of order, Acting Speaker, I would ask that the member be consistent with the debate that is before the house. I was very clear, and I also qualified those comments by saying it would be based on the epidemiology of the day. I appreciate the member for Ripon has struggled this week to honour agreements. I do not take that approach, and I resent being misrepresented in this way.

The ACTING SPEAKER (Mr Dimopoulos): Again, the context matters, as the manager of government business alluded to. I ask the member for Ripon to be mindful of that in referencing comments made in the debate by other members, including the manager of government business.

Ms STALEY: Thank you, Acting Speaker. I return to Victoria’s road map for delivering the national plan and how that is congruent—or not—with this motion. This motion is not congruent with it because it has no end date. That is the simple fact. That is the motion we are debating. Victoria’s Roadmap: Delivering the National Plan—we have had several conversations about what this is actually called, but I have printed it out and that is what it is called—is very clear that once we get to the national plan, phase D, it aligns entirely with the national plan to transition Australia’s national COVID-19 response, as agreed by national cabinet. That is what it says. Once we get there, that plan says that we:

Minimise cases in the community without ongoing restrictions or lockdowns

So in this particular case we are talking ‘without ongoing restrictions’. We are relating it to the Parliament, so it is ‘without ongoing restrictions’, and we:

Live with COVID-19: management consistent with influenza or other infectious diseases

Well, that is not at all congruent with a motion that does not have an end date as to when we would get to that point.

New South Wales believes it will be at that point on 1 December, and if the vaccination rates in Victoria remain strong—and I repeat how important it is for everyone to go and get vaccinated, not least for things like this—we are only a couple of weeks behind New South Wales’ take-up rate. If they are going to hit 90 per cent at 1 December, we would be there by the middle of December, so there is no reason for a motion that has no end date. We should be showing leadership and demonstrating to the people of Victoria that we know there is an end date to this misery, we know that there is a path out. We believe that vaccination is the path out. It is the path out of these restrictions. We as a Parliament should be delivering that message to Victorians, and the way to do that is to time limit these onerous restrictions, which are based on the health advice that we received from the Department of Health for this week.
So they are based on a letter that was sent to the Speaker for this week. They are not based on a letter or ongoing health advice going forward. Up until now we have always had health advice for each week. The Speaker goes and asks for it and we get it, and there have been a variety of sitting arrangements—and even, could I say, quite recently. If we look at the sitting arrangements for the week ending 6 August, for example, that had:

… the House will be composed of the Chair and no more than 29 other members, being …

and then there was a list of that, whereas the motion that we have in front of us is that:

… the House will be composed of the Chair and no more than 24 other members …

And that was not very long ago—that was mid-August. That was in the delta period. That was with cases. It cannot be said that that is not a comparable place to look, and yet we are setting in stone the most onerous of restrictions, and we are doing that really when we all believe we are at the end of the road here. I personally am a huge believer that getting us all vaccinated is going to mean that we can get our lives back. I really believe that. I think that when we get those high levels of vaccination we can open up. We can get back to people being able to see each other in their homes, go out, go to events. Business can get going. All of those come to us because we are getting vaccinated. So for the government to move a motion now at this point in the pandemic that has no end date is at best curious, but at worst it suggests a lack of hope—a lack of hope that the government’s own plan is going to work.

Mr Wakeling: They’re not committed to the national plan.

Ms STALEY: Absolutely, member for Ferntree Gully. Where is the commitment to the national plan within this motion? The government says it is committed to the national plan. The Premier frequently stands up and talks about Victoria’s response to the national plan. The government has provided documents that set out for all Victorians to see what the levels of restrictions will be at various points along the national plan, and they are very clear that when you get to D—the last stage, I should say—there are no restrictions. We manage it in the same way as influenza or other infectious diseases. Now, it is not that far away.

And this is not just simply in this motion. We saw it when the Premier was asked when he would expect to get to that and he did not want to give an end date. When the Treasurer was asked, he said months and months. I do think there is a lot of form here that the government is not believing its own rhetoric that it is on the path of the national plan, and this motion is just the latest piece of that. Really we want to see leadership from the government in saying, ‘Well, we actually believe our approach to the national plan is going to work. This is how we see this unfolding’. Instead the Parliament is being asked to agree to a motion that sets in stone the most onerous sitting arrangements that we have sat under. It is the fewest number of people in the chamber. It has still got all the screens. It is low on hours. I could add—this would be consistent with the health advice we have seen—if the government feels that it cannot get enough of its legislation debated, it is of course able to sit us on Friday.

We could sit on Friday; that would be consistent with the health advice that we have received. It would not be consistent with this motion that has been put up, because it does not provide for that, but there are options available to the government. If its oft-repeated argument is that this place is really only here to listen to its backbenchers read the talking points—if that is the only purpose of the chamber—they should be clearer on that. That is clearly what this motion enshrines—lots of time for that. So with that, I move my amendment and I will look forward to the next speaker.

Mr CHEESEMAN (South Barwon) (09:56): It is fantastic to rise to speak on this motion proposed of course by the manager of government business. And I must say we live right now in extraordinary times. We live in times that indeed society really has not experienced for more than 100 years, not since globally we saw the Spanish flu cause great devastation to the global community directly after the completion of the First World War. Throughout this period of course parliaments around the globe have responded appropriately to put in place a raft of mechanisms to ensure that their communities would be able to get through to the other side of the global pandemic, the other side of COVID-19.
Indeed parliaments throughout the globe have put in place different arrangements to what would be the normal status quo for them managing their chambers in a safe way to make sure that parliamentarians and those that work in the parliamentary precinct—indeed politicians, our staff and key bureaucrats—can be kept safe to ensure that of course they, as parliaments, do not see outbreaks of COVID-19.

Throughout our response the government has been very clear that we will always follow the expert advice from the chief health officer and of course his key staff, who of course make recommendations directly to the Presiding Officers of the Parliament. Indeed the Presiding Officers of the Parliament then seek to negotiate with both the government and the opposition and, I have no doubt, the crossbench in both chambers to ensure that we can safely meet and that we can get through the government business program so that we can deliver all of those commitments that we took to the Victorian community in 2018. I think it is true to say that throughout the course of this year we have had a raft of different arrangements put in place, depending on what the advice of the chief health officer has been. And I must say, in a very transparent way that advice has been made available to every single parliamentarian to ensure that we are all very, very clear about what the advice is. From my perspective, that advice has been warmly welcomed, because I know it is about the occupational health and safety of myself, of my staff and of everyone that I interact with in this precinct. So I have certainly very, very warmly welcomed that advice.

These arrangements and indeed the arrangements that the chief health officer has put in place are very much about keeping us safe and very much about keeping the Victorian community safe. I think these arrangements going forward provide that certainty to ensure that the Parliament can continue to meet, that we can continue to play that key role of legislating and putting in place the appropriate legislative response to the various needs that we as the Victorian Parliament have. So I am very pleased to be able to speak on these arrangements. I listened very, very intently to the member for Ripon, whose contribution was very longwinded and very wide in its application. But I must say that from my end, and I know from talking to my parliamentary colleagues, we are very keen to continue to focus on delivering the government’s legislative agenda, which of course underpins all of the commitments that we took to the Victorian community in 2018.

I look forward to this motion succeeding. I look forward to the certainty that it will provide. And I very much look forward to further chapters when we get those vaccine rates up across the state to ensure that our workplace, the Parliament, can continue to be a healthy and safe place to work for me, for those that work in the parliamentary precinct and indeed for other parliamentarians. I certainly look forward to this motion passing. I look forward to having a vote on this so that we can move forward.

Mr WAKELING (Ferntree Gully) (10:02): I am pleased to speak on the motion before the house. On reading the motion, as someone who has been a member of this house since 2006, my first read would be that this is probably the most onerous government business program that has been introduced during my time in Parliament, with restrictions being placed on members of Parliament not just in terms of the hours of sitting and in terms of the number of people who can be in the chamber but also the restrictions on members of Parliament being able to make contributions in the house on a range of matters, including constituency questions, members statements andadjournments.

The opposition clearly understands and acknowledges that we are in different times and that the motion before the house is moved on the basis that we are dealing with the effects of the current pandemic that is affecting this state. So given that, the opposition accepts the fact that there is a requirement, as the member for Ripon has pointed out, for certainty. However, what the member for Ripon has argued through her amendment is that this motion, if approved as amended, would apply for the next sitting of the house, that being next week. The opposition is not seeking to remove paragraphs from the motion in order to tamper with, change or alter the operation of the manager of government business’s proposal. What the opposition is seeking to do is say that these rules will apply for the next sitting of the house.
The Leader of the House indicated, particularly through her interjections when she was trying to verbal the member for Ripon, the context in which she is moving this motion and undertakings she has given to the house on this issue. The point that needs to be remembered is that the operation of this motion is actually not in the control of or at the behest of the manager of government business. It is for this house to determine how business of the house will apply. It is for the house to determine the length of time that these changes in rules for the operation of the house should apply. It is not for one member of this house to stand up and say, ‘I’m introducing this new set of rules and I will determine when they will finish—and trust me on the end date’. It is not for a member of Parliament to indicate an end date, it is for the Parliament to determine the length of the operation of these provisions.

Now, if the member for Ripon’s amendment is supported—and I would strongly argue that the government and the crossbench should support it—what that simply means is that at the end of the next sitting, if the leader of government business is of a view that they believe that the operation of the house should continue under similar circumstances, then it is open to the Leader of the House to again move a notice indicating similar terms or with changes, depending on the health advice that they receive, and that will then be considered by the house. There is nothing unremarkable about any of that. It is simply saying that for a defined period of time these will be the conditions upon the house that will apply.

Now, the house should remember that this is 2021 and not 2020. Last year was very different. Whilst we have mismangement in terms of coronavirus in this state, this year is very different to last year, because last year we did not have a vaccine rollout. Last year the only way to manage the spread of COVID was simply through restrictions on the movement of people, restrictions in the way in which people interacted. Today it is very different, because with the vaccine rollout we are now seeing hospitalisation rates of vaccinated people significantly reduced compared to those who are unvaccinated throughout Australia. And that has been the whole guiding principle of the national program as agreed by national cabinet as part of the national road map.

Now, the Victorian government has said, through the Premier, that they support the national road map. The national road map makes it very clear: through vaccination, by encouraging all Australians to be vaccinated—which I support as a fully vaccinated Victorian—we will get out of lockdown. We will get to a new normal. As of yesterday, Victorians—and I congratulate Victorians who are going out there and getting jabbed, and I congratulate the federal government for providing the vaccines for the state—are at 83.6 per cent first dose. So the argument that we are not going to get to 80 per cent in Victoria is false, because we are already at 83.6 per cent. With a three-week layover for Pfizer and a six-week layover for AstraZeneca for second doses, we should be at the 80 per cent mark as far as double doses go for age 16-plus people within six weeks, technically, in the state of Victoria.

Stage 4 of the government’s own road map says you have got to be at 80 per cent for the 12-plus age group, and we know that there is a high take-up of young people in that 12- to 16-year-old age bracket who are getting vaccinated. My children are no different. Many children across the state are currently being vaccinated, and as the member for Ripon has rightly pointed out, we are probably going to hit that mark in mid-December. So it begs the question: if we are going to be hitting the fourth stage of the government’s own road map this year, why do we have these onerous provisions, understanding that they have to be implemented today without an end date? Because by the government’s own reckoning, if they do in fact support the national rollout of the national agreement in terms of the four-stage road map, when we hit the 80 per cent mark for age 12-plus Victorians, then technically the screens go. We are back to full sittings of the house. We are back to members statements. We are back to adjournments. We are back to constituency questions.

We are not talking about December 2022; we are talking about December this year. The point is if the government is committed to the road map, then it will agree to putting in the member for Ripon’s amendment to ensure that we provide an end date. There is nothing unreasonable about that. I am positive that when the manager of government business was sitting in this seat, when she was Manager of Opposition Business, she would have been standing up stomping her feet, yelling and screaming.
about the fact that it would be unprecedented for a government to introduce onerous provisions on the Parliament without an end date. I can just imagine her argument.

All it is simply saying is: this house determines how this house will operate and this house will determine how long that should operate for. It is not for this place to be lectured by the manager of government business and to be told, ‘Trust me. I will make decisions on when it ends based on advice when I receive it’, bearing in mind that the advice that the manager of government business is talking about is actually not shared with anybody else. The manager of government business is telling this house she will determine when it ends. It purely gives the impression that the government is not committed to its own road map, and the real test of the government will be when we hit the 80 per cent, 12-plus, double dose. Will they commit to the screens going? Will they commit to an end to all of these restrictions and getting back to normal business in accordance with their own road map? If they are not willing to apply it in this house, then how can the rest of Victoria trust them to follow their own road map?

Mr HIBBINS (Prahran) (10:12): I rise to speak on the motion put forward by the manager of government business. Certainly the Greens were very surprised to see this motion in the house yesterday, essentially to keep the sitting of Parliament very minimal until further notice, with no end date included in the motion itself. I appreciate the manager of government business has indicated a timeframe for this verbally, but that is not in the motion itself.

Now, the Greens have consistently pushed for Parliament to sit safely during this pandemic—even if online, on which I will just reiterate that we do not understand why the Parliament has not gone further in its ability to do online or hybrid sittings. It is now late 2021, and this pandemic has been going on for the best part of two years. It is extraordinary that arrangements have not been made for a wider and broader sitting of Parliament using an online or a hybrid model. Democracy should not be a casualty of this pandemic. This is a time when governments are making unprecedented decisions about our movements and making massive financial decisions. Parliament, scrutiny, transparency and accountability are more important than ever.

We were very surprised to see this motion from the government because we have been very clear that we are very keen to work with the government. If they would give us the heads-up and keep us in the loop around sitting arrangements, then certainly we would be very happy to work constructively with them to ensure that Parliament can sit safely. We thought we were getting somewhere with that until this motion was sprung on the chamber. We understand that there was a heated debate at the start of this sitting week regarding the arrangements for this week. That is democracy; that is Parliament. The Leader of the House has indicated that these sitting arrangements are intended to only last for the week and then we can go back to a more normal Parliament, but again that is not in the motion itself. It is possible that these reduced arrangements could last for the rest of the year or even longer, so certainly we are worried about what is happening to democracy here in the pandemic here in Victoria.

Last year the Parliament was cancelled for large parts of the year, and whilst we managed to sit more often this year it has greatly reduced the functions of Parliament. Again the Leader of the House was indicating that the primary function of the Parliament is to pass government legislation, and that is the justification for getting rid of member statements, constituency questions and the like. But there is more to it than that, and certainly all those adjournments, members statements, constituency questions and other chances to contribute to debate form part of the scrutiny of government. We have seen the government refuse time, and I point out that if legislation is the core function of this Parliament, then why don’t we have private members time? Why can’t we move private members bills? Why can’t we move a motion to even debate that?

We obviously want to respect the health advice and want to follow that, but it is the government deciding to minimise this. There is no health advice telling us that we cannot do members statements and we cannot contribute that way; this is actually the government deciding what Parliament wants. But I think the voices are very loud and very clear that we want to be able to contribute safely in the
widest possible range of debates in this chamber and make the widest range of contributions. It does not seem proportionate. Whilst we back the health advice—we have been very supportive of measures to protect people during this pandemic—it does not seem proportionate to reduce Parliament so much even when we are hitting 70 or 80 per cent or more on vaccination rates. I imagine the vaccination rates in this chamber and this building would be nudging up to the 100 per cent mark. I think the journos were taking a tally at the start of the day, stopping people before they entered the building and asking. I am not sure if they compared notes, but I am sure we could get a good figure.

In other industries they have got a road map that allows them to increase capacity when they hit 70 or 80 per cent vaxxed, so why doesn’t the Parliament have that? Surely there would be the ability to increase the number of people in the chamber, increase the times of sittings, increase the speaking slots up to a normal level when we start hitting 80 per cent vaxxed. But again, this motion does not do that. It asks us to essentially trust the government to bring forward another motion when they see fit.

Not being able to do things like ask the constituency questions, the adjournments, the member statements hampers our ability to do our job and represent our constituents. This motion, again, continues indefinitely to get rid of those and only allow us to table them in Hansard later on. I mean, you would not even really need that many people in the chamber to be able to do this—the same amount that is allowed right now—and so the health justification for keeping them out I would certainly question. Again, this is not the health advice that we are getting; these are decisions that are being made by the government. I would urge the government to collaborate, to be accountable and to respect Parliament and allow it to do its job. I would encourage them also to put an end date on this motion.

Ms BRITNELL (South-West Coast) (10:18): I rise to speak on the motion and support the amendment put forward by the member for Ripon. There does not seem to be much evidence behind why this motion has been put forward by the Leader of the House when in fact there is no actual supporting health advice. Now, that has been a call from so many community members of Victoria and by us here in the opposition. It is not that we do not agree there is a pandemic, it is not that we do not understand there is need for restrictions, but it is simply about respecting Victorians’ intelligence and asking for some evidence to show how the workings out were done to come to these solutions, such as the chamber being restricted. If I was in my maths class back in year 9, the teacher would say to me, ‘Do not just give me the answer to the maths problem. Show me the workings out so I can see how you arrived at this conclusion’. That is the exact analogy I think that Victorians are looking for.

For us to have no end date to this motion just shows the community that the government are not confident in their own recommendations. We have a national plan to work towards. Vaccination gives us hope. This year we are in a very different position due to the fact that we have vaccination. When we are on target to be reaching the vaccination rates that will keep us sticking to the national plan, there is actually no reason for this ‘no end date’ on the motion.

Now, I am in this place because I was elected by the people of South-West Coast, a region quite a distance from the metropolitan area of Melbourne. The people of the Warmambool area and the Portland area—Heywood, Macarthur, Caramut—actually want their voices heard. They make contact with me and they ask me to ask questions on their behalf. They ask me to represent them to make sure that for legislation that is brought into the Parliament that may actually compromise their ability to go about their life, their point is brought forward, and we debate it here in this chamber. So why on earth would you want to compromise people’s voices being heard? Is it that the government are so embracing of their degree of power that they are no longer interested in listening to the community? Because that is what I am here to do—ask constituency questions, do adjournments that put the story behind the issue that is being raised so that the minister can hear it, put members statements forward which raise issues in my electorate—but I cannot do that in an effective manner if I cannot stand in this place and have my voice heard.

I see the government rushing legislation through and saying we need less time. When they rush something through like they have this week in asking for six days consultation, well, that does not give
the representative of the community, whether they be from whatever party, time to go out to their electorate and actually ask for returned comments on how this legislation will affect them. So it just says one thing: the government is not interested in listening to the people of Victoria. I am so disappointed that the government cannot see that they have to show leadership here. They are so intent on just telling the people what to do, blaming the people if the Premier believes they have done the wrong thing and finding someone to blame all the time. You take people on a journey when you need them to do something with you, and a pandemic is the exact situation where you should be taking your community on a journey.

I understand we are doing an extraordinary job with our vaccination rates, and South-West Coast is over 90 per cent in many of the local government areas (LGAs) for the first vax and so on track to be way over 80 per cent. But there are people who are vaccine hesitant. They are not actually anti-vaxxers even. They might actually just be frightened of having a needle, and I have certainly experienced that many, many times in my profession as a nurse, where people were terrified of needles. So where has the campaign been, the public health campaign that we saw for SunSmart, that we saw for anti-smoking, that we saw for the Grim Reaper campaign when we went through the AIDS virus, where there was fear in the community similar to today, that has given people the reassurance that the vaccination is safe? Where has the campaign been where they have been shown that the process that this vaccine development has gone through is the same as the vaccination process the chickenpox vaccine went through, that measles, mumps, rubella—all of them—went through and that this is not something that is going to hurt you? There is no confidence from the government in that campaign that they should have been promoting to get those other people forward, because vaccination is our only way out.

But I keep coming back to the fact that the government do not care what the people think. They are not worried about the people’s opinion and voice because they are not giving them that confidence. They are not taking them on the journey and reassuring them about the vaccine. They are not giving them the health advice to help them understand why you need to stay at home or why you need to be restricted. They are just being so onerous that people are starting to rebel, and that is not going to make things better.

Look at the vaccine economy concept that was touted two Sundays ago. It came out of nowhere. My LGA of Warrnambool was one of the six LGAs listed as a vaccine trial location. Now, there are going to be, apparently—all we heard—12 to 20 venues, events and accommodations. There are a few picked from those six, so 12 to 20. We have got one more day before that vaccinated economy trial starts. No-one in Warrnambool knows anything more today than they did two Sundays ago. We are imagining that there will be an event where double-vaxxed people can go and we can trial the way forward. But you are kidding me, aren’t you, that some business in Warrnambool is going to get notice that the day after tomorrow it is the one that has been chosen.

How about we use an event? Here is an idea. I have perhaps got an idea right now forming. Why don’t we use one of the race meetings that are going to take place in Warrnambool during that two-week trial period? We have proven as a region—we ran the May races successfully during the pandemic—that we can hold an event safely. The racing industry is very important to the economy of our region. Let us all pause for a minute and think about the businesses that have absolutely been compromised—caned actually—during this pandemic, and let us give the people of Warrnambool who are double vaccinated, over 90 per cent, the opportunity to come to an event and show that they support our local community and our local racing committee. It is a double win for the people who are double vaccinated to get out and be rewarded and it is also good for the trial. But no. We would expect some consultation from government, but still no-one knows anything.

Right now we are going through an outbreak in Warrnambool, so maybe we are not even being considered any more, but we have not been given the consideration of the knowledge that that is the case. We do not know anything. During this time me standing here in this Parliament is important—for me to speak to the ministers who are making decisions who will not give me a briefing, who will
not give me an update, who will not help. But here is my opportunity to look the ministers in the eye and say, ‘Hey, we need to understand what’s going on so I can support my community’.

Right now I have got businesses who have been shut down for two-week periods. For one particular business it has cost him over a quarter of a million dollars. He got no support during that time financially whatsoever. He is a tier 1 site, and because his administration block is actually separate to the workshop where the exposure occurred there are people in the administration block that are caught up in the tier 1 site. That was a building area that was locked up, secure. There was no-one in there for 2 hours after the guy was in the workshop, nowhere near it, but because of one QR code everybody is caught up in it. People are confused by this. They are saying, ‘Well, how come I can’t see my children for two weeks when I was nowhere near it, yet I went to the supermarket and I am tier 2 and I am allowed to be negative tested and go out?’.

So those are some of those questions. No-one wants to do the wrong thing. My community have showed great evidence of being supportive of the regulations to make sure they keep their citizens around them safe, but they do want some logic, they want some common sense and they want some explanations. Is it really too much to ask that we spend the time in here? We have the perspex to keep us from spitting 1.5 metres. We are wearing masks. There is absolutely no common sense to this. The chamber next door—I never see anyone from the upper house. I never go over to that chamber. I see them in the corridors where my office is, and I am still seeing them in the corridors near my office because they are allowed to be here at the same time as us. So it makes no sense. We are putting on a show that does not make any sense by not being allowed in the chamber for longer. It does not make sense. There is no health evidence that has been put forward to support it that we have been given knowledge of. So if it is just about not wanting to talk to the opposition, not wanting to hear from the parties, just come clean and say it.

Ms D’AMBROSIO (Mill Park—Minister for Energy, Environment and Climate Change, Minister for Solar Homes) (10:28): I desire to move:

That the question be now put.

The SPEAKER: The member for Shepparton seeks the call.

Ms SHEED (Shepparton) (10:28): Thank you, Speaker, for the opportunity, and I will not take long. I have been listening to the debate and I would like to indicate my support for the amendment that has been put forward and express my concern about no end date appearing on the motion at the present time. I think we are in a stage now where we are moving forward. We have a national road map. We have Victoria’s road map. Just this morning I was in a cross-border briefing with both cross-border commissioners. New South Wales reached 70 per cent double-vaccinated residents just last night, and they are now moving towards the changes that must take place. I understand their Parliament will be sitting next week for the first time in a long time. I congratulate the Victorian Parliament and the government and everyone who works in this place for the efforts that have been made for us to be able to sit most of the time. We have probably been able to navigate what has been a very difficult situation very well, but we do have to show confidence in this road map and we do have to show some leadership. I think it behoves us then to perhaps look at how we go forward, and to lock this motion into place when within a few weeks we might be in a different place again is concerning to me.

I recall early on in the pandemic reading that wonderful article or booklet that the library put together on the history of pandemics and epidemics in fact. Back 100 years ago during the Spanish flu members of Parliament died. Everyone was dying of the virus, there was no vaccine, people did not understand how it spread and Parliament was sitting. I am not sure of the numbers, but members of Parliament died.

Well, 100 years later we are incredibly lucky in a way that we understand so much more. We have been able to put in place a whole range of measures. We just see it here with the perspex, with the social distancing. All these things have created a much safer environment, and we have been able to continue the business of government. While we need to continue this for another couple of weeks
probably, I think the road map does indicate and support perhaps another change coming forward and then another change, so it does concern me that this is so open-ended. While it may well be fine for next week it does not give any indication of a closure date. On that basis I oppose the motion and support the amendment.

Mr D O'BRIEN (Gippsland South) (10:31): Speaker, I thank you for your forbearance in ensuring that The Nationals have the opportunity to speak on this motion. I rise to speak on the motion and support the member for Ripon in the amendment that she has put. Just to remind the house, we are talking about changing the standing and sessional orders to allow us to continue to sit in the way that we have been doing in the last couple of weeks in what you might call a COVID-safe manner or a COVID-safer manner. The motion says we will do that until ‘revoked by the house’. I remind the house that the Manager of Opposition Business, the member for Ripon, has put forward an amendment that that be removed, the ‘revoked by the house’, and replaced with ‘15 October or earlier if revoked by the house’. So effectively what we are saying is: put an end date to this. As previous speakers have said, if the government is serious and if the Leader of the House is serious in her determination that we will get back to sitting as quickly as possible, they should have no problem with accepting this amendment.

I have always maintained that the Parliament should be sitting as often as possible and as freely as possible. I am reminded—I think it was earlier this year, and I did in fact raise this with you at the time, Speaker—that even when we were opening up and at the time there were something like 50 000 people allowed at the MCG, the Parliament building itself was still closed. We were still subject to some restrictions here. Shortly afterwards those restrictions were lifted and the perspex went. I made the comment at the time that the Parliament really in a democracy should be the last place to close. Now, I got a flippant comment from the Leader of the House at the time that surely the hospitals should be the last place to close. Well, very obviously. But in a democracy this is the place where at our community’s worst possible times—whether it is a pandemic, whether it is a war—there must be the opportunity for discussion in this place, and I say discussion and debate in a personal sense.

The notion that has been espoused by some, including in the other place, including in the community, ‘Why can’t you just go online?’ , fundamentally misunderstands the role of the Parliament. One of my former colleagues used to refer to the Parliament as a pressure release valve for the community. I actually think that is not too far wrong. Sometimes when there is real anger there, a local member of Parliament—whether government, opposition or otherwise—can actually express that view for the community. We have seen it, I hate to say, on social media, the release that people get from seeing their local member—or any member of Parliament, actually—stand up and give voice to their concerns, give voice to their frustrations. I am not in the habit of handing out free compliments to the member for Kew but yesterday he did that very well, and indeed his social media page has shown that.

Mr Rowswell interjected.

Mr D O'BRIEN: He is our good colleague and friend, member for Sandringham, that is right. But, no, he did speak very well, and it does give voice to the community’s views and the community’s frustrations. Whether you are in government, opposition, crossbench, Independent, whatever, I think we need to have that ability to actually provide a voice to the community here in the Parliament—not online, which, yes, we can do in the worst of circumstances, but not by submitting something in written form. That is not the same, and I take up some of the comments that the member for South-West Coast made about the ability to actually speak on the issues that are important now—the opportunities that an adjournment or a members statement or a constituency question gives you to speak and to debate the issues. It would be nice at the adjournment—and once upon a time ministers did come in and actually respond to adjournment matters. There are one or two left in this government, but mostly not. But in the day—I know in our days in government—ministers would regularly come in and actually respond to adjournment matters there and then. That was an actual form of debate where people could put issues and questions and ministers would respond. I would love to be able to do that right now on the issue of the vaccine mandate, for example, which I am sure we are all getting questions on,
particularly from businesses, who are now saying, ‘Well, I’ve got eight staff and three of them don’t want to get a vaccine. What do I do?’.

Ms Britnell interjected.

Mr D O’BRIEN: ‘Where do I find staff to replace them?’—I heard this question asked of the Minister for Small Business in the other place yesterday, and the answer was pretty much, ‘Well, it’s not our issue. You’re going to have to get Fair Work involved and you’re going to have to get some legal advice’. Well, that is not good enough. We actually need some answers. If the government is going to take dramatic stances like this, it needs to be able to tell the Parliament how it will deal with the consequences, and we are not seeing that at the moment. We have seen a mandate edict from on high, much as we have seen for this entire pandemic: ‘Thou shalt oblige, you shall follow the rules—and bugger the consequences’. That is pretty much what we are getting at the moment, and I think on that issue I would call on the government to provide more information and more clarity on the legal situation for employers and employees. It is an issue that we should be debating in this chamber to get some answers from the government—and debating live.

I am pleased to hear the Leader of the House acknowledge in her contribution on this motion that every MP has the right to speak on debates in this chamber, because based on the points of order that she has taken all week you would think that she does not actually believe in that. She has been particularly cranky about the fact that we have actually taken the opportunity to speak on debates, whether procedural or substantive, as we are dealing with now. So I thank the Leader of the House for that. It is good to hear her acknowledge it.

I also pick up the comment that she made about the dual roles of MPs in here as both representatives of their electorate and as legislators. I do not know if it is free advice or criticism, perhaps, but she actually talked about the role of the opposition to interrogate and to scrutinise legislation. Well, wouldn’t that be nice to do in this chamber? I have been here for seven years and she has been the Leader of the House for that seven years, and if I am not mistaken, there has been one occasion where the opposition has had the opportunity to go into consideration in detail on a piece of legislation. So we can stand on this side and throw questions and raise issues in our speeches on legislation, but this Leader of the House in particular says, ‘Your role is to scrutinise legislation’, when almost every week we come in here and we have got a bill we want to actually go into consideration in detail on and she says, ‘We’ll see. We’ll see’.

In the Leader of the House’s contribution this morning she gave her usual tone about having our listening ears on—‘I hope the opposition has its listening ears on’. Fair dinkum, I nearly took a point of order on her being patronising. It was extraordinary. I was actually just waiting for her to stand up and say, ‘Wait till your father gets home’, because it was seriously so patronising and so like that schoolteacher or a mum to the opposition. And then she is saying that the opposition should be scrutinising legislation, when almost every week she uses the numbers at her disposal to ensure that we cannot—and without any sense of even honesty. If she just said, ‘Nup, we’re not doing it’, you would go, ‘Okay. We don’t like it, but we accept it’, but every week, ‘We’ll see. We’ll see if there’s time’. As I have said before, it is like when my little girl says, ‘Can I have a pony?’—‘We’ll see’. We know there is no pony. There is not going to be a pony. We are not getting ice cream after school, but she just keeps stringing us along.

I think the other thing that is important to raise in here is the issue of health advice and the clarity of what is being asked of this Parliament. Previous members have spoken on it, the fact that we get advice from a mid-level bureaucrat—not even the chief health officer himself sometimes—as to what the Parliament should do. But there is very little in the way of, as far as I am aware, any backwards and forwards on how we can mitigate this. It is just, ‘This is the advice you should do’, and we are expected to accept it.
It is a bit like the changes generally that are offered from this government in terms of restrictions and in terms of a road map. On the one hand we are told that we should be more bipartisan and on the other hand we get nothing from this government as MPs, as people trying to support our communities. I can tell the Parliament, and I am sure many members are similar, I reckon the last six times there has been a change of restrictions, either going into lockdowns or coming out, I have had a call or an email from a constituent before the Premier has even finished his press conference asking for clarity, as though the Premier has rung me beforehand to give me the full detail of what is about to be announced. We just get no support from the government in terms of answering those people’s questions. We get a media release about half an hour after the government media release comes out that says the same information that is given to the public, and we are expected to be bipartisan in helping people through this. I might add, I have a suspicion that the Labor government backbench does not get much more; I am pretty sure they do not get much more help. If they do, well, it is wrong. It should be provided to members on this side as well.

So I support the member for Ripon’s amendment. I encourage everyone to support the member for Ripon’s amendment on this substantive motion.

Mr CHEESEMAN (South Barwon) (10:41): I move:

That the question be now put.

The SPEAKER: The Leader of the House has moved a motion to suspend standing and sessional orders to provide for temporary sitting arrangements. The member for Ripon has moved an amendment to the motion to omit certain words and insert the words which have been circulated. The member for South Barwon has moved that the question be now put. Therefore the house will divide on the question that the question be now put.

House divided on question:

**Ayes, 13**
Addison, Ms  D’Ambrosio, Ms  Hutchins, Ms  
Allan, Ms  Edbrooke, Mr  McGhie, Mr  
Blandthorn, Ms  Edwards, Ms  Spence, Ms  
Cheeseman, Mr  Fowles, Mr  Staikos, Mr  
Crugnale, Ms

**Noes, 9**
Battin, Mr  McCurdy, Mr  Sheed, Ms  
Britnell, Ms  O’Brien, Mr D  Staley, Ms  
Hibbins, Mr  Rowswell, Mr  Wakeling, Mr

Question agreed to.

Register of opinion on question

**Ayes**
Mr Andrews, Mr Brayne, Mr J Bull, Mr Carbines, Mr Carroll, Ms Connolly, Ms Couzens, Mr Eren, Mr Foley, Mr Fregon, Ms Halfpenny, Ms Hall, Mr Halse, Mr Hamer, Ms Hennessy, Ms Horne, Mr Kennedy, Ms Kilkenny, Mr Maas, Mr McGuire, Mr Merlino, Ms Neville, Mr Pakula, Mr Pallas, Mr Pearson, Ms Richards, Mr Scott, Ms Settle, Ms Suleyman, Mr Tak, Mr Taylor, Ms Theophanous, Ms Thomas, Ms Ward, Ms Williams, Mr Wynne

**Noes**
Mr Angus, Mr Blackwood, Mr T Bull, Mr Burgess, Mr Hodgett, Ms Kealy, Ms McLeish, Mr Morris, Mr Northe, Mr Southwick, Ms Vallence, Mr Wells
The SPEAKER: The house will now deal with the amendment moved by the member for Ripon. The question is:

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

Members supporting the member for Ripon’s amendment should vote no.

House divided on question:

Ayes, 13
Addison, Ms
Allan, Ms
Blandthorn, Ms
Cheeseman, Mr
Crugnale, Ms
D’Ambrosio, Ms
Edbrooke, Mr
Edwards, Ms
Fowles, Mr
Hutchins, Ms
McGhie, Mr
Spence, Ms
Staikos, Mr

Noes, 9
Battin, Mr
Britnell, Ms
Hibbins, Mr
McCurdy, Mr
O’Brien, Mr D
Rowswell, Mr
Sheed, Ms
Staley, Ms
Wakeling, Mr

Question agreed to.

Motion agreed to.

Register of opinion on question

Ayes
Mr Andrews, Mr Brayne, Mr J Bull, Mr Carbones, Mr Carroll, Ms Couzens, Mr Eren, Mr Foley, Mr Fregon, Ms Halfpenny, Ms Hall, Mr Halse, Mr Hamer, Ms Hennessy, Ms Horne, Mr Kennedy, Ms Kilcenny, Mr Maas, Mr McGuire, Mr Merlino, Ms Neville, Mr Pakula, Mr Pallas, Mr Pearson, Ms Richards, Mr Scott, Ms Settle, Ms Suleyman, Mr Tak, Mr Taylor, Ms Theophanous, Ms Thomas, Ms Ward, Ms Williams

Noes
Mr Angus, Mr Burgess, Mr Hodgett, Ms Kealy, Ms McLeish, Mr Morris, Mr North, Mr Southwick, Ms Vallence, Mr Wells

Bills

DOMESTIC ANIMALS AMENDMENT (REUNITING PETS AND OTHER MATTERS)
BILL 2021

Statement of compatibility


In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (the Charter), I make this statement of compatibility with respect to the Domestic Animals Amendment (Reuniting Pets and Other Matters) Bill 2021 (the Bill).

In my opinion, the Bill, as introduced to the Legislative Assembly, is compatible with the human rights protected by the Charter. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

The Bill amends the Domestic Animals Act 1994 (the Act) to enable animal shelters and consenting veterinary clinics to receive lost cats and dogs and reunite them with their owners, thereby reducing reliance on councils and facilitating the efficient and humane reunification of lost cats and dogs with their owners. Amendments inserted by the Bill will allow shelters and vets to make enquiries to verify ownership of lost dogs and cats,
and impose record keeping and reporting requirements to ensure councils can conduct compliance activities. The Bill also makes a number of amendments to improve the administration and enforcement of the Act.

**Human rights issues**

The human rights protected by the Charter that are relevant to the Bill are the right to privacy and property rights.

**Right to privacy**

Section 13(a) of the Charter recognises a person’s right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with. An interference will be lawful if it is permitted by a law which is precise and appropriately circumscribed, and will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought.

**Information collection and sharing for the reunification of lost cats and dogs with their owners**

Vets and animal shelters that receive a lost dog or cat will be required to scan the animal within a certain period after receiving it. New section 84DA, inserted by clause 5, provides that a person, body or veterinary practitioner who receives a lost cat or dog and finds a microchip or identification marker on it must make a reasonable effort to compare the information on the microchip or marker with any information kept by the relevant council. It is anticipated that the vet or shelter would do this by attempting to contact the council to cross reference the identification information with pet registration records. If the owner is identified within 24 hours after the arrival of the cat or dog, the vet or shelter must take reasonable steps to contact them and arrange for recovery of the cat or dog. The owner (or their agent) may recover the cat or dog if they can show satisfactory proof of ownership.

These provisions engage the right to privacy because they involve the collection, use and disclosure of personal information, such as the name, phone number and address of a person who owns a cat or dog. However, any interference with the right to privacy will be lawful and not arbitrary. Personal information will only be collected and shared to the extent necessary to identify the owner of the lost cat or dog, verify that the ownership information is accurate (as the information on a microchip may list the breeder or a previous owner) and contact the owner to arrange for collection of the animal. Further, this information is provided by owners as part of the registration process and in expectation that it will be used for such purposes, which are in the owners’ interests. As such, these provisions are compatible with the right to privacy under the Charter.

**Information sharing for compliance and enforcement**

Clause 5 inserts new section 84DD, which provides that a person, body or veterinary practitioner must keep a record of the prescribed details of each dog and cat received and of every owner who has recovered a lost cat or dog, and must provide this report to the relevant council within the prescribed period. This information will enable councils to undertake follow up compliance activities, such as ensuring that an unregistered cat or dog is registered with council.

Clause 23 amends section 63H(2) of the Act to provide that it is not an offence for a holder of an animal registry licence to provide prescribed identifying information from the animal registry service to a general inspector (who is an officer of the RSPCA) under the *Prevention of Cruelty to Animals Act 1986*. The purpose of this amendment is to ensure that inspectors have more timely access to information when investigating an offence against that Act.

Finally, clause 31 inserts new section 74AA, which provides that an authorised officer may require a person to produce a document or record which the authorised officer reasonably believes to be relevant for the purpose of ascertaining compliance with the Act or Regulations. Under section 76 of the Act, refusing or failing to comply with a requirement of an authorised officer, without reasonable excuse, is an offence. While an authorised officer already has some search and seizure powers under section 74 of the Act, this amendment creates a general power to obtain documents or records (subject to the conditions already mentioned). This is necessary in order to effectively monitor and enforce compliance with the Act in circumstances where only limited identifying information is available in connection with an offence (for example, where only a telephone number is supplied in an online advertisement).

These provisions engage the right to privacy by permitting personal information to be disclosed to a third party without consent. However, the circumstances in which information can be shared and the scope of that information is such that any interference with the right will be lawful and not arbitrary. These provisions serve important functions of promoting accountability and compliance with the relevant Acts by ensuring that councils and inspectors have timely access to information that they need to fulfil their statutory duties and functions. Further, the information provided to councils under new section 84DD is information that councils currently collect when a dog or cat is recovered—this amendment simply accounts for the fact that the lost cats and dogs may be handed in to a vet or shelter instead of the council, and allows councils to retain oversight
so compliance activities can be conducted. Accordingly, I consider that these provisions are compatible with the right to privacy.

Entry and inspection powers

Clause 21 amends section 58AF of the Act to clarify that it is a condition of a commercial dog breeder approval that a Departmental authorised officer may, at any time, enter and search the premises on which the breeding domestic animal business is being conducted for the purpose of monitoring compliance with a relevant provision.

Authorised officers already have entry and search powers under Part 7 of the Act. Relevantly, the powers in section 58AF can only be exercised in certain, confined circumstances, and will be a known condition of registration as a commercial dog breeder. Any interference with the right to privacy will be lawful and proportionate to a legitimate aim of ensuring compliance with the Act.

Source number applications

Clause 24 amends section 68P of the Act to require certain persons to give additional information to the Secretary as part of their application for a ‘source number’. A source number is a number that identifies an individual, breeder or organisation who is registered on the Pet Exchange Register, and is needed when advertising a dog or cat for sale. The amendments to section 68P require a microbreeder who is applying for a source number to provide details of any conviction or finding of guilt for a relevant offence, as well as details of any order to which they have been subject that prohibits them from owning or selling a dog or cat. The amendments also provide that an applicant who is not a recreational breeder or microbreeder must provide their address to the Secretary when applying for a source number.

Although the right to privacy is relevant to these amendments, applicants who are seeking to participate in a regulated industry have a diminished expectation of privacy. The information to be provided is only information that is necessary for or relevant to the determination of the application. Further, the more sensitive information to be provided around a person’s convictions or findings of guilt for relevant offences replicates the information required to be provided by recreational breeders, and is necessary for the Secretary to be able to determine whether a person or body is lawfully prevented from breeding or selling animals. The Secretary already has the power under section 68ZF of the Act to decide not to issue or renew a source number if the applicant has been convicted or found guilty of certain offences against the Prevention of Cruelty to Animals Act 1986 or has been subject to an order prohibiting them from owning or selling a dog or cat. Any interference with privacy is therefore neither unlawful nor arbitrary.

Property rights

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely.

Seized cats or dogs

Clause 5 inserts new section 84DB into the Act, which sets out the circumstances in which an animal shelter or vet must relinquish a lost dog or cat to a council authorised officer. These circumstances include when the shelter or vet has not been able to identify or contact the owner of the dog or cat, has concerns about the health or welfare of the animal, or reasonably suspects the dog (in the case of a lost dog) to be a dangerous or restricted breed dog. The animal must also be relinquished to a council authorised officer if the owner has not recovered the cat or dog from the shelter or vet in the given period. Once the dog or cat has been relinquished to the council, it may be dealt with under the existing scheme in the Act.

The Charter implications of the powers for seizing, retaining and disposing of animals under the Act have been addressed in the Statements of Compatibility for other Bills, such as the Animals Legislation Amendment (Animal Care) Bill 2007. To the extent that the relinquishing of a cat or dog to a council under new section 84DB may ultimately result in a ‘deprivation’ of property, I consider that any such deprivation meets the conditions for lawfulness described above and is therefore in accordance with law and compatible with the Charter.

Seized GRV greyhounds

Clause 34 amends section 84Q(2A) of the Act to permit a council, person or body with custody of a seized Greyhound Racing Victoria greyhound to retain custody of the dog pending the outcome of the prosecution against the dog’s owner for certain offences.

The power to seize and retain dogs and cats in similar circumstances is an existing power under the Act and has been assessed in previous Statements of Compatibility as compatible with the right to property. To the
extent that the amendment may amount to a deprivation of property, I am satisfied that the powers are appropriately confined and in accordance with law.

Documents and records

Where a document is produced in response to a request under new section 74AA, discussed above, an authorised officer may take extracts from it or remove the document or record for as long as it is reasonably necessary to make copies or take extracts. These powers engage the right to property in section 20, but do not limit it. Documents may only be requested where relevant for ascertaining compliance with the Act or Regulations, and may only be retained for the period necessary to make copies or take extracts. I consider that the specific and confined circumstances in which an authorised officer can retain a document or record mean that any interference with property occasioned by the Bill is in accordance with law and therefore compatible with the Charter.

Conclusion

For the reasons set out above, I consider that the Bill is compatible with the Charter.

The Hon. Mary-Anne Thomas, MP
Minister for Agriculture

Second reading

Ms THOMAS (Macedon—Minister for Agriculture, Minister for Regional Development) (10:52):

I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into Hansard.

Incorporated speech as follows:

The Victorian Government continues its commitment to animal welfare by introducing new laws that will allow vets and registered animal shelters to reunite lost cats and dogs with their owners more efficiently and humanely.

Victoria has high pet ownership rates, with an average of 665,000 dogs and 215,000 cats registered with councils each year. Pets are very important members of our families and when a pet goes missing it can be extremely stressful for the family as well as the pet.

Under long-standing laws, lost cats and dogs (which I will refer to as pets) can only be provided to council authorised officers or to vets and shelters that have an agreement under the Domestic Animals Act 1994. Unfortunately, only around 23 per cent of vets have such an agreement, making it currently inconsistent with Victorian law for the remaining vets to accept and reunite lost pets.

This Bill enables Victorians to take any lost pet to a participating vet clinic or registered animal shelter to be reunited with its owner, in addition to still being able to take them to council authorised officers. This is an important change that acknowledges the important role of vets and shelters in supporting the community when pets go missing.

Vets will be allowed to scan lost pets and then reunite them with their owners if they choose to do so. Importantly, the Bill allows vets to opt-in to the reunification process, acknowledging that not all veterinary clinics have the time or resources to provide this service.

In recognition that there are staffing, time, resource, boarding and administrative costs associated with pet reunification, vets will be allowed to request a nominal fee from the owner of the returned pet, but will not be able to compel payment or make reunification contingent on payment.

The Bill also includes provisions to ensure that public safety, animal welfare, equity and compliance with existing laws is maintained. When a microchip is scanned, the database will indicate if a dog has been declared dangerous or menacing. The Bill requires these dogs to be relinquished to the relevant Council. This is also required for any dog that the vet reasonably suspects has been involved in a dog attack or is a restricted breed dog—or any pet whose welfare the vet is concerned about or that the vet determines may have suffered neglect. The pet can also be relinquished to Council if the owner cannot be identified or contacted, or if it is not collected within the recovery time stipulated or agreed between parties.

Vets will be required to keep records of the pets they have reunited with owners and submit these to the relevant Council at prescribed times. This will assist the Council to conduct any follow-up compliance activity needed to keep the community safe and ensure all pet owners are contributing to the cost of council animal management services by ensuring their pets are registered and being confined appropriately.
Minor penalties for relevant new provisions are in place to help ensure animal welfare, community safety, compliance, equity and accountability objectives can be achieved.

The Government has consulted extensively in developing these reforms with 1066 submissions from the community, veterinarians, councils, shelters, rescue groups, community foster care networks, animal registry services and peak representative organisations. We will continue consulting with key stakeholders in developing consequential regulatory amendments to support these Bill amendments.

During consultation, it became evident that while reuniting lost pets through vets and shelters will be a significant improvement, there is still a significant number of microchip records that have not been kept up to date and, as a result, are inaccurate. It would be extremely distressing for all involved if a lost pet was returned to the wrong person.

Consequently, the Bill also introduces a verification process so that vets and animal shelters will either check with the local council that the ownership details match, or if this is not possible, require the owner or their agent to verify ownership when collecting the pet. In most cases this would be a council pet registration document, recent vet invoice or other forms of proof.

The overwhelming feedback that microchip records are not being kept updated by owners highlights the importance of ensuring ownership details are current with both the Council and the microchip registry. That is why the Government will also invest in an advertising campaign to remind owners of the importance of updating their details with microchip registries.

These important reforms will allow vets and animal shelters to maintain existing relationships with councils and keep any current agreements in place. The reforms do not affect these agreements or prevent new agreements from being entered into under section 84Y of the Domestic Animals Act 1994.

Most of Victoria’s registered animal shelters already have a section 84Y agreement in place with councils which allow them to provide pound services and to reunite, treat, desex and rehome animals. These reforms provide an opportunity for the majority of Victorian vets who do not have council agreements, to reunite lost pets with their owners.

The Bill also makes numerous amendments to improve compliance and administration of the Domestic Animals Act 1994.

Reinforcing our commitment to the landmark puppy farm legislation reforms, various amendments have been made to:

• Clarify and provide legal certainty around the number of dogs that can be approved for a commercial dog breeder (up to a maximum of 50)
• Clarify that the Chief Veterinary Officer is allowed to recommend specific conditions be imposed on a commercial dog breeder application or renewal
• Increase the period within which the Minister must make a decision on commercial dog breeder applications or renewals from 40 to 60 days to allow enough time for required processes, inspections, and for the Minister to adequately consider recommendations and reports.

Clarifying provisions have also been included to remove ambiguity about existing authorised officer monitoring and inspection powers over breeding domestic animal businesses.

At times, it is necessary to use the exemption provision in the Act to facilitate certain activities which would otherwise contravene the Act, such as Greyhound adoption days. Exemptions for an animal, class of animal, domestic animal business or class of domestic animal business already exist. This Bill introduces increased flexibility to exempt a person or class of person—and the power to apply, adopt or incorporate any standard, code of practice or other document to an exemption to ensure there are relevant controls that can also be applied to the activity.

A Bill will also provide that non-racing greyhounds, walked on a lead outside the owner’s property, no longer require a muzzle. While this is currently given effect through an Order in Council made under the Act, the Bill will legislate this arrangement. The Bill will remove the requirement for anyone advertising a Greyhound Racing Victoria (GRV) greyhound for sale from obtaining a source number or including one in an advertisement. GRV has its own traceability system which can track greyhounds prior to their retirement from the industry.

The Bill also includes a provision allowing authorised officers to require a person to produce a document or record that could assist in determining compliance with the Act. Similar provisions exist in other Acts, and the requirement for this was brought about by difficulties in determining a person’s identity when the only identifying information in a pet advertisement is a mobile phone number. This provision will enable authorised officers to approach companies for such information when investigating suspected non-compliance. The provision provides a reasonable excuse for a natural person to refuse to comply if doing so
would tend to incriminate them or make them liable to a penalty. This reasonable excuse would not apply to a telecommunications company for example.

In order to allow authorised officers to continue to perform their duties remotely during emergencies like COVID-19 and bushfires, the Bill also includes a provision that amends the circumstances in which an identity card needs to be produced.

Other amendments in the Bill are required to improve efficiency, compliance, administration, accountability and clarity include:

- Amending the definition of a recreational breeder to ensure they are registered with their organisation as a breeding member;
- Allowing the Minister to delegate the power to declare an organisation as a declared bird organisation;
- Creating an offence that a person must not threaten, abuse or intimidate an authorised officer consistent with similar offences in other legislation;
- Aligning the foster carer registration fee period with the existing registration period for pets;
- Clarifying that the Minister must also notify the relevant Council of a refusal to grant or renew a commercial dog breeder application;
- Allowing RSPCA general inspectors to obtain ownership information from an animal registry service (microchip registry) without needing to first apply to the Secretary of the Department of Jobs, Precincts and Regions (DJPR);
- Requiring applicable organisations (e.g. Dogs Victoria) to notify the departmental Secretary (DJPR) when a breeder resigns from the organisation;
- Allowing source numbers to be issued to people even if they have no intention to advertise pets for sale;
- Providing more detail in instruments of appointment when appointing departmental and restricted authorised officers;
- Requiring additional information be collected through Pet Exchange Register enrolments and applications for some applicant categories to assist compliance activities;
- Clarifying that the Court can make separate orders relating to prohibiting a person found guilty of certain offences from keeping animals for sale or keeping any animals and from prohibiting them from working for a recreational breeder or microbreeder; and
- Correcting minor errors in referencing.

This Government is committed to taking a holistic approach to domestic animal reforms and has supported a Taskforce looking at the rehoming process for pets that are unfortunate enough not to have an owner. In addition, the Government has committed $5 million over four years to support animal rehoming services. In order to reduce the number of pets needing to be rehomed in the future the government has also allocated $1.5 million over three years in grant funding to enable the delivery of free or low-cost desexing programs for cats and dogs owned by vulnerable and disadvantaged Victorians.

This Bill is another important step in helping our domestic animals through more humane and efficient reunification. It achieves improvements in laws that further ensure we meet community expectations in relation to animal welfare, compliance, enforcement, community safety, accountability, equity and efficient administration.

I wish to thank all of the stakeholders who engaged with the development of this Bill. Their assistance has helped reshaped the lost pet reunification process to help owners to be reunited with their beloved pets more quickly. Pets are important members of Victorian households, and enabling their quick return benefits all members of our community. I wish to thank everyone in advance who will contribute to implementing this Bill and who will, in future, ensure pets are returned to their homes sooner to curl up in their favourite sleeping spot.

I commend the Bill to the house.

Ms McLEISH (Eildon) (10:52): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday, 21 October.
FORESTS AMENDMENT (FOREST FIREFIGHTERS PRESUMPTIVE RIGHTS COMPENSATION) BILL 2021

Second reading

Debate resumed on motion of Ms D’AMBROSIO:

That this bill be now read a second time.

Ms McLEISH (Eildon) (10:52): Yesterday I began my contribution to the Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021, and I continue that this morning. As I have mentioned, firefighting is certainly a challenging activity regardless of whether you are fighting a structural fire or a wildfire, and people who are involved in those firefighting activities tend to think about on the day, at that moment, keeping themselves safe and keeping communities safe, and they are not really turning their minds to what might happen in five, 10, 15 years because of some of the exposures. We saw that previously the government brought in a bill with support for the presumptive rights for CFA volunteers and career firefighters. It is something we supported, and we will be supporting this bill as well.

I want to start by talking a little bit about the activity of forest firefighting because it is actually quite different and has its own set of challenges. People who are involved with forest firefighting, the forest firefighters, are involved in either suppression or prevention activities or in fact some serious, full-on firefighting. Some of the things that they might be doing to manage the environment would be planned burn activities, building strategic firebreaks, slashing, clearing vegetation and clearing tracks. Some of this might be done using machinery, other parts of it might be done using their hands. There could be roads needing to be constructed as well.

Now, this activity certainly becomes a lot more stressful and complex when there is an out-of-control forest fire, and a moving fire is very different from a structural fire. A moving fire through a forest where access can be very difficult has its own set of challenges. We really need to think about all of the firefighters involved in that activity because we have the protections of the forest and we also have the protections of nearby communities. Very often the houses and machinery and sheds that are lost are those in the nearby communities next to or adjoining the forests. We see at those intersections that we will have the forest firefighters working often alongside the local CFA brigades.

As I said, forest fires have their own set of complexities, and a moving fire is one of them. On a hot, windy day when that north wind is blowing, absolutely it is so difficult and stressful because the wind could also change very quickly and turn back on the firefighters, and they need to be mindful and cognisant of what to do in those situations. They are working in areas where the vegetation itself may actually explode, and a lot of the natives that we have are particularly fire prone. I think of a lot of the eucalypts and the tea-trees that are quite explosive. When you have a large fire smoke is absolutely really heavy as well, and what that can mean is a lack of visibility, so the firefighters are struggling to even see where they are going and are faced with huge walls of heat and poor visibility. So you have got the risk factors here. The factors are that heat that they are exposed to and the variable and changing conditions.

And with the lack of visibility, things could happen. The terrain is not a flat surface. In the forest the terrain is sometimes quite steep, sometimes it is a narrow path through, there could be gullies and it is open to things like machine rollovers as well, which is really something that we look to try and protect against by making the gear as safe as possible for firefighters. As I said, on the day the firefighters are thinking about the fire and keeping themselves safe and the people they are protecting safe, and they are not looking at their long-term health. We do work, though, to put protections in place for the firefighters, and they will have their protective gear, that heavy gear. The cabins of the vehicles now are much more reinforced because of the risk of falling trees. We have had very sadly, within the last 10 years, quite some deaths as a result of this activity.

They use a breathing apparatus as well; you can have a full-face mask with a screw-in canister, which gives you much better protection against the airborne particulates. When you think about the airborne
particulates, we are talking about mineral dust and other dust, wildfire smoke particles and residual smoke as well. You know, there are toxic vapours, whether it is from a building or wood, and there is this lingering smoke haze when there is no wind and the smoke sits there for days. It is important that they do have the right protective gear, the right breathing apparatus. I am not convinced that everyone has the same quality and standards of breathing apparatus, and I think that is something that certainly needs to be looked at.

Just to give a little bit of a background to this bill, there is a significant body of evidence indicating that firefighters have higher rates of certain cancers than the broader population. This is what has given rise to changes in the legislation not just in Australia but in other parts of the world, and they have progressively introduced compensation schemes with the reasonable presumption that due to the nature of their work firefighters are more vulnerable to certain cancers. As I said, in 2019 the firefighters presumptive rights compensation became law in Victoria for career and volunteer firefighters, and there were plans to bring this through in a separate bill in the following months to extend it to forest firefighters. The minister of the day, the then Minister for Police and Emergency Services, said on 4 June 2019 that the bill would be introduced ‘in the coming months’. I am not sure that October 2021 is ‘coming months’, but nevertheless we do have this bill to extend the legislation to include forest firefighters, and as I said, we are not opposing this; we are supporting this bill.

Now, for forest firefighters suffering from specified forms of cancer, the cancer is presumed to be due to the nature of their employment, which includes carrying out suppression and prevention activities, for the purposes of claiming compensation under the Workplace Injury Rehabilitation and Compensation Act 2013. This is what we are about. This legislation mirrors quite closely the presumptive rights compensation already introduced. The language is similar. A lot of the clauses are similar. Now, there are some obvious differences because of the nature of the role of occupational forest firefighters and surge forest firefighters and also the timing, but the presumptive right will apply to individuals who have been diagnosed with one of the 12 types of cancer that are specified in the third schedule of the bill on or after 1 June 2016 and who have served as a firefighter for the relevant qualifying period. So the types of cancers and the qualifying periods are outlined in the third schedule, and this mirrors the previous compensation. The injury is also to have occurred during the period of employment or within a 10-year period of ceasing work as a firefighter. These, as I have said, are consistent with the previous legislation and with other Australian jurisdictions.

I want to look now at who is covered by this legislation because it is easy enough to say ‘forest firefighters’, but we are talking about employees of Department of Environment, Land, Water and Planning who are employed in this role and other agencies—Parks Victoria, Melbourne Water and VicForests. This applies to the VicForests employees engaged as firefighters only. Who is not covered? Independent contractors. It excludes forestry workers who specialise in bushfire preparedness and fighting fires with heavy machinery, and it excludes the forest industry brigades. I will come back to those bodies a little bit later.

The bill recognises occupational and surge forest firefighters, both of whom are employees of Victorian government agencies and entities. This is one of the obvious differences. An ‘occupational forest firefighter’—the definition is in section 72B, and the determination as to what is an occupational forest firefighter is in 72F—is a person who is or was employed where firefighting duties are or were a portion of their role. It will be outlined in their position description, so it will not be something that is terribly difficult to work out, because if it is in your job description you will know that you are covered. I will note that the department has put out a document on project firefighters, who will often be involved in a surge capacity. It is actually quite detailed in talking about what sorts of activities they are involved in.

A surge firefighter is defined in section 72C, and the determination of what is the eligibility is in 72I. This is a person who is employed by the government or agency who performs or has performed firefighting duties as part of that role. This can be public sector staff employed in a range of roles and who are deployed to firefighting. This includes seasonal fire crews. When you think of who makes up
the seasonal fire crew, I know a lot of young people who do this either during a gap year or during university holidays, and they undertake specific training. You have to be quite fit to be able to undertake these roles. The requirements include having to lug heavy packs with you for certain distances. They are outlined in the documentation from the department. But there might be farmers who every year might supplement their income, and these guys would typically be employed between October–November and March, depending on the fire season itself.

The qualifying period takes into account work as both a career and a volunteer firefighter, so that includes your time as an occupational firefighter or in fact as a surge firefighter not just in Victoria but also in another state or territory. I think that is certainly a positive aspect of the legislation. And the number of years is determined by seasons. It recognises very much the seasonality of forest firefighting. As I said, you could start in November and might go through to March. Rather than being over two calendar years, that is counted as one season and one year. That makes a lot of sense. We would have seen the fires in East Gippsland, at Mallacoota, which started actually in 2019, before the new year, and then went very quickly into the 2020 year, so it was 2019, 2020, but in terms of the forest firefighters that counts for one season, one year.

One of the other things that the bill does outline is exceptional exposure events which are notably carcinogenic. I think this is really quite important, because whilst it is easy for us to get our heads around what is an occupational and surge firefighter, we do have exceptional events—events that we are not expecting or where things do not quite go the way they are planned. In particular we had the Hazelwood mine fire, and this was something that we would all be very familiar with. It began on 9 February 2014. On 11 March, one month later, it was under control, and it was actually out on 25 March, so another two weeks. I think it burnt for 45 days.

Now, this started as a fire moving through grass and bushland, and it got into the brown coal reserve, the open-cut mine, and it was burning that coal seam. The event itself was absolutely exceptional. It was very close to Morwell. Smoke and ash settled on the town, and there were so many pollutants in the smoke residents in the area were advised to stay indoors. The vulnerable looked at evacuating—if you were ill, if you were elderly, if you were pregnant—and health checks and masks were introduced. There were some pretty horrible health impacts—you know, simple things like headaches and nausea but then nosebleeds, sore eyes and respiratory conditions.

This was such an exceptional event that Victorian agencies needed to seek advice from international experts. There were some 7000 firefighters involved—the CFA, the MFB, the Department of Environment and Primary Industries, as it was at the time, the SES and many interstate brigades as well as the owners of the mine, GDF Suez. There could have been about 500 firefighters at any one time fighting in this multi-agency response. Because of the conditions and the unusual and exceptional nature, any future events like that would be included as part of this legislation. I think that that is certainly a good precaution, because we are not always sure exactly how things will go. Even the best laid plans of mice and men are not always what they seem.

Now, also in this bill there is an advisory committee which will provide an expert opinion as to whether or not a person fulfils the criteria. The details of this advisory committee are not outlined in the legislation, which is disappointing. We do not know the number of members, the qualifications or the remuneration. This will be set out in the regulations, and the claims that are made will be assessed and determined and appealed in line with a regular workers compensation claims process through the employer or through the self-insurer—which Melbourne Water Corporation is.

There are also transitional arrangements. The transitional arrangements are for people who may have had a crack once and think that they are eligible again. They can have another go. So if you have been rejected for this compensation, you can have another go, although I think there are very few claims waiting in the wings here. One of the questions that we did put to the department was: how many Forest Fire Management Victoria firefighters have made a claim already? They said there have not been any for the cancers listed in the presumptive rights, but they did go on and give me the details to
say that under the other legislation they have had 111 claims—78 by Fire Rescue Victoria firefighters, 33 by CFA volunteers—of which 91 have been accepted. So that means some have been rejected and some are possibly in process at the moment.

Now, despite the opposition supporting this bill, we do have a number of concerns. The word ‘may’ is used in very many clauses. I find that quite interesting. I actually asked this, and they thought it was a drafting technique. For example, new section 72R(3) says ‘the regulations may make provision for’ and lists a bunch of things—‘may’ means they may do it or they may not do it. So I thought that was quite ambiguous, but I am told that this is a drafting technique. There is a new section 100C that uses ‘may’ a couple of times as well, saying that ‘The Governor in Council may make regulations’—the Governor in Council may not make regulations. I was little bit doubtful about that. The regulations themselves are not drafted. It will take them six or 12 months to do so, and they must be in place by 14 September 2022. Now, I hope we do not see a repeat of what happened with camping on licensed riverfrontages, where they had 12 months, they stuffed it up and when it came in the regulations were only ticked off the day before, on 1 October, which was really quite extraordinary. Even now we are still not quite sure about exactly what is in or not in in terms of that legislation.

I mentioned earlier who is not covered and what they think. Well, there are a number of forest industry brigades firefighters here who are left out. I have certainly spoken with people from the Victorian Forest Products Association; Hancock Victorian Plantations, who have mostly softwood pine across the state—they have got lots in the Ovens Valley, Shelley, Strathbogie, the Strzeleckis and certainly Creswick; and the Green Triangle Fire Alliance in south-west Victoria, which is on the South Australian border. Now, comments from the Victorian Forest Products Association make note that these firefighters, the forest industry brigades firefighters, play a significant role in firefighting during the fire season and through the state’s planned burning program. They work tirelessly in physically tough conditions and with a degree of personal risk. The aim of the Green Triangle Fire Alliance, which is plantation owners and managers who operate in the south-west of Victoria, is to improve fire management outcomes for the plantation industry and the wider community. Now, they alert me to the fact that there are over 500 firefighters in Victoria who will still sit outside this legislation. They will be denied the same rights as women and men that they work alongside, and this is something that I think the government should certainly be having a look at.

One of the other areas that I note is that the third schedule is very light on women’s cancers. Now, I acknowledge that there are more and more women firefighters, but they certainly are the minority in the workplace. We certainly know what the United Firefighters Union think about women firefighters. But when this was put to former Minister Gavin Jennings at the time during the committee stage of the last bill, it was asked, and he actually thought it was a good question about why ovarian or uterine cancers were not on that list. He said, ‘Well, that is a good question’, and that is a question the government certainly needs to be taking a good look at. They should look at why they are not there, if they should be there and whether that same presumption exists. I think at the moment it is only about 3.8 per cent of participants in the firefighting services that are in fact women, but it is certainly something that I urge the government to have a much closer look at.

We know that fires, regardless, do not know gender. They do not know the difference between a male or female firefighter. Those female firefighters are exposed to the same smoke hazards, the same pollutants and the same toxins. The smoke permeates their gear and skin in the same way it does for their male counterparts. I think that women are certainly eligible through the presumption for the cancers listed in the third schedule, but for those ovarian and uterine cancers they may not be. It is difficult to compare exactly other states’ schemes, because they do not have the same structures and the same nature of employment. It is a little bit difficult, but it looks as though other jurisdictions are moving along in this way.

Now, my electorate of Eildon is a particularly fire-prone area. We have ranges galore. In the Upper Yarra we have the Yarra Ranges National Park and the Lake Eildon National Park, which I still call Fraser. There is the Alpine National Park in the north, the Blue and the Black ranges, the Rubicon and
the Murrindindi just over the back from me, Kinglake National Park and the Cathedral Ranges. My electorate is full-on fire prone. Everyone knows the fire risks. So we see that the agencies, the forest firefighters, are heavily based in and around my electorate.

We have Department of Environment, Land, Water and Planning offices in Mansfield, Alexandra, Toolangi, Powelltown and Marysville. And the DELWP officers are on the ground. They are local community members, families of friends of mine, people who have been in the industry for a long time, and they know the terrain, they know the forest, they know how difficult it can be. VicForests share offices with DELWP. They are headed at Woori Yallock. They have offices in Alexandra and nearby Noojee as well. VicForests do an exceptional job in supporting the firefighting activities. Parks Victoria are at Kinglake, Lake Eildon and Woori Yallock—they have offices based there—and they have depots at Healesville and in the Dandenongs. And we have Melbourne Water, who are covered by this legislation as well, in Warburton and Healesville, their depots, and regional offices in Croydon South. I really want to acknowledge the work that the officers there do but also particularly the forest firefighters there who work in and alongside the CFA brigades to really help protect our local communities.

As is known, the communities on the edge of the forests are the ones that are particularly at risk. I do have great concerns about a lot of the reforestation that is going on along the rivers and the Yarra River and whether that spreads into the tributaries, because people in those areas know how high the fire risk is and they are very concerned that this will act as a wick and will spread fires into communities. I know the Haining Farm project has caused an enormous amount of angst in my electorate. It is one of those that people are very worried about, the increased risk that it is bringing to the local communities.

As I wind up I reiterate that this bill to protect forest firefighters, to make them eligible for presumptive rights, is something that is supported by the opposition.

**Mr EDBROOKE** (Frankston) (11:18): It is an absolute pleasure to rise this morning and speak on this very, very important bill. Can I say from the outset that it is fantastic to hear that this bill is supported by those opposite. It is a real shame that the first iteration of the legislation this bill is based on was not supported in the first instance a few years ago.

This is a bill that means a lot to me as a former firefighter. I have seen the trauma that firefighters go through post career or even during their career and have a number of colleagues that have been affected by cancer, and it has been proven to be occupational cancer related to firefighting as well. That should extend to Victorian forest firefighters. They are a bunch of very brave people. All year round they are working to ensure ever-present bushfire risks are managed in our communities. This may be preparation work, carrying out cold burns and planned burns, and of course every fire season we see these people go out and do very technical work, sometimes very risky work, and they do that in very tough conditions—physically tough conditions as well—to protect our community and our environment. As we have heard, never more was this demonstrated than during the 2019–20 fire season that we now call the Black Summer.

This legislation is obviously based on the reasonable presumption that firefighters, due to their occupation and their exposures, are more vulnerable to certain cancers, and we have heard evidence from around the world over the last few decades that this is the case. It is fantastic that Victoria has been able to enact this legislation for career and volunteer firefighters and now bring it to this house for forest firefighters as well. As has been mentioned, the bill is very closely modelled on part 2 of the Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act, which was put through this Parliament in 2019.

Look, there are probably two things I should start with and correct the opposition on, as far as the lead speaker’s speech for the opposition goes. The lead speaker mentioned women in firefighting, and that is really important. We should have more women in firefighting. But there was the comment made that ‘we all know what the UFU think about women’, which I personally take offence at, because the United
Firefighters Union across the board are very progressive. I think the Liberal Party could actually take a page out of the UFU book about how to put women in leadership positions, because they are very progressive—we have seen transgender people in leadership positions—and unfortunately, across there, there is just no understanding of that. So they could take a page out of the UFU’s book.

Look, we have seen this pontification this morning and yesterday about people looking after their communities, representing their communities, and all I have heard for two or three days from the opposition is just rubbish. We could have been actually debating this bill, which is a life-changing bill for people in their communities.

It was a very proud morning on Thursday, 20 June 2019, when I sat in the upper house with people who had sacrificed so much, people who were dealing with occupational cancer, but up until then it had not been recognised as occupational cancer—firefighters. Whether they were UFU members, CFA or MFB it did not matter. They supported that legislation because they knew it was this government looking after them. People who were suffering from cancer and could not be there watched live from home. And it was really sad that we had the opposition fighting tooth and nail against that legislation.

So I congratulate them on the decision to actually support this now, because we can have the argument that it was not about presumptive rights legislation, that it was about restructuring fire services, but despite the opposition’s claims that the presumptive rights legislation that we put through was not going to cover volunteer firefighters, we have just heard from the opposition that it does. We have also seen that the fire services have not fallen apart, which was a claim the opposition put. In fact they have been funded more than ever.

A member interjected.

Mr EDBROOKE: I will get to you. Dozens of firefighters have had their claims approved under the state’s presumptive rights scheme—we have seen more than 20 MFB or FRV firefighters and 14 CFA members, including at least eight volunteers, and these were people that were told that they were excluded from the scheme. We have read the legislation, and of course they are in it and they are covered.

This legislation means that forest firefighters now can get on and access money and the medicines and medical assistance they need to deal with the issues that they got while actually serving our community. Since the new laws passed, we have had about $500 000 in compensation passed on to those firefighters as well. I think it shows that when we say what we are going to do, it happens.

The campaign against this presumptive legislation was just an absolute joke. I think it is probably worth going through, and we will have some points of order, because there is a measure of guilt there. It would be neglecting history not to tell some of the new members how we got here today and why this legislation is not already enacted. I will provide some context, I guess.

We heard in 2014 from the opposition’s then minister for emergency services that they would not support the first iteration in the upper house of the presumptive rights legislation because, and I quote, ‘we see no link between firefighters and cancer’. This was only seven years ago. Then the second time this legislation was in Parliament, the opposition leader, now the opposition leader again, was very proud of two of his MPs who, while there were firefighters of every iteration in the chamber watching, in the upper house, in the other place, snuck back in like rats after getting pairs and whining and whingeing for hours that because of their faith in God, because of their religion, they could not sit on Good Friday. They went back to their offices, they hid and they snuck back in, and it was a disgraceful action.

It was seen even in tabloids in Europe as a degradation of the Westminster system—right here in Victoria, those opposite. These are the people that fought for Fiskville to remain open but that recently
said we were not doing things fast enough to deal with the redress scheme. It is amazing. So to hear their support for this is fantastic. I think perhaps they have turned over a new leaf.

What I will say, though, is that we will hear people talking about ‘Oh, but it was part of another bill. There was a dual purpose to the bill.’ Well, the fire services legislation went through, and the member for Gembrook—just off the top of my head, but I think I will be quoting accurately—actually was on Facebook saying that Labor will destroy the CFA. Well, certainly that is not what I am hearing from CFA volunteers now. That is not what I am hearing from anyone in the fire services, and I certainly do not hear anyone talking about the member for Gembrook representing them—

**Mr T Bull:** Acting Speaker, my point of order is on relevance. The bill relates to firefighters presumptive rights—

**A member:** Forest.

**Mr T Bull:** Forest firefighters. It is a fairly narrow bill. It does not involve the restructure of the CFA, which the member has been talking on for quite some time, and I urge you to bring him back to specifically talking about the bill and the matters around presumptive rights.

**The ACTING SPEAKER (Ms Settle):** Thank you. It has been a broad-ranging debate, but I will ask the member to come back to the bill.

**Mr EDBROOKE:** As I said, I was providing context, and I think it is very relevant context to the people at home who might be watching this, who understand the trauma to their families from their doing good work for the community and then being diagnosed with cancer. Certainly in the last 12 months it has been very, very close to home for me—uncomfortably close to home for me. So I stand here today very proud that we can acquit our commitment to forest firefighters, who I have fought alongside, and they do amazing work—amazing work. They deserve this.

I will just in the 30 seconds I have got left say one thing, and that is: we have heard people talking about the difference between structure fires and forest fires. Look, we are talking about bushfires here, and often there are structures in bushfires. Often there are cars. There are carcinogens everywhere, and that is the reason these forest firefighters are being covered by this. They might not even know this legislation exists until they need it, but when they need it, it will be there. It is another example of this government actually covering emergency services workers and backing them instead of knocking them like we have seen people in the other place do. I commend the bill to the house.

**Mr T BULL (Gippsland East) (11:28):** It is a pleasure to rise to speak on the Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021. I will start off just by taking up a couple of points that were raised by the honourable member for Frankston, who seems to think that the world is great within all of our firefighting services at the current time. We are 5000 CFA volunteers down of recent years—a number that is still dwindling—and the last organisation that we will be taking advice from on this side of house is indeed the United Firefighters Union. Why he would suggest that, given their track record of recent times—and, I might add, a little bit of interest in the UFU in recent days as well; I do not think we have heard the end of that—

**Mr Foley:** On a point of order, Acting Speaker, I am moved to almost word for word reiterate the honourable member for East Gippsland’s point of order on the member for Frankston, and in that regard I am pretty sure—not that I would know for sure—that the United Firefighters Union probably does not have a direct industrial interest in the forest fire workforce. Perhaps we could ask the honourable member to speak to the bill.

**The ACTING SPEAKER (Ms Settle):** Thank you. It has been a wideranging debate, but I will ask the member for Gippsland East to come back to the bill.

**Mr T BULL:** Thank you, Acting Speaker. I was going to respond, but I have finished what I had to say. I was only responding to the member for Frankston.
But I will get onto the bill. Whilst we support this legislation, there are a couple of points that I want to touch on. Some of them were touched on briefly by our lead speaker on this side. There are elements of this bill that we wish to further examine between the two houses. The first of those is around the types of cancers listed and in particular the absence of ovarian, uterine and cervical cancer. On the list of cancers at the moment is testicular cancer, but there is an absence of some of these women’s cancers. Other jurisdictions around the world are looking at and acting in relation to these areas, and I have a couple of examples. Massachusetts in the USA includes all reproductive system cancers; New York and Wisconsin are similar. Columbia have ovarian cancer in their presumptive legislation. Florida have cervical cancer in their presumptive legislation. Virginia has ovarian cancer. In Canada we have examples in Calgary, for instance, where they have reproductive cancers included.

I will quote a former member of the other place, Mr Jennings. When this was raised as an issue by our upper house member Ms Bath she asked Mr Jennings specifically why ovarian and uterine cancers were not on the list. Mr Jennings replied with this commentary. He said:

… those cancer streams and that profile and that assessment … are absolutely correct to call out …

They:

… were based upon the predominance of men in the firefighting service around the world, and that has been the case. There are many jurisdictions now that are making major strides in turning around that profile.

Medical assessment and medical advice have not—

this was Mr Jennings—

kept up with that change, and nor will they keep up with that change. I think it is quite right to be alive to that issue … I think it is … fair enough …

He said it was a very good question. That was a Labor upper house member, so I would have hoped, given the time that has elapsed since he said that, that some of these cancers would have been given consideration for inclusion based on the commentary that he provided. That is an area that the opposition wishes to examine further between houses and something we will consider for potential amendments in the other place.

On top of this, I want to raise a matter that has been highlighted by the Victorian Forest Products Association. I note the member for Frankston, when he spoke on this, mentioned a lot of fire services, but he did not mention those members of other organisations, predominantly in the timber industry, that are not covered. When the original bill came into the Parliament in 2019 there was a commitment to extend the coverage to forest firefighters, but once this bill passes we are going to have covered by this CFA firefighters, as they should be; CFA employees deemed career firefighters; Forest Fire Management Victoria staff, our Department of Environment, Land, Water and Planning firefighters; and Fire Rescue Victoria career firefighters. They will all have rights to claim should they develop one of the listed cancers, and so they should.

However, the CFA forest industry brigade—the FIB—firefighters are still left out. These are the guys who come from predominantly the forest industries but some other industries as well. They are called up in times of need and they are very much at the front of the fires. They are often the guys clearing firebreaks in the face of flames and smoke. We saw this just last summer, and I would argue that these firefighters need a similar level of coverage. I want to comment very briefly on one of those FIB firefighters, a fellow by the name of Danny Jamieson, who was doing some great work in his local community, in the best interests of his community, and I must add with the complete support of his community. Danny did some great work when the DELWP firefighters left the area up around Bonang and Bendoc and the like. Danny stayed to look after his community as best he could and he cleared some undergrowth adjacent to a property in his community to afford a level of safety. He did some great work.

Danny now finds himself facing charges in relation to damage of native vegetation. You would think that the world had gone mad. Here is a guy on his dozer putting in a firebreak in his community.
Everyone else had left because it was forecast to be impacted by fire, and he now finds himself on charges in relation to native vegetation removal. You wonder at the world we are living in at the present time. A man that was standing tall when the DELWP firefighters got out of town cleared the roadsides. I have actually been up and driven in the area and had a look at the work that he did. He has left all the big trees there. He cleared away some of the understorey, and it is just very unfortunate that he currently finds himself in the position that he is.

Support for our FIB firefighters will be another consideration for the opposition between houses, and we will be looking at the opportunity to have them included in this legislation as it goes through the upper house. Maybe the government might provide some house amendments to include that cohort of firefighters. Let us hope that they do. Otherwise we will be giving consideration to that, if they are not included in this, at some stage in the future.

Generally speaking there is a significant body of evidence indicating that firefighters do have higher rates of certain cancers. That is the very basis of this legislation. The opposition supports the presumptive rights for career and volunteer firefighters, and there no stronger evidence of this than when earlier last year we had basically two months of solid smoke in our area. It was tough for everyone that was just living there, let alone the firefighters who were at the front. I still have not stopped coughing from the summer before last, just being in that thick, thick smoke for the best part of two months. To think that the firefighters were out right at the coalface doing what they do best, protecting our communities very well, and at the very, very least they deserve this to pass through the Parliament with the support of both the government and the opposition and, I would certainly hope, all members of Parliament both in this place and the other place. I will put on the record that there are some areas where we think that this could go a little bit further, and they will be areas that will be considered between the chambers. I commend the bill to the house.

Ms CRUGNALE (Bass) (11:38): I rise to speak to the Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021. There is a lot of information in this legislation. One sentence that distils it all to its essence is, quote:

It is important that we provide a fair and just compensation scheme for our forest firefighters who get sick.

Our Andrews Labor government cares about all workers, as indeed it cares about all Victorians. That word ‘important’—it sure is. There is absolutely no doubt that protecting all Victorians, wherever they are, is important. ‘Fair and just’—we know that fairness means showing no bias, and in legal terms it refers to equality without favouritism. ‘Justice’, broadly speaking, means giving a person what is owing to them or due to them. So this legislation is fair as it does not differentiate according to time. How much time someone spends fighting fires is not the issue. Whether it is a substantial part of the work or if a firefighter contributes during the fire season or a surge is not the issue. We sometimes—well, I do—forget that forest firefighting is all year round, including in the off-season when they prepare for and carry out planned burns to manage the risk of seasonal blazes.

This legislation is also fair because it extends the existing act to cover forest firefighters. This bill adds to the existing Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019, or the FPRC act. The 2019 act followed our Labor commitment at the 2014 election to legislate to provide a legal presumption of occupational cancer for all firefighters.

The drafting of this legislation was complex because the workforce which makes up Forest Fire Management Victoria is complex. It includes staff from DELWP, Parks Victoria, VicForests and Melbourne Water, and with this final inclusion of about 2800 forest firefighters all Victorian firefighters will be covered. That is fair. I want to take this opportunity to thank the Minister for Energy, Environment and Climate Change, the member for Mill Park, for the years of work and those of her staff and portfolio department. As always, our Labor government has consulted widely, and I thank everyone who has contributed to this process.

Every time we hear the word ‘unprecedented’ in terms of fire we know that it can happen, and with the climate changing it will possibly happen again and again and again. Our world and our state are
becoming more prone to extremes. We certainly cannot ignore this. Most of us can imagine the
dangers of firefighting, of fighting a fire, for example, in an industrial building where chemicals are
involved—the television shots we have all seen of toxic smoke billowing out into the sky—but let us
not for one minute underestimate the dangers posed by the environmental elements of bushfires. It is
certainly not sitting around a campfire. It is an absolute inferno that confronts our firefighters: ember
attacks, radiant heat, killer trees, smoke and the unpredictable nature of fast-moving fires. We also
take note of the ongoing work looking at the long-term effect of smoke inhalation—from uniforms to
the haze that lingers long after the flames have gone. We also know that bushfire smoke can contain
known carcinogens with names that are quite unpronounceable.

This legislation is also just. We as a government and as a community owe it to forest firefighters to
believe that their illness was a consequence of putting their lives on the line for us. The word
‘presumptive’ was not in the sentence but it is at the heart of this legislation. Over the years too many
workers have had to fight to have their workplace illness acknowledged. This bill makes us better
people because of that word ‘presumptive’. Under this bill a firefighter will not have to spend years
proving the obvious connection between the illness and the dangers of work in seeking compensation,
typically money, in acknowledgement of suffering injury or loss.

This bill will amend the Forests Act 1958 to allow forest firefighters to claim compensation under the
Workplace Injury Rehabilitation and Compensation Act 2013. Compensation can include treatment
cost, lost earnings, impairment benefits and, in the saddest of all outcomes, financial assistance to the
families of people who have passed away. As much as we hope compensation is never needed, since
the FPRC act came into effect 111 claims have been made and 91 have been accepted. ‘Forest
firefighters’ is one of those terms that is self-explanatory, although this legislation does talk in terms
of occupational firefighters and surge firefighters. Both of these categories apply to forest firefighters
who undertake firefighting in support of DELWP carrying out its duties under the Forests Act 1958.
Seeking compensation will be by application. Claimants will submit a workplace injury compensation
claim through their employer, who will then provide the form to their workplace agent.

Which brings me to the last part of this sentence: ‘sick’. This bill specifies 12 types of cancer, and just
to read the list is a stark reminder of how brave our frontline firefighters are. It is also a stark reminder
of the dangers that they face: cancer of the brain, blood, skin, bowel and bladder; breast cancer;
testicular cancer; and qualifying periods going back as far as 25 years of service. These cancer types
have been determined based on a range of studies regarding the occurrence of cancer in firefighters.
The last thing anyone wants, needs or deserves following this awful diagnosis is to have to fight for
compensation, to have to prove that it happened because of their work.

On Saturday, 2 February 2019, the words ‘watch and act’ were coming across our airwaves in my
electorate of Bass. A statewide total fire ban had been announced for Sunday, but Saturday did not
seem too bad. Communities around the Grantville nature reserve were on high alert as
the area was
burning—started by lightning strikes. Eight major fires were burning across the state almost 10 years
to the day since Black Saturday.

The rehab team set up near the Grantville hall and helped to hydrate and cool down hundreds and
hundreds of firefighters, with this number including those who needed multiple visits. At the peak we
had 50 vehicles battling the blaze and in total 300 vehicles attending Grantville and then also Bunyip,
Swifts Creek, Anglers Rest, East Gippsland—1.5 million hectares burnt, houses lost, lives lost,
communities isolated for weeks, thousands of kilometres of roads unserviceable, the impact on our
wildlife and biodiversity harrowing.

As I have said many times, my electorate covers the outer metro area of Melbourne and the rural and
regional areas of Western Port and Bass Coast. We have a Fire Rescue Victoria station in Pakenham,
10 CFA brigades in Bass Coast and the Casey-Cardinia brigades, including Clyde, Pakenham, Lang
Lang, Koo Wee Rup, Bayles and Heath Hill/Yannathan. This week my local CFA brigade, Pound
Creek, received Victorian government 2019–20 recognition pins, as have many members across my
districts 8 and 9. The brigade received a framed certificate of recognition and commemorative coin, and what a team it is. Special mention to our Pound Creek members: Allen Archbold, Joe Busutill, John Dale, Darryl Mullett and Ivan Smith. I was actually with them on the firegrounds in Swifts Creek and up at Anglers Rest.

This same fire season saw us lose those dear to our communities. For us it was Bill Slade, a highly skilled and experienced firefighter with 40 years of service with Parks Victoria. He was relied upon for his expertise and trusted judgement. He was the glue that bound his Wonthaggi team together. He brought out the best in an emergency, in nature, in fires and in life. He excelled in mentoring young firefighters and was super proud of his family—his wife, Carol, and children, Ethan and Stephanie.

From now on it will not actually matter what badge you wear or what station you call home. What will matter is that you are protected by law and will be compensated if putting your life on the line for us leads to cancer. It will not matter what sort of fire you fought or how often you had to be on the front line. It will not matter if you were in the city or the bush, fighting industrial fires or forest fires; you will not have to fight for what is right. That is fair and that is just right. I commend the bill to the house.

Ms VALLENCE (Evelyn) (11:47): I rise on the Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021, a bill which, as is set out in the explanatory memorandum, will amend the Forests Act 1958 to provide a rebuttable presumption for forest firefighters suffering from specified forms of cancer presumed to be due to the nature of their work, including carrying out fire suppression and prevention activities, and enable these firefighters to claim compensation under the Workplace Injury Rehabilitation and Compensation Act 2013.

At the outset let me put on the record that I support the bill, and the Victorian Liberal-Nationals will be supporting this bill in the Legislative Assembly. All firefighters, including brave women and men firefighters of Forest Fire Management Victoria, deserve these presumptive rights. I know a number of FFMV forest firefighters who live in my local community in the Yarra Valley. They are extremely dedicated and hardworking firefighters, absolutely committed to the work that they do in using fire to manage land and fighting fires to protect people and property during times of emergency.

Of course this work comes with risks and dangers, including certain exposures that can lead to illness and cancer. As legislators it is imperative that we consider that and act upon it and recognise that Victorian forest firefighters do tough and hard work, whether it is planned burns or out-of-control bushfires, all to protect the lives and livelihoods of Victorians, our property and infrastructure, our wildlife and our precious environment. But seriously you do have to wonder why the Labor government has been dragging its heels on this legislation. Why has it taken so long—two years—for the government to get around to introducing this important legislation? They introduced presumptive rights compensation legislation for FRV and CFA firefighters in 2019, and yet more than two years later they are planning to catch up for state government employees of the Department of Environment, Land, Water and Planning (DELWP) and FFMV. It is quite astonishing that it has taken them two years to address this massive gap. These forest firefighters either were not a priority for the Labor government or were ignored and forgotten, and we have to really wonder why. Were these hardworking women and men, forest firefighters, really an afterthought for Labor?

The government cannot be patting themselves on the back today with this bill that they are introducing, because it really shows that they have left these FFMV firefighters behind their counterparts for two years. And dare I say—and I think it came up in the bill briefing—that an FFMV firefighter, sadly, was diagnosed with cancer and attempted to make a WorkCover claim to find that there is actually no law that provides coverage for that individual. It is an extremely embarrassing situation for this Labor government, which has promised really big on this issue but has been really, really sloppy in its delivery. The government did not do its homework and simply had forgotten to ensure that FFMV forest firefighters were also covered alongside FRV and CFA firefighters.
Now, FFMV is an integral part of the overall capability and capacity of firefighting and when it comes to public land management and bushfire preparedness. They help absolutely in the effort to keep our community safe, the efforts of women and men in the green overalls, as we have commonly seen them out there protecting our communities. During the 2019–20 bushfires—as we now know them, the Black Summer of bushfires—around two years ago now their efforts were tremendous. Tragically a few firefighters from FFMV paid the ultimate sacrifice whilst doing their job and serving their community trying to help save people and properties during the 2019–20 summer bushfires, and they will never be forgotten. FFMV forest firefighters should absolutely and without a second thought be included in the coverage when it comes to presumptive rights in relation to cancer developed as a result of the work that they do managing and fighting fires, and it is sad that this bill has come to the Parliament today as an afterthought.

The government really was caught out on this. It is the same reason that the government had to amend this act, you might recall, Acting Speaker Settle, last year because of a similar oversight. That was after the introduction of the controversial Fire Rescue Victoria reforms and the rollout of the new FRV zones or the new FRV boundaries. In that instance it was identified, embarrassingly, that should an FFMV firefighter step from Crown land across an imaginary border into an FRV zone when fighting a fire, even if that fire was out of control, the Labor government’s drafting of the FRV legislation was so poor that it had left FFMV firefighters legally exposed and not protected in any way. Only months after the FRV legislation was brought in the government had to come in with its tail between its legs to fix that mistake, which would have severely and detrimentally impacted FFMV firefighters ahead of another bushfire season for just doing their job. And now two years on they realise that there is another aspect that they forgot—the presumptive rights. How embarrassing.

But I am immensely relieved on behalf of all FFMV and DELWP forest firefighters that they will now have coverage in the same way as FRV and CFA firefighters. Of course we hope that no FFMV firefighter is diagnosed with cancer, but should they be, it is important that this will now be recognised and treated as a workplace injury for both occupational forest firefighters and surge forest firefighters.

I would like to take the opportunity though to discuss a number of concerns around some of the language used and what is not included in this bill but which potentially creates uncertainty. In the minister’s second-reading speech, for example, she noted the compensation is intended to be available to firefighters with exposure to hazards of a fire scene, but she then went on to say that the new law will require all forest firefighters to have attended fires to the extent reasonably necessary to fulfil the purpose of their service before they qualify for the presumption.

In this bill this is provided for in new sections 72E and 72H, but I hope the term ‘to the extent reasonably necessary’ is to keep it open and flexible to help the firefighters seeking to make a claim rather than setting the bar too high. It is an area that we will seek to explore more through questions in the committee stage in the Legislative Council.

Furthermore, the bill specifies 12 cancers, which I concede is consistent with equivalent presumptive rights legislation in other Australian jurisdictions and is backed by science and evidence. What it does not recognise, however, is the low proportion of women who have traditionally been in firefighting roles, which skews the data to the extent it limits the number of female cancers that may be obtained by women when firefighting. But for a government that claims it does a lot about women’s rights and diversity, why aren’t we seeing that in this bill? Why doesn’t this government’s presumptive rights legislative program also cover female cancers such as ovarian and uterine cancers, for example? This bill provides for diseases such as testicular cancer and prostate cancer, but what are starkly absent are female equivalents, like ovarian and uterine cancers, and I find this questionable. How can we genuinely encourage more women into firefighting, which I fully support and endorse, if we do not futureproof legislation such as this?

The other concerning matter is those firefighters in Victoria that will still not be covered by presumptive rights legislation. There is a vast number of women and men who perform vital
firefighting roles, especially during bushfires, to keep our community safe who have been ignored and left behind in terms of legislation by this government. It has been raised before in the debate, and it is the forestry industry brigade firefighters; they have been left out of this legislation. That is some 800 firefighters in Victoria who have been denied the same rights as women and men that they fight fires alongside, and I call on the Labor government to address this discrepancy. FIB firefighters work alongside FFMV and CFA firefighters, and they should absolutely be able to have the same rights. Also, next of kin—this bill is silent on next of kin of firefighters should a firefighter die, and the government seemed to have absolutely no idea in the bill briefing about that; they said that they did not know. That is a real shame. I support this bill.

Dr READ (Brunswick) (11:57): I speak today on the Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021. The bill seeks to establish a presumption that certain cancers when diagnosed in forest firefighters are the result of their work so that they can readily claim appropriate compensation. I want to acknowledge again the tireless work done by Colleen Hartland, who was a Greens member for Western Metropolitan Region in the other place until 2018. Colleen led the campaign for presumptive rights compensation for firefighters for many years, even introducing a private members bill on the topic.

This bill matches a similar bill that we passed in 2019 giving the same rights to other firefighters, and when speaking on that bill I referred to a meta-analysis published in the International Journal of Cancer showing cancer risks in firefighters are increased by around 12 per cent for colorectal cancer, 15 per cent for prostate cancer, around 20 per cent for thyroid and melanoma cancers and 34 per cent for testicular cancer. When you think about it, that means that other factors actually account for the majority of these cancers in firefighters, but it is perfectly appropriate that we look after firefighters, who we employ to confront danger so that we do not have to. Of course no amount of money can compensate properly for the suffering caused by some of these cancers. Prevention is always preferable to compensation. Our priority should be to prevent people from being exposed to smoke in the first place, but when that fails, we can at least remove any fear that they may not be able to afford time off work or treatment.

We are still learning more about the hazards of inhaling smoke. In the past decade we have learned more about the harm caused by extremely fine carbon particles, sometimes referred to as PM2.5. They can cause lung disease, and the finest particles are absorbed via the lungs into our blood, where they can effect clotting and cause strokes and heart disease. Anyone exposed to a large amount of smoke faces this risk, and none more so than professional firefighters. We are learning that more needs to be done to ensure proper respiratory protection for firefighters so that we are not back here passing a bill to compensate them for heart and lung disease.

Both paid and volunteer firefighters are exposed to very high concentrations of dangerous particulates, so a high level of protection is required. Paper P2 masks—and P2 masks are roughly equivalent to the N95 masks worn in hospitals—require an airtight seal, which can be difficult to maintain while doing the heavy work that firefighters often do in high temperatures, and these masks also do not function well when wet. Re-usable P3 respirators provide high-level protection and are used by some fire brigades in Australia, but their use is patchy across Australia. Being re-usable, they may pay for themselves over time given the mounting cost of disposable P2 masks and the reduced costs of dealing with disease resulting from smoke inhalation. So I recommend that fire brigades look at P3 or other high-quality elastomer re-usable respirators for their firefighters.

While we are passing legislation to compensate people for the effects of smoke inhalation, we should give some thought too to smoke inhalation by the rest of the population—that is, people who are not firefighters. We hope that smoke pollution as dense and persistent as we all experienced early last year will be an infrequent event, but we can, I am afraid, be sure that it will happen again, as climate change will guarantee more fires on that scale. But many of us inhale wood smoke more regularly if we live in the outer eastern suburbs, where smoke can accumulate for days, over autumn in particular, as a result of controlled burns for fuel reduction and in logging coupes. The sooner we phase out the
logging and burning of native forests the better—and I am referring here to the logging fires. The fuel reduction fires, unfortunately, will be necessary at least to some extent.

Another source of wood smoke is less obvious but very important, and that is wood heaters. During this climate emergency the government should move quickly to reduce and phase out the use of wood heaters in Victoria. They create greenhouse gas emissions and the same air pollution as forest fires but over a much longer period. And while this bill addresses the impact of smoke on firefighters from their work, we do not want them inhaling more smoke when they knock off. Melbourne’s wood-fired heaters were estimated to cause health costs of almost $7000 per wood heater each year in a study on atmospheric pollution research published a decade ago. Given this, there is no justification for installing expensive new wood heaters in urban homes.

Finally, while we support this legislation wholeheartedly, we really do not want to see it used. An important part of preventing smoke inhalation by firefighters is preventing fires in the first place. Climate change is making bushfires hotter and more frequent around the world, and especially here in Australia. A fire catastrophe like that which began in New South Wales two years ago and spread into East Gippsland is something we will see again. Today, as it happens, is Community Sector Climate Change Day of Action. I think this has been started by the Australian Council of Social Service. So while we are legislating to compensate firefighters for cancer, we should reflect on how Victoria is continuing to worsen the problem by continuing to put greenhouse gases into the atmosphere by burning more than 100 000 tonnes of coal every day, by connecting new buildings to gas, by allowing car use to increase and by failing to cut emissions from farming, from logging or from construction.

The Greens support this bill, but now we need to get serious about making it unnecessary.

Following speeches incorporated in accordance with resolution of house of 5 October:

Mr BLACKWOOD (Narracan)

Firstly, I would like to provide some background on the bill.

The Victorian government committed to legislating for an occupational cancer presumptive rights compensation scheme that covers all impacted Victorian firefighters, as did the Liberal-Nationals coalition prior to the 2018 election.

In July 2019 the government delivered on this for career and volunteer firefighters by enacting the Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019, with the commitment to then extend these rights to forest firefighters.

The government has recently introduced the Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021, an initiative that the Liberal-Nationals fully supported.

Once this bill is passed, CFA volunteer firefighters, CFA employees deemed career firefighters, Forest Fire Management Victoria (FFMVic) firefighters and Fire Rescue Victoria (FRV) career firefighters will have rights to place a claim should they contract one of the listed cancers.

However, firefighters left out of the legislation are CFA forest industry brigade (FIB) firefighters, due to the definitions of career and volunteer firefighters. The Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019, part 2, defines those eligible for presumptive rights compensation in a way that excludes industry brigade members.

In this legislation the only persons with an entitlement to the presumption under that act are:

• career firefighter—defined to mean ‘a person who is or was employed by a fire service as a firefighter in a role in which firefighting duties are or were a substantial portion’; and

• volunteer firefighter—defined to mean ‘a person who performs or has performed firefighting duties, in a role in which firefighting duties are or were a substantial portion, and who receives or received no remuneration for the performance of those duties’.

FIB firefighters are employed by private enterprise not by a ‘fire service’. In addition to FIB firefighters, heavy plant operators (who mostly come from the forest industries) who are contracted by DELWP or CFA for firefighting but are not considered an employee of the government, CFA, ParksVic, VicForests or Melbourne Water. Therefore, they will also not be covered in the firefighters presumptive rights bill.
As a former timber harvesting contractor I have firsthand experience of the work involved in supporting our fire agencies during a forest fire.

As part of the contracts entered into with VicForests, contractors are compelled to make their equipment available for firefighting when called upon by DELWP or VicForests, but my experience has been that, even if not compelled, forest contractors and their workers would always put their hand up to keep their communities safe and protect them when required.

The forest industry brigades also include those privately managed brigades formed to protect their own assets, such as Hancock Victorian Plantations.

These men and women certainly deserve similar protection to that proposed in this legislation as they are always on call during the fire season to assist our career and volunteer brigades.

And when it comes to women I note that currently there are no specified cancers listed in the background supporting information of the bill that are contracted by women only. I would encourage more research to be done to ensure that those cancers, once scientifically proven through thorough investigation to affect women only, are included in the list of cancers covered by this legislation.

Once this bill is passed, there are over 800 firefighters in the state of Victoria who will have been denied the same rights as the women and men they work alongside.

Like CFA volunteers, Victoria’s FIB firefighters help keep our communities safe and protect Victorians’ lives, our livelihood and our environment. Like the forest firefighters covered by the forests amendment bill, FIB firefighters are not career firefighters, but they have a significant role in firefighting during the fire season and play a significant role in the state’s planned burning program.

Every fire season, our FIB volunteer firefighters work tirelessly—often in physically tough conditions and with a high level of personal risk—to respond to fires threatening our communities and our natural environments. Never was this demonstrated more than during the devastating Black Summer fires of 2019 and 2020. Over 200 firefighters met the criteria to be eligible for the National Emergency Medal (Bushfires 2019–20).

FIB work alongside CFA volunteers and FFMVic forest firefighters. These firefighters face the same hazardous situations and ingest the same smoke as all other firefighters in keeping our communities safe; therefore it is unfair to exclude our members from the ability to claim compensation if they contract one of the specified cancers whilst serving as a firefighter in Victoria.

Whilst the Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021 is not the appropriate legislative mechanism to provide presumptive rights coverage to our FIB firefighters, it does provide an opportunity to highlight the inequity.

I also take the Andrews government to task on another example of a complete lack of regard for our forest workers that has occurred this week.

Just this week the Forests Legislation Amendment (Compliance and Enforcement) Bill 2019 was passed in the Legislative Council with amendments that were then passed in the Assembly.

This piece of legislation is another example of this Labor government’s disregard for the safety and wellbeing of our forest contractors and workers and shows no appreciation for the contribution they make to the economy and welfare of regional communities.

And so with this legislation we don’t want the minister responsible to ignore these experienced and irreplaceable workers and their families, as the Minister for Agriculture has done with the forests bill passed this week, by not consulting, advising or acting for the workers she is expected to represent, including VicForests.

So I am calling on Minister Thomas to consult with industry to find the appropriate path for the drafting of legislation that will give forest industry brigades and forest contractors and their workers the same protections being offered in this legislation for cancers caused by the heat and smoke endured as they work alongside career and volunteer firefighters on the front line.

In relation to this bill, it has my full support. The career firefighters with Forest Fire Management and VicForests and all firefighters covered by this bill thoroughly deserve the protections it offers. They spend so much time away from family during campaign fires and their families deserve to have the peace of mind that this legislation should provide.

I commend the bill to the house.
Ms COUZENS (Geelong)

I am pleased to contribute to the Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021.

This government is committed to protecting all workers. Those protecting our community deserve our support. The realities of climate change mean Victoria is facing more intense fire weather, with extreme heatwaves becoming more frequent. As we approach bushfire season, the risk of bushfire is front of mind for many Victorians, particularly in our regional communities.

We know how hard communities work during fire season, including forest firefighters. In my electorate of Geelong it is unlikely we will experience a bushfire, but the surrounding areas can and do, and of course when this happens the entire community throughout Greater Geelong pull together in a crisis. So I am confident that the community of Geelong would support this bill, which provides protection to the forest firefighters.

Without effective management, these bushfires risk lives, endanger properties and threaten our precious biodiversity and valuable natural landscapes. The forest firefighters who work tirelessly to manage these risks, through fire prevention and suppression activities, selflessly and heroically put themselves on the front lines to protect communities. They do this work year round, including in the off-seasons, when they prepare for and carry out planned burns to manage this ever-present risk.

The conditions our forest firefighters work in are physically tough and demanding, and this government recognises the sacrifices these workers make to protect our communities. Never were these sacrifices more apparent than during the 2019–20 bushfire season, otherwise known as Black Summer. The intense heat and subsequent devastating fires of that season saw hundreds of forest firefighters working at great personal risk to protect communities across the north and east of our state. And right across Victoria, Australia and even the globe, people recognised the important and dangerous work our forest firefighters were carrying out, demonstrating great bravery to keep us safe.

It is important that we honour that bravery with more than just words. It is important that we provide a fair and just compensation scheme for our forest firefighters who get sick. It is an unfortunate reality that research findings show that firefighters experience higher rates of certain cancers than the population at large. And therefore, it is a reasonable presumption that firefighters, due to their dangerous and necessary occupation, are more vulnerable to certain cancers.

This bill shifts the burden of proof to access compensation in favour of our forest firefighters. It establishes a presumption that, for eligible firefighters, these certain cancers will be treated as workplace injuries unless there is proof to the contrary.

The Andrews Labor government committed to delivering this presumptive right for all Victorian firefighters. And already we have delivered on this commitment for Victorian firefighters serving in the Country Fire Authority and Fire Rescue Victoria. This bill now extends presumptive rights to forest firefighters, fully delivering on this commitment.

Just as any other worker who is injured at work deserves access to compensation, so too do our frontline forest firefighter heroes.

This bill is one of clear Labor values. It is about protecting workers by providing a clear means to access compensation for workplace-related injury and illness. We are the party of workers rights, and we are always looking for ways to expand protection for workers. This bill represents very progressive reform in this area.

The bill itself has been modelled closely on part 2 of the Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 (the FPRC act) to ensure consistency of protections for all firefighters. It establishes this presumptive right for two types of forest firefighters: occupational forest firefighters and surge forest firefighters.

Both of these categories refer to forest firefighters who undertake firefighting in support of the Secretary to the Department of Environment, Land, Water and Planning (DELWP) in carrying out their duties under the Forests Act 1958. Occupational forest firefighters are those employed in roles where fire duties are a substantial portion, while surge forest firefighters are those who are employed in other roles but who perform firefighting duties during the fire season as needed.
The presumptive right will apply to all firefighters who have been diagnosed with one of the 12 types of cancer specified in the bill on or after 1 June 2016 and who have served as a firefighter for the relevant qualifying period. The cancer types and qualifying periods are consistent with those in the FPRC act.

Where this bill differs from the FPRC act is in acknowledging the seasonal nature of forest firefighting. Many of our forest firefighters only work during peak bushfire or planned burn season. However, they may still have served as forest firefighters for many years. In order to make sure they do not miss out on essential protections due to the nature of their work, this bill provides an alternative means for calculating service periods.

For example, where a forest firefighter has worked only over a summer fire period, this can be counted as service for a whole year for the purpose of calculating qualifying periods.

Forest firefighters are our first line of defence against devastating fires such as those we saw during Black Summer. As climate change causes more unpredictable risks, it is more important than ever that we have the most effective and responsive fire services we can. This means protecting our firefighters and ensuring that we take care of them in their times of need.

Labor governments will always fight for workers. And this bill is just another example of delivering on that commitment.

Recent bushfire risk related investment by the Andrews Labor government:

Forest firefighters work tirelessly to protect us from the ever-present risk of bushfires. In order to support this work, the Andrews Labor government has recently made several significant investments to help reduce the risk of bushfires in a changing climate.

As part of the Victorian budget 2021–22, $517 million was invested to deliver important technology upgrades for firefighters and improved risk management across agencies to reduce the risk of bushfires in a changing climate.

This included:

- $339.5 million to fund our forest fire management workers and firefighters—as well as making sure our technology, fire towers and equipment stays up to scratch;
- $15.6 million to increase removal of long grasses and undergrowth, which contribute significantly to bushfire risk;
- $133 million to deliver brand new digital radios for Forest Fire Management Victoria staff—helping them avoid black spots and communicate better with other emergency services.

Better communication on the ground and in remote areas will help detect fires earlier and improve efforts to contain them faster.

This funding also further delivered on recommendations of two inquiries into the devastating 2019 and 2020 bushfires by the inspector-general for emergency management and the 2009 Victorian Bushfires Royal Commission.

In response to the inspector-general’s call for greater coordination and leadership, more than $21 million was provided for a new Office of Bushfire Risk Management to bring together land and fire managers so they can work more closely to reduce the risk of bushfires on public and private land.

The office will work with Forest Fire Management Victoria, the Country Fire Authority, Emergency Management Victoria, local government, landholders and the community. It will have a key role in delivering the improvements to land and fire management recommended by the inspector-general.

This investment builds on the highly effective approach by Forest Fire Management Victoria to continue the Reducing Bushfire Risk program and Safer Together strategy, which aim to reduce the impact of bushfires on Victorian communities, the economy and the environment.

This program and strategy guide Victoria’s key fuel management activities, ensure the maintenance of the public land, road and bridge network which provides access and egress to fires and planned burns, and enable capabilities in risk modelling and community engagement.

Much of this work is carried out by the very forest firefighters this bill seeks to protect, and all of it contributes to making our state safer and more prepared against the risk of bushfire.
Ms EDWARDS (Bendigo West)

I’m pleased to make a contribution to this important bill before the house, which builds on this government’s unwavering commitment to all of our firefighters across the state.

This bill delivers on another election commitment to legislate presumptive rights for forest firefighters and adds to previous legislation we have introduced and passed covering our CFA volunteers and Fire Rescue Victoria firefighters.

The bill amends the Forests Act 1958 to provide presumptive rights to forest firefighters, making it easier for eligible individuals who develop specific forms of cancer to access compensation.

At the outset can I extend my grateful thanks to the forest firefighters across the state who work tirelessly to manage fire risk, through fire prevention and suppression activities all year round, and who so selflessly and with dedication put themselves on the front line to protect Victorians.

These forest firefighters were on the front-line during the summer of 2019–20 when this state experienced the worst bushfires in recorded history. They worked tirelessly and at great personal risk to protect communities across the north and the east of our state. For that we are eternally grateful to them for keeping so many individuals and communities safe.

This bill is designed specifically with the type of work performed by forest firefighters in mind. Forest firefighters are currently entitled to compensation under the WorkSafe Victoria scheme if they have an injury, including cancer, and there is evidence that the injury is due to their employment or their service as a seasonal firefighter.

Substantiating workplace injury claims for cancer can be difficult due to the challenge of providing causation of the injury where there has been diffuse, long-term exposure to carcinogens.

Presumptive rights mean that if an eligible forest firefighter meets the relevant qualifying requirements, and their cancer is one of the 12 cancers listed, then the cause of the cancer will be presumed to be due to their employment or service.

Importantly the retrospective nature of the presumptive scheme will apply where a person’s injury occurs during the period in which they served as a firefighter or within 10 years after they ceased to serve as a firefighter.

Occupational exposure as a firefighter has been identified as a possible carcinogen by the International Agency for Research on Cancer. This included both forest and structure firefighters.

Bushfire smoke is known to contain many carcinogens. In this legislation planned burns are defined as firefighting, and this is a central component of the work that forest firefighters do.

It is a sad reality that research findings show that firefighters experience higher rates of certain cancers than the population at large. It is therefore a reasonable presumption that firefighters, due to their dangerous and necessary occupation, are more vulnerable to certain cancers.

Cancer is a diagnosis that still sends chills through many people. A cancer diagnosis changes people’s lives forever. I send my support and empathy to those firefighters who have received a cancer diagnosis. If your family is touched by cancer, it is not only a shock but also means your lives become embroiled in doctors’ visits, specialist visits, hospital admission, many treatments and a journey through the medical system that can leave you reeling.

Protecting workers is one of this government’s core values. We will always put workers rights first and we will always look at ways of expanding protection for workers.

This bill is further progressive reform in ensuring workers rights are front and centre of this government’s progressive agenda and builds on its significant achievements already, including criminalising wage theft, making workplace manslaughter a criminal offence, introducing a secure work pilot scheme and commissioning a landmark report into the on-demand workforce to make sure gig economy workers get the fair deal they deserve.

Bushfires threaten lives, damage property and create a barrier to economic prosperity and community resilience.

Climate change is exacerbating the risk of bushfires, in terms of severity, unpredictability and frequency.

Every fire season forest firefighters help to keep our communities safe.

Their safety is front and centre for this government.
This bill establishes presumptive rights for two types of forest firefighters: occupational firefighters and surge forest firefighters.

In both cases these forest firefighters are employees of various government agencies and entities, who undertake firefighting in support of the Secretary of the Department of Environment, Land, Water and Planning.

Occupational forest firefighters are those who are employed in roles where fire duties are a substantial portion.

Surge forest firefighters are those who are employed in other roles but who perform firefighting duties during the fire season as part of their agency’s surge capacity as needed.

The compensation scheme is intended to be available to firefighters with exposure to the hazards of a fire scene.

The bill requires all forest firefighters to have attended fires to the extent reasonably necessary to fulfil the purpose of their service before they qualify for the presumption.

This is closely modelled on the requirement for volunteer firefighters in the Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 (FPRC act).

As with the FPRC act, there will be a special consideration process for eligible individuals who are diagnosed with one of the specified cancers but who have not served the relevant qualifying period.

These firefighters will be able to access the presumptive right if they have attended an exceptional exposure event.

In extending presumptive rights to forest firefighters, the Victorian government aims to treat all eligible employees equitably and to ensure that the legislation is as administratively unencumbered as possible.

In my electorate of Bendigo West we have planned cultural burns when the seasons permit. We have a dedicated Dja Dja Wurrung firefighting and Parks Victoria workforce. There have been a number of planned cultural burns over past seasons, and the success of these is evident. The community support for cultural burns is growing. These were a first for Victoria.

Forest Fire Management (FFM) Victoria’s Bendigo-based staff and the Dja Dja Wurrung Clans Aboriginal Corporation have partnered to reintroduce traditional burns to the landscape.

Parks Victoria’s Dja Dja Wurrung ranger team leader and chair of the corporation, Trent Nelson, said the practice was putting ‘Dja Dja Wurrung people back in the landscape’.

Mr Nelson said the traditional burns would not take away from other practices such as planned burns but would add Aboriginal knowledge and skills to the mix.

As well as acting in fuel management, he said the reintroduction of traditional burns would help heal the natural environment.

FFM assistant chief fire officer Scott Falconer said the burns would have a legitimate place in fuel management going forward.

‘This is a really important step in (reintroducing) something that has been absent, in a structured way, for 150, 200 years,’ Mr Falconer said. (Bendigo Advertiser, 15 May 2017)

With much traditional knowledge lost, those involved in the project are talking to elders, reading settlers’ accounts and old journals, and monitoring their own burn activities so this knowledge will be able to be passed down to younger generations.

Traditional burns differ from planned burns in that they are cooler, slower burns, with fires lit in patches and allowed to take their natural paths.

It is hoped the combination of traditional and modern land management methods will become common practice across Victoria, and I support the expansion of cultural burns.

This doesn’t mean there is no risk associated with cultural burns. All fire is dangerous, and that’s why this legislation is so important in ensuring that all our forest firefighters are covered by these important presumptive rights.

I commend the bill to the house.

Mr EREN (Lara)

It is my pleasure to contribute today to the Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021.

This bill will amend the Forests Act 1958 to provide presumptive rights to forest firefighters.

This will make it easier for eligible individuals who develop specified forms of cancer to access compensation. Specifically, the bill will:
provide a rebuttable presumption for forest firefighters:
  o suffering from specified forms of cancer due to the nature of their employment on or after 1 June 2016
  o who have served as a forest firefighter for the relevant qualifying period

provide for the creation through regulations of an advisory committee to assess the eligibility of all forest firefighters and provide a non-binding expert opinion to WorkSafe Victoria or self-insurer

allow forest firefighters to count any previous service as a career or volunteer firefighter towards their qualifying period

As I stated, this bill provides a rebuttable presumption for forest firefighters suffering from specified forms of cancer that the cancer is presumed to be due to the nature of their employment, including carrying out fire suppression and prevention activities, for the purposes of claiming compensation under the Workplace Injury Rehabilitation and Compensation Act 2013.

The bill does this by creating a scheme modelled closely on the one for career and volunteer firefighters under the Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019.

This bill is, importantly, delivering on the Andrews Labor government’s election commitment to legislate presumptive rights for all Victorian firefighters.

This bill is at its core about protecting workers, and this government has always stood with workers.

Other recent significant achievements by the Andrews Labor government for workers include:

• Criminalising wage theft. Under this government, Victoria became the first jurisdiction in the country to make it a criminal offence for employers to deliberately underpay or not pay their workers. As of 1 July this year, those found guilty of wage theft can face fines of up to almost $1 million for companies and up to 10 years’ jail or up to $200,000 for individuals.

• Making workplace manslaughter a criminal offence. The Andrews Labor government introduced tough new laws making industrial manslaughter a crime, because no person deserves to die at work. Employers who negligently cause a workplace death can face fines of up to $16.5 million, and individuals can face up to 20 years in jail.

• Introducing a secure work pilot scheme, which will provide up to five days of sick and carers pay at the national minimum wage for casual or insecure workers in priority industries. This is a nation-leading initiative which will give Victorian workers in casual or insecure jobs more security.

• Commissioning a landmark report into the on-demand workforce to make sure gig economy workers get the fair deal they deserve, and investing $5 million in funding in the most recent budget to begin implementing the government’s response to this report, including setting standards to provide fairer conditions for workers.

These are just a few of the ways the Andrews Labor government is leading the nation when it comes to protecting workers—and with this bill we will continue.

Our government is dedicated to protecting all workers.

The realities of climate change have a greater impact on our fire seasons.

Victoria is facing more intense fire weather, with extreme heatwaves becoming more frequent.

As we are approaching bushfire season, the risk of bushfire is front of mind for many Victorians, particularly in our regional communities.

Without effective management, these bushfires risk lives, endanger properties and threaten our precious biodiversity and valuable natural landscapes.

The forest firefighters who work tirelessly to manage these risks, through fire prevention and suppression activities, selflessly and heroically put themselves on the frontlines to protect Victorians.

They do this work year round, including in the off seasons when they prepare for and carry out planned burns to manage this ever-present risk.

I would like to thank them for their hard work and dedication and, importantly, for keeping our communities safe.

The conditions our forest firefighters work in are physically tough and demanding, and this government recognises the sacrifices these workers make to protect our communities.
When we think of these sacrifices, it’s hard to not think about the 2019–20 bushfire season, otherwise known as Black Summer.

The intense heat and subsequent devastating fires of that season saw hundreds of forest firefighters working at great personal risk to protect communities across the north and east of our state. And right across Victoria, Australia, and even the globe, people recognised the important and dangerous work our forest firefighters were carrying out, demonstrating great bravery, to keep us safe.

It is therefore vital that we honour that bravery with more than just words.

It is imperative that we provide a fair and just compensation scheme for our forest firefighters who get sick.

It is an unfortunate reality that research findings show that firefighters experience higher rates of certain cancers than the population at large.

It is therefore a reasonable presumption that firefighters, due to their dangerous and necessary occupation, are more vulnerable to certain cancers.

This bill shifts the burden of proof to access compensation in favour of our forest firefighters.

It establishes a presumption that, for eligible firefighters, these certain cancers will be treated as workplace injuries unless there is proof to the contrary.

The Andrews Labor government committed to delivering this presumptive right for all Victorian firefighters.

The bill itself has been modelled closely on part 2 of the Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 (the FPRC act) to ensure consistency of protections for all firefighters.

It establishes this presumptive right for two types of forest firefighters: occupational forest firefighters and surge forest firefighters.

Both of these categories refer to forest firefighters who undertake firefighting in support of the Secretary of the Department of Environment, Land, Water and Planning (DELWP) in carrying out its duties under the Forests Act 1958.

The presumptive right will apply to all firefighters who have been diagnosed with one of the 12 types of cancer specified in the bill on or after 1 June 2016 and who have served as a firefighter for the relevant qualifying period.

The cancer types and qualifying periods are consistent with those in the FPRC act.

Where this bill differs from the FPRC act is in acknowledging the seasonal nature of forest firefighting.

Many of our forest firefighters only work during peak bushfire or planned burn season. However, they may still have served as forest firefighters for many years.

In order to make sure they do not miss out on essential protections due to the nature of their work, this bill provides an alternative means for calculating service periods.

In order to support this work, the Andrews Labor government has recently made several significant investments to help reduce the risk of bushfires in a changing climate.

As part of the Victorian budget 2021–22, $517 million was invested to deliver important technology upgrades for firefighters and improved risk management across agencies to reduce the risk of bushfires in a changing climate.

This included:

• $339.5 million to fund our forest fire management workers and firefighters—as well, to make sure our technology, fire towers and equipment stay up to scratch;
• $15.6 million to increase removal of long grasses and undergrowth, which contribute significantly to bushfire risk;
• $133 million to deliver brand new digital radios for Forest Fire Management Victoria staff—helping them avoid black spots and communicate better with other emergency services.

Better communication on the ground and in remote areas will help detect fires earlier and improve efforts to contain them faster.

This funding also further delivered on recommendations of two inquiries into the devastating 2019 and 2020 bushfires by the inspector-general for emergency management and the bushfires royal commission.

In response to the inspector-general’s call for greater coordination and leadership, more than $21 million was provided for a new Office of Bushfire Risk Management to bring together land and fire managers, so they can work more closely to reduce the risk of bushfires on public and private land.
Mr HAMER

That’s why I support this bill, commend it to the house and wish it a speedy passage.

prevent activities on public land in Victorian forests. In 1958, three acts consolidated the bushfire management legislative framework. These were the Forests Act 1939, the Metropolitan Fire Brigades Act 1958, and the Country Fire Authority Act 1958. The 1939 Black Friday bushfires were one of Australia’s worst natural disasters to have occurred to that time and—in terms of both loss of property and loss of life—even today remain one of Australia’s worst recorded natural disasters. Almost 2 million hectares burned across the state. Large areas of state forest, containing giant stands of mountain ash and other valuable timbers, were destroyed. As a result, approximately 575,000 hectares of reserved forest and 780,000 hectares of Crown land burned. Tragically, 71 people died, and several towns were destroyed. Sadly, this included four men from the Forests Commission—the first occasion on which members of the commission’s staff lost their lives as a direct result of forest fires. Countless other employees were undoubtedly working long shifts trying to suppress the fires, many of whom may well have suffered from smoke inhalation, burns and other injuries as a result of the firestorm that raged that day.

The resulting royal commission into the 1939 bushfires increased understanding of the need for an effective fire prevention and fire suppression organisation did not come until the early 20th century, but it eventually led to the establishment of the Forests Commission in 1918, which included fire prevention and suppression as one of its core objects. Post European settlement, the first identification of the need for an effective fire prevention and fire suppression organisation did not come until the early 20th century, but it eventually led to the establishment of the Forests Commission in 1918, which included fire prevention and suppression as one of its core objects. In those days, the science of silviculture and bushfires was poorly understood, particularly as it applied to the Victorian environment.

Mr HAMER (Box Hill)

It is an honour to add my support to the Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021.

Victoria is one of the most fire-prone regions in the world, and fire has significantly shaped much of the landscape. Fire has been part of the natural environment of south-eastern Australia for tens of millions of years. The traditional owners of the land used fire selectively, with skill, for many thousands of years to ‘care for country’. for many reasons. The fires were a tool that encouraged the growth and extent of grasslands to enhance hunting, reduced fuel levels and kept vegetation from becoming dense and hard to walk through.

The office will work with Forest Fire Management Victoria, the Country Fire Authority, Emergency Management Victoria, local government, landholders and the community. It will have a key role in delivering the improvements to land and fire management recommended by the inspector-general.

This investment builds on the highly effective approach by Forest Fire Management Victoria to continue the reduction of bushfire risk and the Safer Together strategy, which aims to reduce the impact of bushfires on Victorian communities, the economy and the environment. This program and this strategy guide Victoria’s key fuel management activities, ensure the maintenance of the public land, road and bridge network which provide access to and egress from fires and planned burns; and enable capabilities in risk modelling and community engagement.

Much of this work is carried out by the very forest firefighters this bill seeks to protect, and all of it contributes to making our state safer and more prepared against the risk of bushfire.

I am so proud that we have already delivered on this commitment for Victorian firefighters serving in the Country Fire Authority and Fire Rescue Victoria.

And I’m even more proud that this bill now extends presumptive rights to forest firefighters, fully delivering on this commitment.

Just as any other worker who is injured at work deserves access to compensation, so too do our frontline forest firefighter heroes.

This bill is one of clear Labor values. It is about protecting workers, providing a clear means to accessing compensation for workplace related injury and illness.

We are the party of worker’s rights, and we are always looking for ways to expand protection for workers.

This bill represents very progressive reform in this area.

That’s why I support this bill, commend it to the house and wish it a speedy passage.

Mr HAMER (Box Hill)

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Post European settlement, the first identification of the need for an effective fire prevention and fire suppression organisation did not come until the early 20th century, but it eventually led to the establishment of the Forests Commission in 1918, which included fire prevention and suppression as one of its core objects. In those days, the science of silviculture and bushfires was poorly understood, particularly as it applied to the Victorian environment.

The 1939 Black Friday bushfires were one of Australia’s worst natural disasters to have occurred to that time and—in terms of both loss of property and loss of life—even today remain one of Australia’s worst recorded natural disasters. Almost 2 million hectares burned across the state. Large areas of state forest, containing giant stands of mountain ash and other valuable timbers, were destroyed. As a result, approximately 575,000 hectares of reserved forest and 780,000 hectares of Crown land burned. Tragically, 71 people died, and several towns were destroyed. Sadly, this included four men from the Forests Commission—the first occasion on which members of the commission’s staff lost their lives as a direct result of forest fires. Countless other employees were undoubtedly working long shifts trying to suppress the fires, many of whom may well have suffered from smoke inhalation, burns and other injuries as a result of the firestorm that raged that day.

The resulting royal commission into the 1939 bushfires increased bushfire awareness and the need for prevention. Its findings contributed to improved institutional and regulatory frameworks in Victoria for bushfire risk management by recommending a clearer separation of forest and bushfire management, better cooperation between emergency response agencies, and more comprehensive and flexible protection and prevention laws. The first significant initiative from the recommendations was the Forests Act 1939, which enabled the Forests Commission to take complete control of fire suppression and prevention on public land in Victoria. In 1944 the Country Fire Authority was formed to manage fire on private land outside greater Melbourne. In 1958, three acts consolidated the bushfire management legislative framework. These were the Forests Act 1958, the Metropolitan Fire Brigades Act 1958 and the Country Fire Authority Act 1958. The Forests Act 1958 remains in force and remains the key legislative tool for managing fire suppression and prevention activities on public land in Victoria. Today public land in Victoria covers approximately 8 million hectares of reserved forest and 780,000 hectares of Crown land burned. Tragically, 71 people died, and several towns were destroyed. Sadly, this included four men from the Forests Commission—the first occasion on which members of the commission’s staff lost their lives as a direct result of forest fires. Countless other employees were undoubtedly working long shifts trying to suppress the fires, many of whom may well have suffered from smoke inhalation, burns and other injuries as a result of the firestorm that raged that day.

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hectares in area, which is approximately one third of the state. The majority of this 8 million hectares is comprised of national parks and other conservation parks managed by Parks Victoria (4 million hectares) and state forests, managed by the Department of Environment, Land, Water and Planning (3.2 million hectares). The bill before the Parliament today seeks to amend this act to further strengthen the rights of those men and women who continue to undertake this difficult and dangerous work.

While bushfire management, prevention and suppression activities and techniques have enormously advanced since 1939, the risk of death remains a real possibility for those working in the Forest Fire Management Victoria team. In the 2019–20 bushfires, two Victorian forest firefighters tragically lost their lives—Bill Slade served his community for over 40 years, and he was proud to work as a firefighter with Forest Fire Management Victoria. Another forest firefighter, Mat Kavanagh, also lost his life in the disaster. I pay my deepest respects for their sacrifice and their critical role in saving lives and saving properties.

Unfortunately, fire is not the only threat these heroes face. Long after the flames have receded and the blazes have been extinguished, firefighters remain significantly more likely to be diagnosed with cancers as a consequence of their duties. For too long accessing support and compensation has been difficult. But now, the Andrews government and indeed governments across the nation recognise action is needed, and this bill goes a long way to achieving this systemic change. Firefighters who are diagnosed with cancers because of their duties deserve the same access to workplace injury rights as any other Victorian.

Since 2019, career and volunteer firefighters have had their cancer diagnoses presumed to be acquired during their service—paving the way for access to workplace injury entitlements. The bill we are debating today seeks to complete this reform, and deliver justice for all Victorian firefighters, by granting this same presumption to forest firefighters.

As a government, we are committed to fairness and justice for all Victorian workers, especially those who have been injured on the job, and this bill is no exception to that.

Importantly, the bill also takes the unique work of our forest firefighters into account. The act created in 2019, which grants presumptive rights to career and volunteer firefighters, grants these rights in accordance with calendar qualifying years.

However, by nature of their work, many forest firefighters work over seasons, not full calendar years. They can work through 20 fire preparation seasons, but that isn’t necessarily equivalent to calendar years of service. This is taken into account in section 72K inserted by this bill, to ensure equitable access to workers compensation schemes which reflect the different nature of forest firefighter employment.

I’m proud of the Andrews government for understanding that if we are going to enact positive change, it needs to be equitable, and this belief sits at the core of this important bill.

It’s about improving the lives of Victorians who have given so much to our state and protected us from disasters. The least we can do in return is ensure they have access to justice and support if they are injured in the line of duty.

I commend this bill to the house, and in doing so I thank all firefighters for their courageous and valiant service to my community in Box Hill and indeed across our great state.

Mr McGHIE (Melton)

I rise today to contribute to the Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021.

The bill seeks to extend presumptive rights to forest firefighters suffering from specified forms of cancer. It delivers the government’s election commitment to legislate presumptive rights in respect to forest firefighters, building on previous legislation covering Country Fire Authority and Fire Rescue Victoria firefighters.

Forest Fire Management Victoria firefighters carry out bushfire management in state forests, national parks and protected public lands. Their core purpose is to protect people, property and the environment. They do so by managing bushfires and bushfire risk in Victoria’s parks, forests and other public land. Forest Fire Management Victoria consists of staff from the Department of Environment, Land, Water and Planning, Parks Victoria, VicForests and Melbourne Water.

The number of forest firefighters varies from year to year. At present there are approximately 2800 forest firefighters.

The purpose of this bill is to provide presumptive rights to forest firefighters, making it easier for eligible individuals who develop specified forms of cancer to access compensation.
It seeks to change the way workplace injury claims are processed under the Workplace Injury, Rehabilitation and Compensation Act 2014. This is consistent with the approach for CFA and FRV firefighters.

The bill creates a rebuttable presumption for forest firefighters who are diagnosed with specified types of cancer that the cancer was caused by their employment as a forest firefighter.

Under the presumptive rights compensation scheme, an eligible person claiming compensation for certain cancers does not have to prove that their employment is the cause of the cancer. Instead, it will be presumed that they contracted cancer because of their employment and that they therefore have an entitlement to compensation under the WorkSafe scheme.

With the nature and dangers of fighting fires we can presume that if a forest firefighter contracts cancer then it was probably caused or contributed to by their work. This is not dissimilar to the presumption of mental health injuries for paramedics due to the type of work they do.

We passed legislation earlier this year to allow for payment of medical and like expenses to be paid for 13 weeks while a Workcover claim is being progressed for paramedics.

It is obvious that emergency service workers are at greater risk of injury in their duties. However, the authority administering the scheme—that is, WorkSafe Victoria—will be able to challenge a presumptive entitlement claim where there is proof that the cancer was not caused by the employment.

Research indicates that firefighters have a higher incidence of cancer than the general population.

Presumptive rights make it easier for firefighters to access compensation.

This bill is writing into law a presumption that if a firefighter develops one of a number of types of cancer such as leukemia or bladder cancer and meets eligibility criteria it is assumed that the cancer arose as a result of their service as a firefighter, unless there is proof to the contrary.

This makes it easier to access compensation, by removing the need for individuals to prove the cancer was caused by their service as a firefighter.

This is important because without this change, in my experience representing paramedics as the union secretary, the process of having Workcover claims accepted was more gruelling for the injured worker. This legislation will remove that for forest firefighters.

Any firefighter that contracts a cancer through their work should be able to get on with early treatment to beat off the cancer and not have to worry about fighting for a claim to be accepted.

As mentioned, this bill delivers on the commitment of the Andrews Labor government to deliver on introducing legislation extending presumptive rights to forest firefighters. This new bill is designed specifically with the type of work performed by forest firefighters in mind. Career and volunteer firefighters already have access to the presumptive rights scheme; this enables fairness for those who serve Victorians in the forest fire management service.

The bill deals with issues specific to forest firefighters, such as when project firefighters are employed seasonally by Forest Fire Management Victoria agencies but are intensively exposed to bushfire smoke, routinely working shifts of 12 hours or more.

Under this bill, forest firefighters are deemed to have achieved a full year of service for each partial year served. This recognises that seasonal workers are exposed to similar hazards as year-round workers.

Labor governments will always fight for workers. And this bill is just another example of delivering on that commitment.

Of course, the Andrews Labor government has introduced many bills to protect workers in Victoria. We have provided real action by criminalising wage theft, making workplace manslaughter a criminal offence, introducing a secure work pilot scheme, and taking action preventing violence to health care workers.

As we begin to enter a new bushfire season there is no better time than now to acknowledge the brave people who protect us from bushfires, especially as we remember the horrific events of late 2019 and early 2020.

The realities of climate change mean Victoria is facing more intense fire weather, with extreme heatwaves like last year becoming more frequent. As we approach bushfire season, the risk of bushfire is front of mind for many Victorians, particularly in our regional communities.

Without effective management these bushfires risk lives, endanger properties, and threaten our precious biodiversity and valuable natural landscapes.

The forest firefighters who work tirelessly to manage these risks through fire prevention and suppression activities selflessly and heroically put themselves on the frontlines to protect Victorians.
They do this work year round, including in the off seasons when they prepare for and carry out planned burns to manage this ever-present risk.

The conditions our forest firefighters work in are physically tough and demanding, and this government recognises the sacrifices these workers make to protect our communities.

Never were these sacrifices more apparent than during the 2019–20 bushfire season, otherwise known as Black Summer. The intense heat and subsequent devastating fires of that season saw hundreds of forest firefighters working at great personal risk to protect communities across the north and east of our state.

Just as any other worker who is injured at work deserves access to compensation, so too do our frontline forest firefighter heroes.

They should not have to fight to have their Workcover claim accepted. They should be putting all their energy into fighting off the cancer, and they deserve all of our support in doing so.

This will apply to eligible persons who are diagnosed with one of 12 specified cancers.

And to be eligible to make a claim, a firefighter must either serve the relevant qualifying period or demonstrate attendance at an exceptional exposure event.

The presumptive scheme will apply where a person’s injury occurs during the period in which they served as a firefighter or within 10 years after they ceased to serve as a firefighter. So that coverage remains for those who have left their role but later develop symptoms.

Eligible persons who qualify for compensation under the presumptive scheme will be entitled to the existing benefits that are provided by WorkSafe under the Workplace Injury Rehabilitation and Compensation Act 2013.

This may include:

- payment of costs associated with treatment (medical and like expenses)
- weekly payments for lost earnings
- household help expenses (home help such as cleaning or gardening)
- impairment benefits and
- support and financial compensation to the families of people who have died through these insidious cancers.

The Andrews Labor government is dedicated to protecting all workers. This legislation is another example of protecting workers, and in this instance those workers in turn protect us, and I want to thank all firefighters for the great work they do.

This legislation delivers on the Andrews Labor government’s values and commitments, and I commend the bill to the house.

Mr NORTHE (Morwell)

I welcome the opportunity to make a contribution to the Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021. The bill amends the Forests Act 1958 to provide presumptive rights to forest firefighters, with the intent to make it easier for eligible individuals who develop specified forms of cancer to access compensation.

This bill expands upon the previous Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019, which noted a commitment to extend those same provisions and rights within that legislation to forest firefighters, which is something I strongly support. Can I take the opportunity to once again place on the record my thanks and gratitude to every person in the Morwell electorate who contributes to firefighting efforts in our community and our region. We have endured many large and complex fires over the past years and words are often not enough to convey one’s gratitude and respect for the courageous, dedicated and committed efforts of so many men and women who confront the scourge of fires on a far too regular basis. Please know that you are valued and respected and we appreciate all that you do in protecting our community.

Getting back to the bill at hand, as is the case now for career and volunteer firefighters, there will be a rebuttable presumption for forest firefighters who unfortunately contract certain types of cancer. In those circumstances it will be determined that this will have occurred as a result of their firefighting employment duties. As I understand, this would include when firefighters are undertaking a number of duties, including fire prevention and suppression works, and that any compensation claims would fall within the Workplace Injury Rehabilitation and Compensation Act 2013.
The types of cancers we are referring to include: primary site brain cancer, primary site bladder cancer, primary site kidney cancer, primary non-Hodgkin’s lymphoma, primary leukemia, primary site breast cancer, primary site testicular cancer, multiple myeloma, primary site prostate cancer, primary site ureter cancer, primary site colorectal cancer and primary site oesophageal cancer. For any person being beset with such serious conditions is difficult to contemplate and more so when you consider one could contract these types of cancers whilst seeking to protect communities in their duties.

There are other elements of the bill that are worth noting, including that this scheme applies where forest firefighters suffer from the above-mentioned cancers due to the nature of their employment on or after 1 June 2016 and who have served as a forest firefighter for the relevant qualifying period. The bill also provides for the creation through regulations of an advisory committee to assess the eligibility of all forest firefighters and provide a non-binding expert opinion to WorkSafe Victoria or self-insurer and allows forest firefighters to count any previous service as a career or volunteer firefighter towards their qualifying period.

Whilst the bill goes some way to ensuring that all Victorian firefighters are adequately protected by this important legislation, the reality is this is not the case. I understand there are many other industry-based firefighters that are excluded from this legislation, so for the government to state that all firefighters in Victoria will be protected is not accurate. Indeed in my own electorate, and where we have witnessed some awful fires over these past 15 years, many of those at the forefront of preparation and suppression were industry-based firefighters from organisations such as Hancock Victorian Plantations (HVP) and assistance was also rendered by local timber harvesting operators and timber and forest-related businesses.

It seems ironic that the government’s own departments and agencies call upon industry firefighters and contractors to assist in fire events, yet they are excluded from presumptive rights legislation. Further, these same industry firefighters and contractors often stand alongside other firefighters on the fireground, but once again they are excluded from the same legislation that protects government firefighting services. The question is: why are industry firefighters treated differently under legislation when they are subjected to the same hazardous conditions that all firefighters endure?

Whilst I’m not opposed to the bill before us, because it does make some improvements to presumptive rights legislation, I would call upon the government to bring to the Parliament further legislation that provides the same protection to industry firefighters and other contractors who assist in Victoria’s firefighting efforts to fix the current anomaly that exists. Talking about anomalies, I also call upon the government to address another longstanding problem with respect to CFA volunteers who sustain an injury whilst on duty.

I have over recent years been contacted by more than one CFA volunteer who has been injured in the line of duty and their compensation claim has been denied. The issue at hand is that the CFA is judge, jury and executioner in such cases and therefore there are really no practical avenues for appeal by the CFA volunteer. I know this matter has previously been escalated to the Ombudsman, whose office has stated the following with respect to one’s ability to dispute a claim decision.

It says, and I quote:

Under WorkCover, once an agency has decided on a claim, the claimant can challenge that decision. Initially this is through an internal review process. If the internal review does not resolve the matter, the dispute can be escalated to the Accident Conciliation Complaints Service and, potentially, the Magistrates’ Court. It may also include the involvement of an independent medical panel. Under the CFA Act, there is no such right of review or appeal. Section 63(5), specifically notes that:

The nature, amount and limits of the compensation, the time at which and the period during which compensation is payable, the manner of payment or application of compensation, the circumstances in which payments of compensation are to cease to be reviewed or altered and all other matters relating to compensation are to be determined by the Authority or in such manner as the Authority directs and the Authority’s determinations and directions are final and without appeal.’

This means the only opportunity to review a claim decision by the CFA is via a judicial review under the Administrative Law Act 1978 (Vic).

From my perspective, this issue needs to be seriously addressed, because the reality is there are a number of CFA volunteers suffering long-term illnesses or injuries whereby their compensation claims have been denied without the fairness of even being able to adequately appeal any such decision. So I call upon the government to resolve this anomaly and the anomaly attached to the bill before us by including industry firefighters and other contractors in presumptive rights legislation. This bill is a step in the right direction, but there needs to be future steps to address the unfairness that applies to the circumstances I have raised above.
Ms RICHARDS (Cranbourne)

I am pleased to have the opportunity to contribute to the debate on the Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021. This bill aims to provide forest firefighters with presumptive rights, ensuring that eligible individuals may access compensation if they develop specified forms of cancer.

I would like to acknowledge the contribution of the members who have gone before me and particularly thank the members for Frankston and Bass for their service.

This bill aims to change the way that workplace injury claims are processed under the Workplace Injury, Rehabilitation and Compensation Act 2013. This is consistent with the approach for CFA and FRV firefighters.

This bill gives forest firefighters specific presumptive rights similar to those already accessible to career and volunteer firefighters.

The bill covers diseases such as brain, bladder, kidney, non-Hodgkin’s lymphoma, leukemia, breast, testicular, myeloma, prostate, ureter, colorectal and oesophageal cancers. While having qualifying minimum years of service, it also ensures that people with a listed cancer that have attended an exceptional exposure event may still be eligible for special consideration and therefore qualify for compensation.

It should be of note that this scheme also covers those who are no longer employed or volunteering as forest firefighters (within 10 years) and those who have attended to planned burning projects.

Victoria, as beautiful a place as any, has a unique set of constraints and considerations in our relationship to nature and so-called natural disasters.

We must prepare for the summer ahead. Looking forward even further, we must prepare for the possibility that climate change will drastically impact the intensity and scale of forest fires into the future. This is a reality that has to be met with adequate support for our firies for the work that they do to protect people and properties from forest fires.

The evidence that connects the forest firefighting profession with the diagnosis of some cancers is clear. Given a higher exposure to carcinogenic compounds, the International Agency for Research on Cancer classifies firefighting itself as a group 2B or ‘possibly’ carcinogenic. However, as it stands, only career and volunteer firefighters have access to the presumptive right to connect their cancer diagnoses to their occupation. Forest firefighters need a presumptive rights compensation scheme that is unique to the circumstances that they are under.

These circumstances include the seasonal nature of their work, and the bill accounts for this by granting a partial year served as deemed similar to a full year of service given the amount, intensity and longevity of their exposure. Forest firies working on a project can find themselves around smoke for 12 or more hours at a time.

With acknowledgement and deep respect for the traditional custodians of this land, I would like to acknowledge the deep knowledge systems and connection to country that Victoria’s Aboriginal community have always had and invite all people in this place to reflect that Aboriginal systems of land management and forest fire prevention have preserved the beauty and magnificence of the land for millennia upon millennia.

In Cranbourne, this means reflecting on the knowledge and insight of the Bunurong and Wurundjeri people of the Kulin nation. I thank the Bunurong Land Council Aboriginal Corporation for their work to preserve and protect the south-eastern Kulin nation’s sacred lands and waterways of their ancestors, their places, traditional cultural practices and stories.

Never were these sacrifices more apparent than during the 2019–20 bushfire season, otherwise known as Black Summer. The intense heat and subsequent devastating fires of that season saw hundreds of forest firefighters working at great personal risk to protect communities across the north and east of our state.

This is an issue that impacts approximately 2800 Victorian forest firefighters and broadens the number able to access presumptive rights and therefore greater compensation. Previously, only career and volunteer firefighters were able to access these presumptive rights, and seasonal and project workers struggled to gain the same compensation.

This bill seeks to amend this disparity, ensuring that the intensity and prolonged exposure for a single forest fire is accounted for in presuming the connection between specified cancers and the nature of firefighting work.

By treating one fire season in the same way as a full year of work, this bill recognises the reality of Australia’s unique circumstances during the fire season.

The Andrews Labor government and the wider labour movement have always remained committed to ensuring that working people have a fair and safe workplace wherein they are compensated for dangerous work. This government will not mandate that firefighters, who have already given up so much and served this
state for so long, go through the hoops and navigate another set of obstacles to avail for compensation just to go through another battle against cancer.

Labor is committed to making this kind of commonsense, evidence-based reform that makes it easier, not harder, for people that have to make hard decisions every day to access the compensation that they deserve. Earlier this year the government of the day saw a landmark piece of legislation that made wage theft a criminal offence. This bill and that piece of legislation are testament to the dedication this government has, ensuring that Victorians have fair and safe working conditions, no matter their occupation.

This extends to the tireless and constant work that is going into ensuring that our healthcare workers are well equipped to do their jobs.

I would like to take this opportunity to thank firefighters and acknowledge the work they do all throughout Victoria. There’s a common perception of firefighters that they are particularly stoic and immovable in the face of challenges. There’s so much more to the job than holding a hose.

This government and this legislation are part and parcel of a recognition that we shouldn’t be putting these people through the emotional and mental anguish of having to prove a connection between their disease and occupation.

I would like to thank the Cranbourne fireies—we wait in excitement for the new Fire Rescue Victoria fire station in Clyde North, on the corner of Matterhorn Drive and Thompsons Road. Indicative of the fantastic things going on in the outer south-east, it’s just across the road from the new ambulance site too.

This government follows the science and the science is crystal clear: there is a greater risk of being in contact with carcinogenic compounds when actively fighting fires. This is true both in the bush and in structural fires. According to the International Agency for Research on Cancer, this means that firefighting is the carcinogen itself in this instance, not necessarily casual contact with these compounds after the fact.

However, this does not mean that other staff cannot access compensation if there is a connection between their occupation and a disease that they have contracted throughout the course of work. These are ample grounds to apply for compensation through their normal WorkCover arrangements.

Thank you to the minister for her leadership on this bill, and I commend it to the house.

Ms SETTLE (Buninyong)

- This bill will extend presumptive rights to compensation for occupational cancers to eligible Victorian forest firefighters.
- In July 2019, the Andrews government delivered presumptive rights for career and volunteer firefighters, and this bill extends that right to Victorian forest firefighters.
- Victoria’s forest firefighters keep our communities safe.
- All year round they work hard to manage the risk of bushfires—this includes preparing for and carrying out planned burns—working with communities to prepare for fires—grading, slashing cutting vegetation and other difficult work.
- And every fire season, our forest firefighters work tirelessly—often in tough and difficult conditions and with a high level of personal risk—to suppress fires.
- It’s hard work and can include rake-hoeing, hand clearing vegetation, using pumps, blacking out stumps, using water to extinguish fire and other difficult and challenging tasks.
- It’s hot, exhausting work and can last for days.
- As a CFA volunteer, I understand some of the challenges and difficulties.
- And as a farmer being prepared for fires is a fact of life.
- Every fire season we prepared the house paddock and the farm.
- My dad was in the CFA for over 40 years and my children grew up on tankers and in fire sheds.
- Being prepared for fires has been a big part of my life.
- And every fire season is a danger.
- Victoria is one of the most fire-prone regions in the world and we have seen some very recent examples of the power of bushfires to devastate communities.
- In the 2019–20 fire season Victoria saw over 1.5 million hectares burnt, 420 houses lost and five fatalities.
- And hundreds of millions of animals died, either from the fires or from habitat destruction.
• The fires also had significant impacts on infrastructure and the economy, including livestock losses of more than 7500 animals; impacts to tourism; sustained power outages; loss of telecommunications, damage to 1400 kilometres of priority arterials, 5000 kilometres of local roads and 10 000 kilometres of roads on public land.
• During the fires more than 1500 firefighters were deployed to work on active fires, supported by more than 50 aircraft.
• No-one will forget the images of people being evacuated by navy vessels as Mallacoota burned.
• And in 2009 the Black Saturday bushfires were the worst in Australia’s history, killing 173 people.
• Almost 80 communities and entire towns were left unrecognisable. The fires burned more than 2000 properties and 61 businesses.
• Over 430 000 hectares burned, including 70 national parks and reserves and more than 3550 agricultural facilities.
• Closer to home, we still bear the terrible scars of the 1998 Linton fires when we lost five brave firefighters.
• The dangers of forest fires are real, and we must do everything we can to support those risking their lives to fight forest fires.
• This bill establishes presumptive rights for two types of forest firefighters: ‘occupational forest firefighters’ and ‘surge forest firefighters’.
• ‘Occupational forest firefighters’ are employed in roles where fire duties are a substantial portion.
• They include project forest firefighters—employed seasonally to help prepare for the fire season and deal with forest fire outbreaks.
• This group includes specialist crews such as rappelling crews.
• This world-leading innovation sees forest firefighters rappel up to 100 metres from a helicopter to extinguish fires in inaccessible locations.
• Fires that may have burned out of control for days or weeks can be extinguished at the source.
• ‘Surge forest firefighters’ are those who are employed in other roles, but who perform firefighting duties during the fire season as part of their agency’s surge capacity as needed.
• This may be staff in various departments that as a requirement of their employment can be called upon in an emergency to fight forest fires.
• Bushfire smoke is known to contain carcinogens, hazardous concentrations of respirable particulate matter and other airborne toxins.
• And forest firefighters often experience long durations of exposure with limited opportunity to use respiratory apparatus.
• This makes the risks of cancers very real for our forest firefighters.
• This bill will establish presumptive rights for those forest firefighters who have been firefighting, which is defined as ‘exposure to the hazards of a fire scene including by extinguishing, controlling or preventing the spread of fires’.
• This bill is closely modelled on the requirements for volunteer firefighters in the Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019—the FPRC act.
• The presumptive right will apply to individuals who have been diagnosed with one of the 12 types of cancer specified in the bill on or after 1 June 2016 and who have served as a firefighter for the relevant qualifying period.
• The qualifying period depends on the type of cancer.
• And the qualifying periods and cancer types specified in the bill are identical to those in the FPRC act for career and volunteer firefighters and are consistent with equivalent presumptive rights legislation in other Australian jurisdictions.
• Some forest firefighters are employed for the parts of the year where the peak bushfire and planned burning seasons occur.
• At this time they potentially are intensively exposed to bushfire and would have similar overall exposure to the hazards of the fire scene as many forest firefighters employed year-round.
In these cases, calculating service purely on the basis of time employed would lead to an unfair outcome based on the assessment of the extent of exposure to fires and related risks for seasonal forest firefighters.

The bill therefore provides that service for a part of a year—such as service over a summer fire period—may be counted as service for a whole year for the purpose of calculating qualifying periods.

As with the FPRC act, there will be a special consideration process for eligible individuals who are diagnosed with one of the specified cancers but who have not served the relevant qualifying period.

These individuals will still be able to access the presumptive right if they have attended an exceptional exposure event.

An advisory committee will be established by amendment to the Forests Act 1958 and will be separate from the one established under the FPRC act.

It will provide an expert opinion in respect of all presumptive rights claims for forest firefighters.

The opinion of this committee will be sought on:

- the question of whether a forest firefighter has attended fires to the extent reasonably necessary to meet the purpose of their service as a firefighter; or
- if a firefighter seeks to access the special consideration provisions for attendance at an exceptional exposure event.

In developing this legislation, the government consulted with Forest Fire Management Victoria agencies including DELWP, Parks Victoria, VicForests, and Melbourne Water Corporation.

And consultation was held with Emergency Management Victoria, WorkSafe, the Australian Workers Union and the Community and Public Sector Union.

In conclusion, presumptive recognition to Victoria’s forest firefighters is modelled closely on the Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019, enacted in July 2019.

And this bill aims to take the legislative steps necessary to provide for an equitable and accessible presumptive rights compensation scheme for our forest firefighters.

There are significant risks and dangers that our forest firefighters face in the work they do to protect Victorian lives, our livelihood and our environment.

This bill provides them presumptive rights for occupational cancers should they need it.

I commend the bill to the house.

Ms HUTCHINS (Sydenham—Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:04): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.

Committees

PRIVILEGES COMMITTEE

Membership

Ms HUTCHINS (Sydenham—Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:04): I move, by leave:

That Ms Staley be a member of the Privileges Committee.

Motion agreed to.
Debate resumed on motion of Ms NEVILLE:

That this bill be now read a second time.

Mr BATTIN (Gembrook) (12:05): It is good to be back down here on the front bench discussing some of the legislation that is coming through, particularly in areas that I am very, very passionate about—obviously with Victoria Police and other areas. Today we are speaking about the Firearms and Other Acts Amendment Bill 2021. To put it on record, the opposition will not be opposing this legislation and will be putting forward and discussing some options for amendments as this bill proceeds through to the upper house.

Firearms owners are often—whether it is through media, social media or campaigns—targeted as bad people of the world, and we have seen some horrific things that have happened in our past, not just here in Australia. We obviously saw it in New Zealand as well—I was in New Zealand a couple of years ago when the massacre happened there, and it gives a very, very negative light to firearms owners. But I think it is really important we put on record that most firearms owners are not that. Most firearms owners are either farmers or sporting shooters—whether it is hunting or anything with air shooting, air rifles in target practice et cetera. That is where most of our shooters come from, not just in Victoria but I would dare to say across Australia as a whole.

I am not a shooter. I never really got into it. I obviously had a firearm when I was in the police force, and for myself I will be honest: I was never really that comfortable with firearms. In saying that, I recognise and respect the sport that it is. I know particularly—and I know you know, Deputy Speaker, being in a regional area—regional communities and towns have people that do require firearms, not just for that sport but also on the farms and properties for what they need to do to protect their crops et cetera. I think it is really important that we do have firearm restrictions in place, though—regulations and rules surrounding what they are.

This bill does amend a few different acts as it goes through, and the first one is in relation to PSOs. It amends two different acts, which are the Control of Weapons Act 1990 and the Victoria Police Act 2013. In the first stage it is just simply around the use of OC spray—capsicum spray—for PSOs. Obviously something had come to light where under the Control of Weapons Act PSOs were not exempt from offences regarding the use of OC spray in our community at all from the position they do—and PSOs, we know, are a very important part of the way we uphold the right and uphold the law in Victoria now. It is not, as it used to be, just here at the Victorian Parliament, where we have PSOs who we are very proud to have represent and very proud to have protect us and the wonderful place we are in here today in the Victorian Parliament; they have been at the Shrine of Remembrance and the courts, and obviously we expanded them through to railway stations back in 2010 to 2014. That change changes the concept of what PSOs do and how they deliver on their roles.

The other part about it in the Victoria Police Act is to ensure that PSOs have the opportunity for promotion—and I will say it is great to see, and I always appreciate when a person changes their mind. I always appreciate when someone looks at the details, the data, and understands that they need to make a change in their own attitude and their own value set when they are talking about PSOs—because it was not that long ago that we actually had a member of the Labor Party who came out and referred to the men and women who protect us as ‘plastic police’. So it is fantastic to see there has been a change in the government’s stance on that now and we are actually putting into place legislation so we can ensure that there are promotions available and legislated for PSOs as they go forward.

The next part is the Evidence (Miscellaneous Provisions) Act 1958, and this is just enabling the Magistrates Court to order accused to appear by video in relation to first remand hearings. If we go
back three years ago, I know that video was used in courts, but now videos are used in our homes every day of our lives for meetings. I am going to say we have had shadow cabinet meetings, we have had everything done—we can even see it in Parliament now, where we use video for people who are sitting regionally. So I think this is just a logical change to make sure that we can ensure that the justice system continues, because as we know, justice delayed is justice denied—and the court system is struggling at the moment with the amount of people coming through the courts.

The Criminal Procedure Act 2009: this is the expansion of the trial of the evolution of digitally recorded evidence, and this is to continue two years beyond the current sunset clause date of 3 October 2022. There is an amendment to the Sex Offenders Registration Act 2004, and it is to reduce the time frame in which offenders are required to report when they return to Victoria. We believe that is just a logical change, and we will support that change when it comes back in here as well.

The main changes with this are in relation to the Firearms Act 1996. As I have said, I know I will be followed up today by two of my colleagues from the National Party. One of them sitting behind me will be referring to his section, but I know the member for Ovens Valley is also a very passionate person, and he will be picking up on some of the areas that we have either gone through or missed and some of the things that will be very important to him. As I was saying, I will raise some of the issues that have been raised with us and what our views on some of those are and where some of the concerns have been from in the community.

One of them is in relation to the serving of a firearm prohibition order, an FPO, to specific people to say that they cannot have a firearm. The definition of who can and cannot have one in the existing act is not that clear. It is something that we will probably go into further detail on in the upper house. There is concern from the community around the definition of the word ‘behaviour’. There was a campaign going around from some specific people targeting the fact that if you got a speeding fine, then you could have an FPO served on you. There was a mention from a very senior police officer saying that if you were caught protesting, you could have an FPO served on you to prevent you from having a firearm for a period of 10 years. It is a very strong piece of legislation because there is no right of appeal, so you can take someone’s firearm and ensure that they cannot have a firearm for a period of 10 years. I think when we do have legislation like that which can take away someone’s rights, it has to be quite strict in that we have the definitions in there. We will be raising in the upper house some of those questions to find out from the government—so that it can be on the record—which has been used in a way that it should not be used here in Victoria as it goes forward.

Another section that was raised was in relation to the change in who can issue an FPO, moving from a superintendent down to an inspector in the Victoria Police. I understand the concern with who can issue it because it is such a strong power, and I understand that people have come to us from particular shooting organisations. Whilst we have gone out and spoken to the major gun lobbyists in Victoria, the Sporting Shooters Association of Australia, Field and Game Australia, the Australian Deer Association and the National Shooting Council, we had most saying that they were fairly comfortable with the fact of that change. If you are not involved with Victoria Police, to become an inspector is effectively going up to an officer from a senior sergeant. You have got to do officer training. A superintendent and an inspector do a lot of similar training, and that includes their integrity, and it includes that they understand the differences between what they can and cannot do. They also understand the impacts that decisions like this can have on people.

Now, at first when we asked the question around how many FPOs there were and how many were outstanding I think the number at the time was 1111 FPOs that were out there. When we spoke to the chief commissioner, I think it was as low as 50 that were outstanding. So we do not believe that it is because of the work involved in it that they are dropping it down from the superintendent to inspector
level. I think we will be asking some questions specifically around why they are going to go down to inspector—what is the change, and exactly what the reason is that it needs to go down to the level of inspector rather than being just superintendent and above. In the past we have had our views on that. As I said, all we want to do now is just get it onto the record and ensure that people are aware, particularly in the shooters organisations, and that they understand why Victoria Police are making that change and whether it is to do with the workload. Each person that makes these decisions currently is a superintendent. I am hoping that it does not go through a system where it is a tick and flick, because it is such a strong piece of legislation. I want to be assured that it will be the same at an inspector level and that they have to go through the full process before they can actually take that away from them. I think that is something that we will definitely be raising in the upper house.

The next part we are concerned with because we think it is just an absolute change of legislation to create paperwork. This is going to do nothing other than support the act of creating extra bureaucratic paperwork. It does not change what is happening in the system at the moment a hell of a lot. Currently if you want to hire a firearm, you could go to a dealer and you could hire a firearm for a period of time. You can hire that firearm effectively for as long as you like. Now, you do not loan firearms to people who are not registered licence-holders. There is obviously a lot of paperwork to fill in when they do borrow that firearm. It must be stored correctly. Depending on the style of firearm—whether it is category A, B, C or D—they will have all the same conditions. Their properties can be searched. They can have someone turn up to check the security of it. They know that only the person who is the licensed firearm person will have the code to the safes. Ammunition must be stored separately. There are a whole range of rules which are already in place.

If I go and borrow a firearm as a licensed firearm person from a dealer, then I can borrow that for as long as I like. I am responsible for it as the person that has obviously got the firearm. If I go and hand it off to someone who is unlicensed or if I go and pass it around to people who do not have the same conditions for storage, then there are obviously liabilities and penalties in place for that. The legislation is now going to make a change that you can only loan that firearm for 30 days, then you will have to have it in writing for a further 30 days. Now, after that it is silent, so I am assuming then I can take the firearm back to the holder and say, ‘Here it is. Can you hold it for 15 minutes? I’ll go down and grab a coffee, come back, sign it all again and off I go again’. And I have got my 30 days plus 30 days again. That is just simply creating paperwork.

As I have said, I am not into firearms, but if you are going out to some of those regional areas where people have to travel and they are hiring that firearm for specific reasons—whether it is for a farm or a property—and it is all above board and everything is complied with, I do not understand the value in bringing that firearm back into town, back to the lender, to go through the paperwork to reissue it yet again, after which you then can go through the 30 days, plus you have got to get 30 days again in writing. It is just going to create extra paperwork for each of those people that are legitimate firearm people who do loan their firearms.

Some of the issues that have been raised with us are around if someone did hire a firearm as effectively a try before you buy. As long as you are all compliant you can use it for a period of time. You may not be able to afford it at the time. I am sure some of my country colleagues will raise the issues. Farmers go up and down in what happens in finances, income to their business, because of drought, because of flood and because of everything that goes on up there. They may need to try and relieve that pressure but also may need this tool for part of their operations, and if we then put pressure on them to go back and forth, I think that is very unfair on them. We did speak again to the chief commissioner on this in there, and I understand that the chief commissioner has spoken on this and I believe has put his support behind this as well. We do not have an issue with the loans, but we do have an issue with the fact that it is going to make these changes and what could happen in there as well.

The next section we raised with the department was around the gun safes at the time, and I thank the department for coming back to us. It says that it has to be a 1.6-millimetre steel safe. It is going to change the safe style for different categories to ensure that it is all safe and balanced for what it needs
to be at a minimum. Now, at first we read the legislation as it had to be a 1.6-millimetre steel safe, not as a minimum, but we did have that corrected. It was another part of the legislation. I thank the department for coming back on that.

We do support the fact that firearms should be stored safely. I think some of the examples given to us were a bit far-fetched as to why this was happening, but at the same time we do support the fact that any person who has firearms has an obligation to keep them safe. In Australia we are very lucky that we do have legislation and regulations around making sure firearms are safe and stored correctly at home, and we do not hear as many stories of someone misusing a firearm in an accidental death as what we would probably overseas—and I would probably say America—where they have a lot more lacklustre laws. We do have people over here that genuinely ensure that they protect their own family and they ensure they protect their community by keeping firearms safe in their own houses, so I do not think we will have much back from that.

The one thing that we will raise and we did raise with the department as well—and I am hoping the minister will take on board—is that when you are going to be making a major change to something in legislation that has been there for such a long period of time, like how people can store their firearms, and they have done it exactly to the letter of the law and have complied, when you make a change like this, the cost of that impact on people to change over that storage could impact their financial income or put them in a position where they have to make a decision whether to hold that firearm at home or take it somewhere else for storage back at a shop until such time that they can get that storage in place. We raised the issue or the question: is there going to be compensation attached to this? We understand the process went around with the department, whether that got to the minister or not, but in the end the decision was no, that they are not going to offer compensation even though they are going to be forcing firearms owners to change the way they have been storing their firearms legally for such a long period of time. We hope that the government, between now and the upper house, can take that back and have that discussion so that if they are going to be making changes that are going to cost firearms owners—legal, lawful, firearms owners who have done the right thing for such a long time—they can get some support for that when they do make those changes to the safe and the storage in there.

As I have said before, firearms in Victoria are something that for many, many years have seen some horrific outcomes, but we have seen overall in Victoria and Australia that safety comes first for our firearms owners. Those who have contacted me over time I hope rest assured that the definition of ‘behaviour’ will be put in there, but they are all genuinely concerned about what happens when Victoria Police can have extra powers to remove their right to a firearm. The FPOs are something that as a party we generally support, and the fact is that there are specific people in our community that should not ever have firearms.

We generally support the fact that the police as a rule have done a very good job with what they have done there with the superintendents and above, and I will take on face value, having had that discussion with the chief commissioner, that he will ensure and instil a level of confidence through the community who have firearms—that he, himself and his departments, will make sure that every person who is going to be having the power to use these FPOs takes into consideration the level of power that comes with that, takes into consideration the impact they will have on somebody’s life when they make that decision and makes sure that they are used correctly. As long as that process continues as it has in the past with the Victoria Police at the level of inspector, I myself do not have any issue with that changing in there.

Now, it is a debate for some in the community, as I said, particularly through social media, which obviously is a great place for a debate but can also become a debate you do not want to have because people can lead it down a path you do not really want to go down at all. When you have that debate in relation to firearms on social media it can become very heated. However, it does not help when some of the organisations—or, more so, one—put out information that is factually incorrect, because even if they stuck with the facts, we could still go through the process to ensure we can define what is going to happen and protect legal shooters’ rights. I think that is really important; we want to get that on the
record. Our role here with, I know, The Nationals, who are going to be speaking the next two after me on this side—we have always come into this house to speak on behalf of people who are legal shooters, people who are legal firearms owners, and we will continue to do that.

Just due to time et cetera as well, I am going to finish off by just saying we do not oppose. We will consider some amendments as we go forward, but I wanted to make sure that our Nationals colleagues have an opportunity to speak on this bill, due to the delays this week and the limited capacity for debate on bills with the restrictions on time that the Labor Party has put on to the Victorian Parliament. It is important that they do get on the record. But from the view of the opposition, we will not oppose this bill, and we will ensure we put through amendments in the future.

Mr EDBROOKE (Frankston) (12:24): It is a pleasure to rise this afternoon to speak on the Firearms and Other Acts Amendment Bill 2021, and I am glad the bill enjoys mutual support from those opposite, because it certainly enjoys support from the stakeholders that I deal with in my position as chair of the Victorian Firearms Consultative Committee, and I will talk about that a little bit soon.

The bill essentially amends the Control of Weapons Act 1990. It essentially deals with the historical issue to validate the conduct of PSOs who engage in official duties with capsicum spray or oleoresin capsicum spray so that they do not commit an offence in carrying out their duties under the Control of Weapons Act 1990. It was always intended that PSOs would be properly equipped and authorised to possess, carry and use OC spray and the service equipment issued to them. This ensures that they can do that without any irregularities coming up.

This bill also amends the Criminal Procedure Act 2009. It enables the expanded phase trial and evaluation of digitally recorded evidence-in-chief to continue for a further two years to 3 October 2024. Basically it is expanding the trial of digitally recorded evidence-in-chief, which will ensure that the experience of victim-survivors, importantly, using this technology is captured, and it will enable the full assessment of DREC, particularly the impacts of DREC on the criminal justice and policing systems. Essentially it is ensuring that we are supporting victims of crime and we are making alterations to ensure efficiencies can be gained as well.

The bill amends the Evidence (Miscellaneous Provisions) Act 1958 to amend the Magistrates Court’s ability to direct an adult accused to appear at a first remand hearing by audiovisual link if they are satisfied that appearing by audiovisual link is consistent with the interests of justice and the accused consents or the court is satisfied that an exceptional circumstance or circumstances exist.

We have heard the opposition focusing on the Firearms Act 1996 amendment, which I will spend quite a bit of my contribution talking about too. This bill amends the Firearms Act to facilitate the accurate classification of firearms to provide for enhanced firearm storage requirements and generally to improve the administration and the efficiencies of the act. From the outset I will say that it has been a really rewarding journey chairing the Victorian Firearms Consultative Committee. It is made up of respected organisations who represent their members very, very well. It is basically the advisory body for firearms for the Minister for Police, and all these firearms amendments were passed by a resolution, unanimously I might add, on 15 June 2021. That is really important because we have heard the opposition talking about ‘we’ and sometimes you do not understand what they are referring to. I can in a concrete sense talk about the stakeholders who were involved in actually making this legislation, and when I say ‘making this legislation’, there are members of this committee who formed the subcommittee that basically wrote the requirements for the new storage amendments that will come in today, which I will go into a little bit soon.

That Victorian Firearms Consultative Committee includes academics from Victorian universities—we have had the University of Melbourne and we have got another professor from another university now—the Australian Security Industry Association, the Australian Deer Association, Field and Game Australia, the Firearms Safety Foundation (Victoria), the Firearm Traders Association of Victoria, the Law Institute of Victoria, the Police Association Victoria, the Shooting Sports Council of Victoria, the
Sporting Shooters Association of Australia, the Shooting Industry Foundation of Australia, Target Rifle Victoria, the Victorian Amateur Pistol Association, the Victorian Clay Target Association, the Victorian Farmers Federation and Victoria Police.

As a shooter myself I have been a member of some of those organisations, and I must say they are, in my experience, mostly full of people who are safe firearm users of licensed, registered firearms, and they do the right thing. These people on this committee are definitely making, I guess, Victoria safer with this legislation in putting it forward but also ensuring that people that are doing the right thing are not chastised through knee-jerk reactions. I have enjoyed the conversations we have had, and some of them have been pretty robust. But what has come out of it is the firearms amendment part of this bill.

That firearms amendment basically requires higher than minimum standards for firearms storage to better prevent firearms being stolen by upgrading storage requirements for category A and B firearms. It prohibits hardwood receptacles and instead requires a purpose-built steel receptacle with a minimum thickness of at least 1.6 millimetres, which the opposition may change but it is the Australian standard for this type of receptacle, of rolled steel—1.6 millimetres. It aligns the requirements with the storage requirements for category C and D firearms.

I think it is fair to say here that we must call out people that use the term ‘weapons’. Firearms are not always weapons. I think the committee has been very clear on that and has made I think some very, very sensible decisions as well. That subcommittee worked on the change and that amendment for well over a year and it was to and fro, thrown to community members and all those stakeholders who I think cover most of our shooting community out there, whether it be for hunting or sport, target shooting, whatever. I think we came to a really good outcome.

The reason for that amendment is basically that there has been a spike in the number of thefts of firearms in regional areas and a lot of the time the data has reflected that they were not stored in a manner that was I guess as secure as it could be. We have heard the talk about compensation. That actually came up in conversation in the committee a few times over the period when we were talking about this. I cannot speak for committee members, but I think as the chair it was pretty much understood that if you can afford a shotgun for clay target shooting or if you can afford a .22 for rimfire target shooting you can afford a $200 safe from Bunnings, which would actually fit the criteria of being 1.6 millimetres in thickness and would also comply with the Australian standard, being more than 150 kilos and being bolted down as well. I think it makes sense, because generally it is not the people who are licensed firearm users who have registered firearms who are stealing other people’s firearms and it is not generally those people who we see in the news with gangland shootings and stuff like that. But those people are getting weapons and firearms—and turning them into weapons of course—from somewhere.

The legislation also makes an amendment so that licensed firearm dealers will need to comply with minimum conditions when sending firearms and receiving firearms. Basically that just means making sure that there are regulations set in stone so that there is no opportunistic theft by couriers or something of that nature.

We have imposed a maximum duration for the hire and loan of firearms as well. Again, this was something that was spoken about at committee level quite a bit. As we have heard, licensed firearm dealers can enter into agreements to loan firearms, but I guess the question would be: in loaning a firearm, why would you need to loan it for more than 30 days? That is a question that I am sure the Nats might come up with, but the stakeholders in this group agreed that this was a sensible provision and amendment to put in.

There is also the requirement for a licensed firearm dealer to sight a valid firearms licence before someone disposes of a firearm, which I think is something already put in practice and practically done, but it is not in legislation at the moment.
Also we have heard from the opposition about FPOs. I agree with what the opposition said. They have read the legislation and they have obviously done their homework for the reasons why this amendment was put in place. As has been said, I think we have had some misinformation campaigns from other associations, I guess you could call them, purporting to represent different factions in the firearms community. I am not questioning that here and now today, but the firearm prohibition orders have been utilised in every sense in the way that they were determined to be when they were first passed through legislation. This just allows an inspector to be able to put into place that tool and put it into effect as well.

I would say that this bill is fairly common sense. It has been put through all the stakeholders that we on that committee could think of and all the opinions. I commend the bill to the house.

Mr WALSH (Murray Plains) (12:34): I rise to make a contribution on the Firearms and Other Acts Amendment Bill 2021. Following the lead from the shadow spokesperson, the member for Gembrook, we will not be opposing this legislation. Can I start off with the first part of the bill, the changes to the Control of Weapons Act 1990, which are to exempt protective services officers engaged in official duties from the operation of certain offences under the act etcetera, etcetera. I think it is always important when we deal with things like this to look at the history of why we actually have PSOs and what PSOs were brought in for. One of the things that we, as the then opposition, committed to before the 2010 election was to introduce PSOs and the role they carried out on train stations, particularly throughout Melbourne but then at some of the regional stations as well, to make sure that people felt safe travelling on public transport in Melbourne. I commend the PSOs for all that work they have done over that time. With the current government some of their roles have changed, and I understand some of their roles have changed around COVID, but I would hope that whoever is in government in the future does not lose sight of our original intention of the PSOs being on train stations so, particularly after dark, people can use the public transport system and feel safe. They can feel safe as they leave the train station and go to the carpark to get their car, and that was the fundamental reason we brought them in. I think it was a real success of our government, and, like I said, I hope that intent is not lost into the future.

As the member for Gembrook said in his introduction, The Nationals welcome the opportunity to speak on this legislation and put forward the arguments for legal firearm owners and users, particularly the hunting fraternity in Victoria. A lot of our constituents in regional Victoria do hunt, but if you actually look at the statistics, the economic study of hunting in Victoria that was done when we were in government says that 60 per cent of the spend was by people from Melbourne that go out hunting, so it is not just a regional issue. There are a lot of people in greater metropolitan Melbourne who enjoy going out into the country and going hunting. We have always been a passionate voice on their behalf in protecting their rights, particularly from a Labor government who at times is prepared to compromise their rights to appease the Greens or appease the Animal Justice Party or some of the other groups that now reside in the upper house and trade away the legitimate rights of hunters and shooters for political gain rather than any common sense into the future.

I commend all those hunters that do do the right thing, and particularly the associations that represent them so well in making sure their rights are protected against erosion through political trade-offs to appease certain groups here in Melbourne. The Sporting Shooters Association of Australia (Victoria), the Australian Deer Association and Field and Game Australia do a great job in representing those hunters’ interests and making sure their rights are protected into the future.

I suppose I was privileged as a young person to grow up on a farm and have the opportunity to use Dad’s rifle, to use Dad’s shotgun to go hunting and shoot rabbits. I enjoyed hunting and getting rabbits
and having them cooked and eaten. Rabbit is actually very good to eat. I enjoyed the opportunity with my siblings and with my father to go spotlighting. Spotlighting was always a great recreational activity, and then as we grew up at the Boort Football Club we used to collectively go spotlighting and fox hunting to get the skins—because at that time skins were worth a lot of money—to assist with paying for the end-of-season football trip. There was great camaraderie around doing those things. I think tragically, with the restrictions that are coming in, some of those things that I enjoyed as a young person are not necessarily available to young people today as much.

We can just look at the recent Olympics and some of the successes from Victorians that went over there. I had the privilege before the Olympics to go out to the Go Shooting facility at Werribee that is run by Lauryn and Russell Mark and to be part of a fundraiser for Laetisha Scanlan and James Willett, two of the shooters that went to the Olympics. I was part of that fundraiser that was organised by Travis and Nicole Williams from Shepparton to support them. It just demonstrated to me again what a great family recreation hunting and shooting can be. In that case it was obviously clays, but if you looked at all the people that came along to that fundraiser, there were three generations of families there. There were grandparents, parents and now the younger generation that are getting involved in that sport, and it was great to see.

Unfortunately Laetisha and James did not win medals over there, but they acquitted themselves very well and I am sure into the future they will both be better for the experience of having gone to an Olympics. Out of that we had the opportunity, as The Nationals team, to go back and spend some time with Lauryn Mark, practising for what was going to be the Field and Game pollie shoot, which unfortunately has not happened because of COVID. It was an interesting insight into higher standard shooting compared to just what you do out in the paddock or out duck shooting, to actually have that detailed training, I suppose, from Lauryn, and we thank her for what she did for the team. At some stage we will be able to put that to good use, I am sure, and make sure that we win the trophy at the shoot, whenever it is held in the future.

With this bill there are a number of issues, which I think have already been canvassed by the member for Gembrook. The issue around the definition of ‘gun safe’ is about having something that is actually secure and safe and cannot be stolen. I do not think prescribing it to a certain strength or width of metal is necessarily the best way of prescribing it, because it is what is fit for purpose. That is where we need some common sense in these sorts of things. I think you will find that there are a lot of people that have already got a gun safe that is a lot safer than what is being prescribed in this particular piece of legislation. As I understand it, there are discussions about potentially changing that to something that is approved by the Chief Commissioner of Police or somebody to make sure it is safe into the future, because just saying it is 1.6 millimetres thick does not necessarily make it the best safe in the world, and people quite often have very valuable firearms already stored in safes that are a lot stronger than that issue is.

The last issue that I want to touch on in the legislation is about the transportation of guns and ammunition. It is becoming a real issue for gun shops in Victoria and in Australia. The rules are getting that tight that a number of the freight-forwarding companies will no longer actually forward guns. I have had a number of the gun shops in my electorate, particularly the one in Swan Hill, raise with me their concerns. Even prior to COVID, but particularly with COVID, the overwhelming majority of their business now is done remotely; it is effectively done online. The people they deal with across the river in the far west of New South Wales do not necessarily come to Swan Hill to buy guns or to buy ammunition. They actually do it all online or over the phone. Having the facilities to transport the gun or the ammunition to their customers is becoming a real issue. With the way the changes are made in this legislation I hope it does not make it even harder in the future for companies to actually freight-forward ammunition and guns, because that is the way of the future. Whether we like it or not, we have all got used to doing more stuff online now, having more stuff sent to us rather than personally going to collect it. I think COVID has driven a cultural change in how people shop and how people buy things. I would like to hope that this is not even more restrictive so that more of the freight
forwarders actually stop handling guns and ammunition into the future. The safe transport of them is important, but it is also very important for the businesses that they can continue, otherwise they are going to effectively lose out to the large cities into the future.

Can I just put in a final plug to all the responsible gun owners and hunters in this state: we will always be there to support them—irrespective of what the current Labor government might do to take away some of their rights—and make sure that they and particularly future generations can actually enjoy the opportunity to go hunting and use firearms responsibly, as we have in the past.

Mr TAYLOR (Bayswater) (12:44): It is great to be back in Parliament debating important legislation and talking on the Firearms and Other Acts Amendment Bill 2021. I acknowledge my colleague the Parliamentary Secretary for Police and Emergency Services, the member for Frankston, for his contribution and the significant amount of work from him and in particular the Minister for Police. It is good to have the minister back in this place and doing well.

I think we can all acknowledge that this legislation is all about responsible gun ownership, and the majority of people who are gun owners absolutely are responsible gun owners. It is about making it safer, and it obviously presents an opportunity here today to mitigate some of those risks through some really responsible measures, which this bill talks about, and of course a few other things are discussed here as well.

It is always great to rise in this place to talk about our police and to talk about legislation that impacts the work that they do each and every single day. This will enable them to better protect their community, and that is what they are all about—Victoria Police and our protective services officers. It is very heartening to hear from people in this chamber—most people in this chamber; the other chamber is a little bit different—the strong and full-throated support for our members on the front line. This government has a very, very long track record of supporting the amazing work of our police, and of course that should be bipartisan. To see that support being rolled out by this government now in its second term, whether it is the extra 3135 body-worn cameras or the rest of it—it is so important that we provide the tools and resources and the constant changes to legislation to make to make their roles easier and to enable them to better protect our community, like we are seeing in this legislation today. It is always a great pleasure to be in this place and to be talking about our police.

Just on that as well, I have not had an opportunity in this place to put on record recently my gratitude and thanks to the police. We have amazing people in that uniform. They have stepped up time and time again, and they have continued to keep us safe in these extremely trying times. We know that lockdowns are very tough. They have profound impacts on people’s mental health and profound impacts right across this state as we continue to deal with this global pandemic. Of course nobody likes lockdowns, and we know that this pandemic means that many people are really doing it tough and struggling. And we know an overwhelming majority of Victorians are doing an amazing job, working together, staying home and keeping themselves safe, keeping Victorians safe and making sure that we protect our healthcare system and in turn pay due respect to our healthcare workers on the front line doing an incredible job. That is not just today, not just during the pandemic, but always and continuing into the future as we continue to deal with the challenges that will arise from this global pandemic. As we know from some of the modelling we have seen, certainly healthcare workers have a lot of work ahead of them, and we thank them greatly for that.

We know that police probably did not join thinking that they would be enforcing chief health officer directions during a global pandemic. I do not think any of them would have seen that in their career trajectory. They have risen to the challenge, they have responded and they have helped to keep the community safe. I will say that there has been some commentary recently about what we have seen in the city. I have only really spoken about this sporadically on social media because I do not like to give them a platform, but some things just need to be called out. Some of the stuff that I have heard includes: ‘Oh well, police sign up for this’. Sorry, police sign up for what? Did they sign up to witness and have to deal with what they have had to deal with recently during this pandemic—to be assaulted, kicked
and spat at and called all things under the sun? And that is the least of their problems. They did not sign up for that. Everyone deserves to go home safely, every single worker—Victoria Police or otherwise. The risks that they have in their job do not mean that they do not get to go home safely. To anyone who thinks otherwise, I would seriously question your motives.

We know that over the course of the pandemic a number of our police officers have, tragically, been hospitalised and seriously injured. I do wish them all a speedy recovery and hope that those who have been injured recently have made a full recovery. Talking about some of the scenes that we have seen, these were not protests, they were illegal gatherings. They did nothing other than to potentially spread the virus, and as we know now they did spread the virus in many instances. These people are not about protesting, they are about spreading the virus. They are illegal gatherings. I am so sorry that our police had to put up with that, but I am so very proud of their work. From talking to some of my former colleagues, listening to some of it—and I am not going to repeat it here—it is heartbreaking. I really do send my thoughts and well wishes to the entire Victoria Police family. I am very proud to have served previously. They are doing an incredible job. They know that they have got a task ahead of them yet. I was very pleased to see most people, most politicians in Victoria and across the country, absolutely condemn that sheer disgusting behaviour from a very select minority.

Let us not be fooled with some of the reporting and the shots—a very select minority. What they did on the shrine was nothing short of—there are no words in the English language. We can say disgraceful, disgusting. It was all those things and so much more. We are doing so much, Victorians are doing so much, to keep each other safe, to support our healthcare workers and everyone else in between. It has been a really, really bloody tough time, and to see the crap we had to see was an absolute slap in the face not just to police officers but to every single Victorian.

I thank a majority of people in this place and in politics in general, who have a very privileged voice, who stood in support of our police officers. I thank them because it is important. I again want to put on record my great thanks to police officers and of course to all our frontline workers, particularly in emergency services, who played a particularly important part in the response that day. I would ask people to keep in mind the difficult job that they already have without illegal gatherings and the pure anarchy we saw and have seen of recent times.

Of course this bill, as we know, makes amendments to the Firearms Act 1996 to improve firearm safety, enhance regulatory practice and amend the firearms prohibition order—otherwise the FPO—scheme to improve oversight of FPO subjects and expand the delegation list of who can approve an FPO. The bill makes a range of miscellaneous amendments to other acts to continue improvements and ensure fairness across our justice system and deal with the ongoing pressures of the COVID-19 pandemic. Others in this place have spoken at great length about the amendments to the Firearms Act, the amendments to the Sex Offenders Registration Act 2004 and the amendments to the Victoria Police Act 2013 to enable, as we know, the promotion of PSOs holding a position to the rank of PSO senior in the same position in situ and to retrospectively validate in situ promotions made before the amendment commenced effect. There are amendments to the Control of Weapons Act 1990 as well as to the Evidence (Miscellaneous Provisions) Act 1958 and the Criminal Procedure Act 2009. This legislation does make some significant changes in parts but of course some very wideranging changes, as discussed, that will only go to making our community safer and providing our police with more ability to obviously go about their job and do exactly that.

I spoke about this government’s record when it comes to policing and community safety, and we know that this government’s stance is extremely clear on policing and community safety. Well before my time of course, since being elected in 2014 and now in its second term, when I was elected, this government has had a very strong stance. We have provided the resources, we have provided the tools and powers that police need to keep the community safe and, importantly as well, to keep themselves safe and to enable the protection and preservation of life and property, and that is critically important. We of course turned around police investment with police in the community. The budget is 52 per cent higher than what it was in previous governments. Particularly important are the 3135 extra police.
That has had a really profound impact on the ability of police to respond, not just in a pre-COVID world but particularly during COVID. I know that it certainly helped to bolster the resources they have, which are no doubt stretched given the responses that they have had to deal with of recent times, so that has had a profound impact.

And I would just say very briefly that it has been disappointing from some people. Some of the attacks on the independence of the police force have been nothing short of disgusting and disgraceful. It undermines our police force. It entirely undermines it, and blanket statements—made by very few, I will say—about police use of power et cetera and of responsible force are absolutely wrong. There is a correct process to deal with them. You do not blanket brush our police. They are doing an amazing job. I am gratefully thankful, and I commend this bill to the house.

Mr McCURDY (Ovens Valley) (12:54): I am delighted to rise and make a contribution on the Firearms and Other Acts Amendment Bill 2021. Before I get into the nuts and bolts of the bill I also want to follow on from the member for Gembrook and the member for Murray Plains about my strong advocacy for the hunting fraternity. The Nationals in general are very strong supporters of the hunting fraternity, and we will continue to be so. I also am a strong supporter of farmers owning and operating guns, responsibly of course as we know, and that is mainly for vermin control and certainly putting down stock humanely. This happens more often than most people would consider. Wild dogs up in my area cause an awful amount of damage to sheep. We know it is a thrill kill for wild dogs and they do not necessarily kill the sheep, and guns are very, very important to make sure that they can put the sheep down humanely after a wild dog attack.

Every time we see changes to the Firearms Act 1996 or anything to do with firearms we continually get sometimes the uneducated jumping up and down about gun control. Their first thought is always about outlaw motorcycle gangs or armed robbers or whoever it might be, but guns managed properly are an important part of life in the bush for many people—farmers and hunters, just to name a few. As I say, it is just important to get on record and be clear at the beginning of every contribution about guns that we are the national standard and that we do support the hunting and the farming fraternities. Now, speaking of responsible gun owners, James Willett is a member of my patch—he comes from the Yarrawonga-Mulwala community—and he is a great advocate for responsible gun ownership as an Olympian. He is a great advocate from our community, and there is an example of responsible gun ownership.

Now onto the bill and the main provisions that I want to talk about: it will amend the Control of Weapons Act 1990, exempting PSOs engaged in official duties from the operation of certain offences under the act regarding capsicum spray; it will also amend the Evidence (Miscellaneous Provisions) Act 1958 to enable the Magistrates Court to direct that an accused appear by audiovisual link in limited circumstances in relation to a first remand hearing; and it will amend the Firearms Act 1996, which will enable the Chief Commissioner of Police to allow a person who holds an existing firearms licence to retain or renew that licence for the purposes of possessing, carrying or using the reclassified firearm under the existing licence, which again is common sense. Furthermore, the bill will clarify the form of documents requiring proof of identity to be provided to the chief commissioner in relation to the hire or loan, disposal and storage of firearms.

I think you have heard, Deputy Speaker, from both sides of the chamber a lot of consistency in this debate. We have said we are not opposing this bill. And also it will clarify how firearms and firearm parts are to be sent by post by licensed firearm dealers, and that is really important. It will also allow the chief commissioner to delegate power to make a firearm prohibition order to chief superintendents, superintendents and inspectors who also have responsibility over certain portfolios, so that just broadens that base. Again, that is a commonsense approach.

There are a few other points that I do want to raise, and they include clauses 18 and 19 in relation to the hire or loan, disposal and storage of firearms. This clause puts a limit on the amount of time a gun dealer can loan a firearm to a licensed user. The bill proposes a maximum 60-day period, which is
made up of two 30-day sections—30 days initially and then an added 30 days on application. The department have confirmed that the firearm could be returned and then reloaned for a further 60-day period immediately, which is again another good result. In relation to the transfer of firearms from one dealer to another, effectively it will of course require a licensed firearms dealer who sends a firearm or firearm parts to another licensed dealer by post within or outside Victoria to comply with the requirements laid out in the bill—again pretty much a commonsense approach.

I just want to conclude my couple of comments before question time. As I highlighted earlier, for hunters and farmers, we genuinely support their responsible use. They are reliable gun owners and gun users, and while we talk about gun owners and hunters, we quite often get them in the Ovens Valley. Certainly up around Myrtleford, Bright and Harrietville the deer population is growing exponentially, and there is a huge hunting fraternity that comes to our region from both metropolitan Melbourne and other regions. I continue to make sure that we support those hunters. I know Mrs Hazel Cooper from Bright will be very pleased to hear me advocating on her behalf, because she says the amount of deer that are just walking so brazenly into her backyard in Bright every afternoon and evening—she used to be able to just see traces of them when they would come through during the night, but now they come in in the afternoon—has grown exponentially. And so this legislation covers off on that gun safety legislation.

In the 10 seconds I have left, we have supported the Sporting Shooters Association of Australia, Field and Game, the Australian Deer Association and Police Association Victoria, and hence we are not opposing this bill.

Business interrupted under resolution of house of 5 October.

Members
MINISTER FOR WATER
MINISTER FOR ENERGY, ENVIRONMENT AND CLIMATE CHANGE
ASSISTANT TREASURER
MINISTER FOR MULTICULTURAL AFFAIRS

Absence

Mr ANDREWS (Mulgrave—Premier) (13:01): I rise to inform the house that today I will answer questions for the portfolios of water and police; energy, environment and climate change, and solar homes; Assistant Treasurer, regulatory reform, government services and creative industries; and multicultural affairs, community sport and youth.

Questions without notice and ministers statements

INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION

Mr GUY (Bulleen—Leader of the Opposition) (13:01): My question is to the Premier. In 2019 when it was first revealed that the anti-corruption commission was investigating the state government the Premier said on the record:

… I have not been spoken to, no one in my office has been spoken to.

Why has the Premier refused to rule out being spoken to by the anti-corruption watchdog this week when he was quite happy to confirm that he had not in 2019?

Mr ANDREWS (Mulgrave—Premier) (13:01): I thank the Leader of the Opposition for his question, and I simply refer him to the detailed answers I provided yesterday.

Mr GUY (Bulleen—Leader of the Opposition) (13:02): Aren’t the people of Victoria entitled to know whether their Premier is the subject of an anti-corruption commission investigation?
Mr ANDREWS (Mulgrave—Premier) (13:02): I can simply again refer the Leader of the Opposition to the answers I provided yesterday. I behave appropriately at all times. Others are upset about that, but that is the facts of the matter. Beyond that I simply refer the Leader of the Opposition to the answers I provided yesterday.

MINISTERS STATEMENTS: COVID-19

Mr MERLINO (Monbulk—Minister for Education, Minister for Mental Health) (13:02): I rise to update the house about how the Andrews government is ensuring the safe return to the classroom with our three Vs plan: ventilation, vital COVID-safe steps and vaccination. Our investment of more than $190 million is seeing 51 000 air-purification devices rolled out to all government and non-government schools, low-fee schools. This week the rollout has commenced in four hotspot LGAs: Hume, Wyndham, Whittlesea and Moreland.

We are implementing vital COVID-safe measures to keep school communities safer. This includes the use of masks, staggered pick-up and drop-off times, QR check-ins for any essential visitors, as much physical distancing as possible in classrooms and limiting mixing amongst year levels. We are also implementing the chief health officer’s direction regarding mandatory vaccination of school staff to protect children, staff and school communities. Staff in schools will be required to have a first dose by 18 October or have a booking within that week, with full vaccination required by 29 November.

However, when it comes to mandatory vaccinations, there are a variety of other policy approaches in our community. Some are in favour of course. Some are vehemently opposed, saying: Statewide mandatory vaccination is a misuse of State of Emergency powers.

Others are opposed on one day, saying, ‘There are other ways to do this’, but in favour the very next day. And some have no position at all. But it is unusual for all of these positions to be simultaneously held by the same front bench of the same political party—its leader; its shadow health minister; its shadow Minister for Education, who is not responsible for students; and other shadow ministers—an absolute rabble, led by the Leader of the Opposition. (Time expired)

COVID-19

Mr GUY (Bulleen—Leader of the Opposition) (13:04): My question is to the Minister for Health. Last week WorkSafe Victoria announced it had commenced prosecuting the Department of Health, alleging 58 separate criminal charges for breaches of the Occupational Health and Safety Act 2004. What steps has the minister taken, or have internal investigations commenced, to find out exactly who was responsible for these criminal breaches?

Mr FOLEY (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (13:05): I thank the Leader of the Opposition for his question. I think the key issue that the honourable Leader of the Opposition skirted around in his substantive question is that WorkSafe have commenced proceedings around their investigation in this matter. Our friends at WorkSafe are an arms-length organisation that acts independently on these matters, and that is how it should be. In regard to the very serious matters that WorkSafe have brought—as I understand it, in proceedings that will presumably end up in the Magistrates Court—it would not be appropriate for me at this stage, through the recognition of the separation of powers and what is most appropriate before the courts, to reflect on matters that may well end up in those proceedings in the Magistrates Court.

Mr GUY (Bulleen—Leader of the Opposition) (13:06): Can the minister confirm if any sanctions have been imposed or will be taken or if any suspensions may occur against current or perceived former individuals within the Department of Health for the 58 criminal breaches?

Mr FOLEY (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (13:06): Again, it would not be appropriate to reflect on proceedings that an independent, arms-length organisation has brought before the Magistrates Court. Essentially the honourable Leader
of the Opposition is asking me to both pre-empt and run commentary on that. That would not be an appropriate action for a member of the executive to undertake in this or any other forum.

Mr Guy: On a point of order, Speaker, by way of relevance, I appreciate the minister’s answer, but he may have misheard the premise of the question, which was around what steps his department has taken to investigate those breaches. It was not about commentating on the WorkSafe investigation, it was about the steps his department has taken. That was the question.

The SPEAKER: Order! The minister is being relevant to the question.

Mr FOLEY: Thank you, honourable Speaker. It would not be appropriate to run a commentary on matters that are being taken independently by a regulatory agency before a judicial process, and despite the honourable Leader of the Opposition’s invitation to do so, I will decline that invitation. But I will say that the formation of the Department of Health as a standalone health department about this time last year has been one of the most important issues— (Time expired)

MINISTERS STATEMENTS: COVID-19 VACCINATIONS

Mr DONNELLAN (Narre Warren North—Minister for Child Protection, Minister for Disability, Ageing and Carers) (13:08): I rise to update the house on our government’s new investment to boost vaccination rates amongst people living with disability. As of 30 September more than 71 per cent of NDIS participants aged 16 and over and 81 per cent of those in disability accommodation had had their first shot, and that is compared to the national average of 67 per cent. But that is lower than the vaccination rates across the general population, and it simply is not good enough as we move to open up.

While the commonwealth is responsible for the rollout of vaccination across the disability sector, we have repeatedly stepped in, whether it is through priority access at all state hubs, our nine enhanced accessibility sites, our disability liaison service or our two blitzes for disability workers. But we have got to do more. At this morning’s COVID-19 briefing we heard Margherita Coppolino, Matthew Bowden and Martin Heng talk about their stories and the importance of being vaccinated. We have announced that we are launching 10 dedicated disability vaccination pop-ups in local areas of concern as well as expanding the disability liaison service. The dedicated pop-ups will be launched throughout the month of October, delivered in conjunction with key disability organisations. We will be targeting areas where we know there are low rates of vaccination for people with disability.

Our state disability liaison officers act as vaccination case managers and have already helped over 6000 people with disabilities get vaccinated by arranging in-home vaccination, group bookings, advice and other forms of support—an incredible achievement. This program will now be expanded with the addition of an extra 16 DLOs embedded in the health department so it continues to work to support more referrals for vaccinations. Further, from tomorrow all our state-run vaccination centres will support people with disabilities to get vaccinated anytime without a booking. This is in addition to our disability-friendly drive-through clinics and the dedicated new low-sensory site at La Trobe University. These new supports build on a wide range of existing help to assist people with disabilities to get the vaccinations they need.

AMBULANCE RESPONSE TIMES

Ms KEALY (Lowan) (13:10): My question is to Minister for Health. Last week reports emerged of multiple ambulances being ramped at Northern Hospital over a number of days. Callers to 000 were also waiting up to 13 minutes to speak to an operator. I ask: why do ambulances continue to be ramped, and why are emergency calls not being answered immediately, placing the health and safety of Victorians at risk?

Mr FOLEY (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (13:11): Can I thank the member for Lowan for her question. I think it was two questions, but to be generous, in regard to the second half of the question, the issues around the Emergency
Services Telecommunications Authority do not actually fall under the health portfolio; they fall under the emergency services portfolio. But for the sake of the debate, we will take it as one question.

In short, my answer centres around the fact that for 20 months now the globe has been under a global pandemic that was first declared by the World Health Organization in March 2020. That has seen millions of people die around the world, that has seen hundreds of millions of cases of this COVID-19 spread around the world, particularly now with the highly infectious delta variant, and that has overwhelmed many countries’ defences that seek to deliver these protections, including some of our neighbours, and we have seen increasing rates, particularly in south-east Australia, where we have seen sadly Sydney, Melbourne and the ACT have widespread community outbreaks.

As a result of that, our hardworking paramedics—our fatigued paramedics after 20 months-plus of the delivery of their outstanding services—have had to undertake those really important community service obligations to keep us all safe under extraordinarily difficult circumstances. Not only have we seen demand through normal arrangements take off and escalate over the course of those 20 months, we have also seen increasing community transmission of COVID-19, and that has resulted in our paramedics having to protect themselves and their patients and their community through a whole series of measures. When a case is a suspected COVID-19 case, they have to respond as if it is. That means their entire shifts are worked in PPE and sometimes at a tier 2 and tier 3 level. That has seen the same processes apply at emergency departments and throughout hospitals. All of that has meant, at a time of increased demand like never seen before, our hardworking paramedics and frontline healthcare workers have had the processes of how they respond to those increased cases necessarily slowed down. That has been responded to by this government, and indeed most other state governments, through record investment.

Can I take this opportunity to point out that despite some of the protestations from our friends at the commonwealth, the difference between what this government has invested since the election of the commonwealth government in 2015 to this day is—(Time expired)

Ms KEALY (Lowan) (13:14): Noting the minister’s response and everything he has just said regarding a fatigued and stressed workforce, that paramedics are finding this a very difficult situation to deal with and that our frontline staff are really under the pump at the moment, and following over 18 months of planning and preparedness for the COVID pandemic, is the minister confident that the health system can deal with the huge demand on health services due to COVID?

Mr FOLEY (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (13:14): I am allowing a degree of licence between the second question and the first, but in regard to what I am confident in, I am confident in those frontline paramedics, those frontline healthcare workers, the support that they will get from this government and the efforts that they will put in in what will be extraordinarily challenging circumstances as we navigate our way through the gateways of the national plan to reopen—

Members interjecting.

The SPEAKER: Order! Members on my left! The member for Ripon is warned.

Mr FOLEY: at 70 per cent double dosed first and 80 per cent double dosed thereafter. And that will be done on the modelling projected by the Burnet Institute that shows that over the coming weeks we will pass through those gateways. But we need to do so in a measured, careful, sustained and safe manner to protect those very same frontline workers that the honourable member for Lowan professed some support for.

MINISTERS STATEMENTS: FAMILY VIOLENCE

Ms WILLIAMS (Dandenong—Minister for Prevention of Family Violence, Minister for Women, Minister for Aboriginal Affairs) (13:16): I rise to update the house on the Andrews Labor government’s ongoing work to end family violence in our state. It has been an incredibly challenging
18 months for everyone in our community but particularly for the adults and children experiencing family violence and of course also for the services that support them. Our state’s exceptional family violence sector has risen to the challenge time and time again not only to support people who need it but also in their implementation of our nation-leading family violence reform agenda.

I am pleased to advise the house that we have now implemented a further 37 recommendations of the Royal Commission into Family Violence, bringing us to 204 of the 227 recommendations that were given to us five years ago. That is 204 recommendations that have fundamentally changed the way our system responds to family violence—recommendations that mean, for example, better service integration and coordination through the Orange Door network and that mean respectful relationships education is taught in every government school in the state. It means there has been residential tenancy reform to make it easier for victims to terminate leases and avoid their perpetrator’s debts and mandatory minimum qualifications for our specialist family violence workers, because victim-survivors and their families deserve a specialist response, because expertise matters, evidence matters and meaningful reform with victims at its very centre matters.

We know this is not easy work. We know it is long-term work, and there is still plenty more to do. While one in three women still experience gendered violence, there is still more work to do. While there is a gender pay gap, a superannuation gap and an unpaid care gap, there is still more work to do. While we see men over-represented in suicide statistics, burdened by the weight of stereotypes that stifle expression and prevent them from seeking help, we still have more to do. And work we will. It is only those on this side of the house who are committed to delivering the reform, the investment and the support that Victorian families need and deserve.

HEALTHCARE WORKERS

Dr READ (Brunswick) (13:18): My question is for the Minister for Health. Our public hospitals are about to get busier than they have ever been, and they are currently short of nurses—by one estimate more than 1000 EFT across Melbourne. Some of the nurses have gone off to testing or vaccination hubs. Others have reduced hours or suffered from burnout. I know I do not need to convince the minister of this: with over 560 COVID patients in the system at the moment, a number which may double by the end of next week, all staff providing hands-on clinical care will be working harder than ever—and those N95 masks are stifling. Will the government provide a recognition payment or top-up pay for nurses, mental health nurses, paramedics and other lower paid clinical staff in public hospitals to recognise this more arduous work in our hospital system during what may be the worst health emergency in our lifetimes?

Mr FOLEY (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (13:19): I thank the member for Brunswick for his question. I have noticed in recent times the public commentary around this position from the Greens political party, and I welcome their coming to this party late, because this is a position that this government has had for some time. We are well down the path of discussions with our healthcare networks and our industrial partners and across government to deliver on that recognition of the unbelievably important work that our frontline healthcare workers, particularly those who are exposed to COVID, deliver.

I have had the opportunity to reflect on some of the public commentary that the Greens political party have undertaken in this, and I would add to their list of those people who have been exposed to frontline COVID issues—the honourable member’s, I think, policy seems to have missed a couple of groups—most notably midwives, who in and through our system have been particularly exposed, whether at Western Health, Northern, Monash or others. So that might be an addition that the honourable member might want to add to his list.

In regard to the proposition more broadly, I concur with the honourable member that our healthcare workforce, and not just our healthcare workforce but all of our health and related healthcare workforces who have been front facing COVID, have been doing so in extraordinary circumstances. They deserve not just the recognition, I am sure, of all honourable members, but they deserve the
recognition that for 20 months now they have been working in stifling PPE to keep themselves safe and their patients and community safe. They have been working extraordinary hours and they are truly the front line of defence in this global pandemic that the honourable member rightly identifies as the most significant public health crisis I suspect not just in our lifetimes but probably since the 1919 Spanish flu global pandemic.

In regard to how this plays out, we will continue our good-faith discussions with our health services and our healthcare workforce. We will not only give them the community support that they look for, we will put in place not just remuneration and other supports but a whole package of measures that will build on their wellbeing and their financial security and to support them to support all Victorians to get through this extraordinary challenging period as we make our way to 70 per cent and 80 per cent double doses of our eligible community and get Victoria open safely. We thank those healthcare workers.

Dr READ (Brunswick) (13.22): I thank the minister for his answer. Between the two of us we could probably come up with quite a long list of clinical categories, I am sure, and midwives are a worthy suggestion. Nevertheless, is the minister prepared to commit now to increase payment to hands-on clinical staff in public hospitals regardless of type, to any groups of those staff, over the next few months? And particularly the next four months will be a critical time.

Mr FOLEY (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (13.22): Can I thank the member for Brunswick, and I am sure between us we will come up with quite a long list, and I think on our own, in consultation with our health services and our industrial partners, we will be more than capable of coming up with such a list of those frontline healthcare workers, those paramedics, those patient services assistants, those doctors, those clinicians that have put themselves at the front line of our response to this global pandemic for some 20 months now. I just refer the honourable member to my substantive answer. This government is committed to protecting, supporting, rewarding, recognising and sustaining our healthcare workforce through the past 20 months and through the next few very challenging months. As I have indicated, those good-faith discussions and negotiations are well advanced, and I look forward to those being resolved in the very near future.

MINISTERS STATEMENTS: RURAL AND REGIONAL HOUSING

Ms THOMAS (Macedon—Minister for Agriculture, Minister for Regional Development) (13.23): As the house already knows, the Andrews Labor government is investing $1.25 billion in housing in regional Victoria through the Big Housing Build, and I rise today to update the house on how the Andrews Labor government is supporting further housing and accommodation initiatives to attract critical workers to rural and regional Victoria on our pathway to recovery and out of the pandemic. Our investments are overcoming place-based barriers like housing shortages, which can make it difficult for regional businesses and industries to attract the workers they need.

In Ripon I recently announced an investment of $1.6 million to support the Ararat Rural City Council to activate the development of residential housing to attract workers to their city. This investment is helping to develop an initial 160 residential housing lots to accommodate hundreds of new workers while creating 134 full-time jobs during construction.

Our initiatives are unlocking the development of new housing and accommodation across the state, including at Sea Lake, Timboon, Simpson, Robinvale, Boort and Mildura, across the Alpine shire and in Talbot, where the mayor described our investment as the most exciting announcement since the gold rush. The Andrews Labor government is delivering for rural and regional Victorians.

I am sure those opposite will welcome the fact that unemployment in regional Victoria is now at a record low of 3.2 per cent. So whether it is the Shadow Minister for Regional Cities, which includes border communities, or the Shadow Minister for Regional Victoria, which presumably excludes regional cities and border communities, or the Shadow Minister for Decentralisation or the Shadow Minister for Regional Recovery, I am sure they will all be interested to know that this is a whopping
3.4 percentage points lower than when they left office in 2014. So while those opposite are more interested in themselves and how many job titles they can accrue, the Andrews Labor government is getting on with delivering for all of regional and rural Victorians.

COVID-19

Mr WALSH (Murray Plains) (13:26): My question is to the Minister for Industry Support and Recovery. When are the regional businesses that will be part of the COVID passport trial that is starting on Monday going to be officially told if they will be part of the trial?

Mr PAKULA (Keysborough—Minister for Industry Support and Recovery, Minister for Trade, Minister for Business Precincts, Minister for Tourism, Sport and Major Events, Minister for Racing) (13:26): Those regional businesses have been in constant dialogue with my department. There are some 15 to 20 across six local government areas, and those businesses and events and race clubs will have their status confirmed in the next few days.

Mr WALSH (Murray Plains) (13:26): With just four days until the trial begins, how can these businesses adequately prepare when they have not been told what the rules are that they will be operating under? Being confirmed three days out is not good enough.

Mr PAKULA (Keysborough—Minister for Industry Support and Recovery, Minister for Trade, Minister for Business Precincts, Minister for Tourism, Sport and Major Events, Minister for Racing) (13:27): The Leader of The Nationals seems to assume that all those trials will be happening on Monday. They will not be. They are happening over a period of two weeks or longer, and all of those businesses, as I say, are in constant contact with the department. There has been discussion with those businesses about training obligations. There have been discussions with the Department of Health, and I can—

Mr Walsh: On a point of order, Speaker, on the issue of relevance, the minister said this trial was starting on Monday. The community has very high expectations of this trial, and now we are being told it is going to be completed over a number of weeks.

The SPEAKER: Order! The Leader of The Nationals knows that is not a point of order.

Mr PAKULA: Perhaps the Leader of The Nationals misunderstands the nature of the trial. Some of the events that are going to be supported as part of the trial are events that are already in the diary and are not happening on Monday. So, for instance, if there is a race meeting a week from now, would the Leader of The Nationals like us to bring it forward to Monday? It was always described as ‘commencing on the 11th and taking a period up until we get to 70 per cent double dose’. That is what will occur.

MINISTERS STATEMENTS: COVID-19 VACCINATIONS

Mr ANDREWS (Mulgrave—Premier) (13:28): I am delighted to rise to update the house that state clinics yesterday across Victoria administered 36 672 vaccine doses, bringing our state-run total to over 3.7 million doses since the program began. Across Victoria some 7.7 million doses have been administered. We thank, obviously, everyone who has been part of that program, those who are administering vaccines, those who are getting them, those who are booking appointments, those who are making those appointments and facilitating the rollout of this program—our GPs, our community pharmacists and of course those working in state hubs. That brings us to 84.4 per cent of the 16-plus population having one dose and 55 per cent being fully vaccinated. Each day we are closer to that 70 per cent double-dose marker, which will see the lockdown come off in Melbourne and the next part of our road map begin.

In the past seven days some 580 000 Victorians have been vaccinated across the state, over 250 000 through our state system alone. That is a very significant effort, and we are very pleased to see such progress made. We have just shortened the Pfizer interval from six weeks to three weeks, and we are seeing a number of people across the community bringing forward their second dose appointments—two in my own household yesterday.
Mr Pallas interjected.

Mr ANDREWS: And two in the Treasurer’s—and indeed many thousands across our state.

I did want to make the point, though, that as we approach these important milestones we do have it within our power to bring them forward by making an appointment, presenting, getting a vaccine earlier and not waiting. There are some 57,000 appointments available over the next seven days. They are a mixture of Pfizer, Moderna and AstraZeneca—all safe, all approved, all effective to help stop you getting it and if you do happen to get it to make sure that you are not someone who is gravely ill, not someone making the job of our nurses harder. Get vaccinated, get vaccinated today, join these record numbers and this record coverage in keeping us all safe and getting us open.

Mr Wakeling: On a point of order, Speaker, I just wish to draw your attention to 23 outstanding questions which are yet to be answered. I will provide those to the Clerk.

The SPEAKER: Thank you. We will follow those matters up for the member.

Bills

FIREARMS AND OTHER ACTS AMENDMENT BILL 2021

Second reading

Debate resumed.

Mr KENNEDY (Hawthorn) (13:31): I am wearing today the tie of the Victoria Police Blue Ribbon Foundation and I do so also as a proud father of a daughter who is a member of the force. I think her story perhaps tells a little bit about the changes, the growth of the force, as related to this particular bill. She did arts and law degrees and then chose to join the police force. What was interesting in her 20-member course was that well over half the people there had tertiary qualifications and so many of the others had a variety of roles in society that equipped them really well. Now, I am not saying that the police force was previously not endowed in that sort of way, but I do think it is important to note how—with the establishment of various branches of the police, the work they do in schools, the various groups that they have and so on—we have such an important and potent agent in society. Sometimes it is ruined a bit by some of the sillier TV shows, of course, when it appears that their only work is investigating homicide.

I just mention that as background. When I read this particular bill and I see its implications, I am thinking how much it matches the changes that appear to have taken place, which I have now experienced firsthand; I would not have had a clue before, but I have seen it now in the case of my own daughter and the sorts of things that she has been involved in and the sorts of ways in which they are trained and so on. For example, in this bill it talks about changing from a more senior officer to a more junior officer to give a permission—I think it might be for these FPOs, firearm prohibition orders, and so on—and people like her could see that perfectly well; that was not any big deal. It was not some sort of a dramatic turn down or anything like that. The fact is that members of our police force are even better trained, with more life experience and so on.

I just mention that as background. When I read this particular bill and I see its implications, I am thinking how much it matches the changes that appear to have taken place, which I have now experienced firsthand; I would not have had a clue before, but I have seen it now in the case of my own daughter and the sorts of things that she has been involved in and the sorts of ways in which they are trained and so on. For example, in this bill it talks about changing from a more senior officer to a more junior officer to give a permission—I think it might be for these FPOs, firearm prohibition orders, and so on—and people like her could see that perfectly well; that was not any big deal. It was not some sort of a dramatic turn down or anything like that. The fact is that members of our police force are even better trained, with more life experience and so on.

So I am delighted, then, for personal reasons as much as anything else, to be speaking on the Firearms and Other Acts Amendment Bill 2021. I would say that I am just a little bit disappointed that we have got only a little bit time left now before 2 o’clock mainly or seemingly as the result of the sinful waste of time this morning. We are being paid by the taxpayers to do a job here and we spent the first 2 hours wasting time on wasting time on wasting time. It was a very unimpressive performance, I think, from those opposite. It was very disappointing. Important bills like this are the bread and butter of what it is about, not playing games like that, so I would like to say that.

I would also like to say how good it is when we have people in Parliament—a bit like the police force—with real life experience. I pay tribute to the member for Gembrook and the members for Bayswater and Frankston, people who from real life were able to talk about these bills, not in any
political way or points scoring or cheap shots or all that sort of rubbish. No, no, no—factual stuff, scientific stuff. ‘This is how it works; this is how it is going to be improved. This is something that could make it better’ and so on. It is one of the best—albeit cut short by that ridiculous pantomime this morning—things that I have been able to witness in this chamber, I would have to say, and I give due credit to both sides where the people who are getting involved are people who have real life experience, not game players. I just throw that in.

Those speeches that we heard from the members for Gembrook and Frankston and Bayswater I think really in a way complemented speeches and notes that we had—people who have been there in the real line of fire, if you like, and who are able to explain things, not get caught up with things that are too subjective or revenge or this and that. No, no, no, just saying, ‘These are the dangers, these are the risks, and what we’re doing here is bringing about legislation, new arrangements if you like, that will make things not just safer for police but of course safer for the community at large’. I felt that even the opposition arguments—not the opposition as in them, but opposition arguments, if you follow that—about the role of farmers and shooters and so on, and the member for Frankston said that he himself was a shooter, really gave a great perspective to the whole issue. So often we are faced with an either/or—‘You either do this or you’re against me’, or whatever, so with what initially looked like a very boring bill to talk about, I have actually enjoyed its preparation. I will give you now just the fruits in the few minutes that remain to me, having provided a fairly long context.

The bill improves firearm safety in the community by enhancing storage for category A and B firearms, limiting the duration of the hire and loan of firearms, imposing minimum conditions when licensed dealers send firearms in the post and requiring dealers to sight a valid firearms licence before disposing of a firearm. That is the first thing. The second thing is it enhances regulatory practice by providing the Chief Commissioner of Police with discretion as to how a person can prove their identity where required under the act and how handgun clubs are to submit participation reports. The bill also inserts a grandfathering provision which allows existing licence-holders to retain and renew a reclassified firearm on their current licence following any declaration of a temporary or permanent firearms reclassification. It creates a new offence for a person subject to a FPO, a firearms prohibition order—something I have learned this time around—who fails to provide notification of a change of residential address, and expands the delegation list of who within Victoria Police can approve an FPO.

I know sometimes people see these things and they think, ‘Oh, you’re just creating more red tape’. There is always a danger of that with any sort of legislation; there is no doubt about it. Sometimes you do these things and you think, ‘Is it worth it? Do I really need to fill that out in triplicate, do we really need to do this?’ and so on. The answer a lot of the time is no, but sure as eggs the time you do not do it is when trouble will occur if you have not gone through in a systematic way of night follow day, to throw in a few cliches here. If you do not do that, that is when these things can come back to bite you with very serious effect.

It also does some other things here; it is a bit of an omnibus, isn’t it? It amends the Sex Offenders Registration Act 2004 to create consistency with recently amended commonwealth legislation and update reporting time frames by reducing the time an offender must report their return to Victoria from interstate travel, from 14 consecutive days to seven consecutive days; and it amends the Victoria Police Act 2013, which will enable protective services officers holding a position to be promoted to the rank of a PSO senior in the same position, in situ, and to retrospectively validate in situ promotions made before the amendment comes into effect. These things have a number of objectives, and you have heard some people today speaking about that. I think it certainly improves the running of things. For example, with the Sex Offenders Registration Act it is a risk minimisation measure to reduce the likelihood of reportable offenders reoffending. It will be an indictable offence punishable by up to five years imprisonment should a registrable offender fail to comply with their reporting obligations without a reasonable excuse.

Time precludes further detail of the bill; however, I will note in passing that part 2 of the bill amends the Control of Weapons Act 1990 to render valid the conduct of PSOs engaged in official duties in
discharging the otherwise prohibited weapon used to discharge what is colloquially referred to as capsicum spray. I commend the bill with pleasure.

Mr FOWLES (Burwood) (13:41): It is my pleasure to rise on the Firearms and Other Acts Amendment Bill 2021, and I cannot wait to find out what I am going to say. As recently as perhaps 6 or 7 minutes ago I was not sure that I was going to be dragooned into the task. Isn’t it extraordinary after all the pontificating, after the literal hours of discussion that have been devoted this week to the opportunity to debate bills of substance and how this government was apparently stifling that opportunity, isn’t it interesting just how few of those opposite have gotten up to make a contribution on the bills that have come before us this sitting week? It is astonishing, frankly, given the hours we have had the joy of listening to the member for Ripon wax lyrical about, ironically, the lack of opportunity to wax lyrical, that we then come to the substantive bills before the chamber and—have a look—there is just the shadow minister at the table; nary another member of the opposition to be seen. He is back: the member for Sandringham has wandered into the chamber, thereby doubling the representation of the opposition.

Mr Riordan: On a point of order, Speaker, I invite the member to come back to the topic and remind him that, like the opposition, he can join in the procedural motions at the start of the day if he wishes to join with the opposition in advocating for greater transparency and more opportunities for opposition members to speak, rather than incorporating it into his debate.

Mr Fregon: On the point of order, I think the member for Burwood was quite accurate in his aiming on the firearms bill—to the opposition.

The SPEAKER: Order! I think the member for Burwood has made some introductory remarks and is now coming to the bill.

Mr FOWLES: Thank you very much, Speaker. Indeed I think it is an appropriate setting for those introductory remarks. We find ourselves here at 1.44 dealing with this bill, which is a very good thing.

It is a good bill. It is an important bill, and I only wish there had been more speakers on it. As my great friend the member for Hawthorn has canvassed, this bill has something of an omnibus quality in that it amends not just the Firearms Act 1996 and the Sex Offenders Registration Act 2004, but it also amends the Victoria Police Act 2013, the Control of Weapons Act 1990, the Evidence (Miscellaneous Provisions) Act 1958 and the Criminal Procedure Act 2009. My law degree has aged somewhat. I think it is now 17 or 18 years since I was awarded that prestigious degree from Monash University. I have some familiarity with the Criminal Procedure Act and the Control of Weapons Act, not least because I am a licensed shooter. There are not that many of us on this side of the chamber, but I think it is very important that the regulation of firearms and who gets to discharge them is a very closely regulated part of society. I have been tangentially involved very recently with a matter where somebody had not stored their firearms correctly, and I am very pleased to see that the appropriate response has been made by authorities to get that person to store his firearms correctly and at the same time to refrain from making death threats to members of my family—but I digress.

This bill is an important one. It is an important one not least because it supports the work of Victoria Police. And the work of Victoria Police has never been more important, because, as the member for Gembrook noted in his commentary on one of his colleagues in the other place, our role as parliamentarians is to support police and support their upholding of the law. If you have a difficulty with the law, you should direct that towards the lawmakers, not towards those on the front line. I think it is completely regrettable that members in the other place have chosen to take a different stance on that. They have quite rightly been brought back into line by their colleagues for their frankly outrageous remarks and their mischaracterisation of the fine work that VicPol have been doing, particularly in recent times.

I know that in the police stations that service my electorate, including Box Hill, Endeavour Hills, Camberwell and Boroondara to a degree, the fine women and men of those police stations have been
doing really, really difficult work in assisting the riot police and others to deal with a bunch of completely unlawful, unwarranted and outrageous illegal gatherings perpetrated by a whole bunch of people holding themselves out to be members of the construction industry. Of course we know that it is nonsense; we know that they are not. We also know that their holding themselves out to be members of that industry is merely an artifice in order that they can gather together, drink, take drugs and start fistfights with whomever they might encounter. Their behaviour has been absolutely disgusting—and at the other end of the spectrum the contribution of Victoria Police has been absolutely outstanding. So I want to thank all those hardworking women and men of the Victorian police force, particularly those based at the suburban stations, who in the ordinary course of events are not called in to protests in the city, but due to the nature of those protests—due to the violence of them, due to the lawlessness and recklessness of those participants in those unlawful gatherings—we find ourselves having to deploy officers from ordinary police business and have them, at great personal risk to themselves and their families, take on these thugs, these feckless fools, who have attempted to cause such havoc in our city in recent times.

This bill is one of many we have brought in since we have been in government that support the work of VicPol. Indeed since being elected in 2014 we have provided all of the resources, the tools and the powers that are necessary to keep our communities safe. We have turned around the investment in policing. We have turned it around significantly; indeed the budget is some 52 per cent higher now than it was when those opposite were in government. That is a significant gap between the investment decisions, the resourcing decisions, taken by others in this place, a significant gap between their decisions and the decisions of this government—nearly $4 billion in new funding for police, which includes some 3000 new police officers, including hundreds of specialists in areas like family violence. There have been more PSOs for mobile patrols, new stations for this growing force and state-of-the-art equipment, and even basic things, frankly, like mobile phones and body-worn cameras. These are all things that are important for the safety of serving officers, their efficiency and convenience, and doing everything we can to make their job easier was never more important than at the moment, when their job is, we acknowledge, absolutely very, very challenging. So we do not make any apology for resourcing the police force well. It is absolutely essential to provide a safe environment for our police officers, to do our level best to give them the tools they need to enforce the law, notwithstanding the carping and undermining of members in the other place in relation to their efforts.

As I draw my conclusion to a close and as indeed we draw this sitting week to a close I just want to reflect briefly on the moment we find ourselves in. It is undoubtedly a challenging time for governments and undoubtedly a challenging time for those upholding the law. It does not matter what the political complexion of the government of the day is. I am sure the women and men of the New South Wales police force are having a similar set of challenges in enforcing the rules that attach to adequately managing a global pandemic.

To all of those involved in the upholding of the law, to all of those involved in enforcing those rules, I extend the thanks of my constituents and extend the thanks of this chamber. It is really, really important work. It has never been more important. It does not matter whether you are Labor or Liberal, Green or Nat, it matters most that you support the work of those police officers who are putting themselves in harm’s way in order that many of us do not have to put ourselves in harm’s way.

We are very pleased to be making these amendments, to be providing not just the resources but the protections necessary for our police force to do their very important work. Whether it is in the deployment of things like capsicum spray or whether it is to more administrative matters like the way in which we support our PSOs and the rank that attaches to them, what is absolutely inviolable is the support for police services in this state.

**Ms KILKENNY** (Carrum) (13:52): I am very pleased to rise to contribute to the debate on the Firearms and Other Acts Amendment Bill 2021. Like the member for Burwood said, it is disappointing to see no further opposition speakers on this bill in the chamber this afternoon. If anything, this is a good opportunity to place on the record our heartfelt gratitude and thanks to all men
and women of Victoria Police for all of the work they have been doing during the pandemic keeping us safe, putting themselves at the front line, particularly during some of the protests that we have seen most recently.

But I am here to contribute for these last few minutes of the debate on the Firearms and Other Acts Amendment Bill 2021, and I am pleased to do so. This bill continues the Andrews Labor government’s commitment to reducing harm in our communities and obviously keeping Victorians safe. We have heard today about a number of really important purposes that this bill has, and one of those is to amend the Firearms Act 1996 to improve firearm safety in the community by enhancing firearm storage requirements and tightening regulatory standards around the hiring, leasing and delivery of firearms by licensed dealers. The bill will also bring in some changes that will reduce the time by which a registrable sex offender must report a return to Victoria, with changes to the Sex Offenders Registration Act 2004. There will be changes around the possession and use of capsicum spray by protective services officers. There will be some changes to Magistrates Courts allowing the audiovisual link in limited circumstances for first remand hearings, and this bill importantly will also expand the phased trial and evaluation of digitally recorded evidence-in-chief by extending the operation of division 7B of the Criminal Procedure Act 2009.

We have heard today already a number of contributions that have dealt with the firearms amendment and the further restrictions and tightening which are going to enhance safety for communities in Victoria and look to reduce the incidence of firearms theft, which we know often results in firearms ending up in the possession of organised gangs. They might be used for violent crime, so these are really important changes and amendments. I note that they follow extensive consultation and engagement by the Victorian Firearms Consultative Committee, which is the Minister for Police’s firearms advisory body. I absolutely support these changes. I want to thank all of those people who have contributed to that, who have been part of that process in bringing about these changes and obviously wanting to see a reduction in firearms thefts in Victoria.

I want to focus my contribution though, in the small time I have got remaining, on the proposed amendments to the Criminal Procedure Act 2009 which deal with digitally recorded evidence-in-chief which is gathered by body-worn cameras. These changes actually arise out of the Royal Commission into Family Violence. Recommendation 58 of the report says that Victoria Police could conduct a trial using ‘body-worn cameras to collect statements and other evidence from family violence incident scenes’, and I am pleased to say that that trial has taken place. It was a 12-month trial which commenced in October 2018, and it operated across four police stations: one in Epping and three in Ballarat. And in doing this we had to bring in some changes to legislation in 2018 which allowed for those digitally recorded statements to be used as evidence-in-chief in family violence proceedings and in family violence intervention orders.

What is really interesting about this is that it is such new and emerging technology, and it is quite a change to the way evidence is delivered and is given in a courtroom setting. So obviously it is emerging, it is new, there is not a lot of data, there is not a lot of research here, so a body—I think it was the Monash Gender and Family Violence Prevention Centre—was tasked with conducting that first evaluation. They have come back with some positive results from that trial, but one of the recommendations was that the trial should probably be extended and expanded. The reason for that is that the sample pool was quite small, but what they found was that there are positive benefits that flow from using this new technology to record the evidence-in-chief from victim-survivors of family violence.

One of the important things about this is the temporal connection—that is, that the evidence can be gathered almost contemporaneously with the incident—and the good thing about that is that police felt that they were able to better capture the incidents of family violence but they were also better able to capture the impact on the victim-survivor at the time. This is important too because we have seen that perpetrators tend to downplay the impact of family violence, and perhaps as a consequence of that the broader community might also not appreciate sometimes the extraordinary impact that family violence has, particularly on women. So the use of digitally recorded evidence-in-chief, being so
BILLS

3760 Legislative Assembly Thursday, 7 October 2021

connected in time to the actual incidents of family violence, might also better enable us to hold to account perpetrators in family violence proceedings. And it is this impact and this part of the evaluation, I think, which is going to garner a fair bit of attention and which is obviously going to be a positive outcome from the expanded use of these trials.

I really commend this work. I think that it is incumbent upon governments to look to introduce new measures like this where there are going to be positive impacts on case management, on access to justice and on victim outcomes but also on community safety more generally. This bill will introduce these changes. It will implement a statewide phased-in expansion of the program, which will run for another two years to 3 October 2024, and we know that family violence still remains one of Victoria’s biggest law and order issues, which impacts families all across. I commend the bill to the house.

Following speeches incorporated in accordance with resolution of house of 5 October:

Ms ADDISON (Wendouree)

I am pleased to speak in support of the Firearms and Other Acts Amendment Bill 2021.

Thank you to the Minister for Police and the Attorney-General in the other place, as well as their ministerial offices and the Department of Justice and Community Safety.

I strongly admire and support the Victorian police. I wish to thank the police officers who keep my community of Ballarat safe for the work they do, day in, day out, putting themselves in harm’s way to serve and protect our community.

I am so pleased to see the Minister for Police back at work after a period of time away to focus on health. The minister does an outstanding job in her portfolios and is well respected by many people who work in the fields of police and water.

The minister also did an outstanding job in the portfolio of emergency services between 2018 and August 2021, especially during the 2020 bushfires, supporting our emergency services.

Consequently, the minister is widely well respected, and I have witnessed this firsthand in my electorate of Wendouree when the minister visited the police assistance line contact centre in the Ballarat CBD as well as opening the new Lucas fire station in Winter Valley, next to the new police forensic hub and the Ballarat West police station.

I was disappointed that the minister was unable to be at the opening of the Ballarat forensic hub, however I was pleased to welcome the Parliamentary Secretary for Police and Emergency Services representing her.

Our new forensic hub in the Wendouree electorate was one of two to open across the state—the other being in Morwell—and is a game changer for police in Ballarat and western Victoria. By establishing these hubs, many save hours and resources for officers as forensic exhibits no longer need to be sent to Macleod in south-eastern Melbourne and processed locally.

Our state-of-the-art facility is fast-tracking investigations by delivering high-quality forensic services in Ballarat. This is a fantastic outcome for Ballarat and other regional communities. This significant investment is another example of the Andrews Labor government’s commitment to community safety.

I thank the minister for her support for my community and I look forward to welcoming her back to Wendouree in the very near future.

The Firearms and Other Acts Amendment Bill 2021 amends:

• Control of Weapons Act 1990
• Criminal Procedure Act 2009
• Evidence (Miscellaneous Provisions) Act 1958
• Firearms Act 1996
• Sex Offenders Registration Act 2004
• Victoria Police Act 2013

There has been significant consultation with affected parties across all aspects of this bill.

With regard to the changes and impacts on the justice system, stakeholder consultation has occurred with:

• Victoria Police
• Corrections Victoria
With regard to the proposed changes to the firearms, I am pleased that the Minister for Police’s firearms advisory body, the Victorian Firearms Consultative Committee (VFCC), was consulted and endorses all the amendments to the Firearms Act 1996.

This group includes representatives from:

- the Australian Deer Association,
- Field and Game Australia,
- the Firearm Safety Foundation (Victoria),
- the Firearms Traders Association of Victoria,
- the Sporting Shooters Association of Australia,
- the Police Association Victoria,
- the Victorian Clay Target Association and
- the Victorian Farmers Federation.

The bill will enable the expanded phase trial and evaluation of digitally recorded evidence-in-chief (DREC) to continue for a further two years to 3 October 2024 by amending the Criminal Procedure Act 2009. This will ensure that the experience of victim-survivors using the DREC is captured and will enable the full assessment of DREC, particularly the impact of DREC on the criminal and policing systems.

The changes proposed in the bill will enable the Magistrates Court to direct an adult accused to appear at a first remand by audiovisual link by amending the Evidence (Miscellaneous Provisions) Act 1958—if satisfied that appearance by audiovisual link is consistent with the interests of justice and the accessed consents, or the court is satisfied that exceptional circumstances exist.

The Firearms and Other Acts Amendment Bill 2021 will amend the Firearms Act 1996 to allow the accurate classification of firearms, provide for enhanced firearm storage and make general improvements to the act. In doing so we are requiring higher minimum standards for the storage for category A and B firearms.

This bill also requires firearms dealers to comply with minimum conditions when sending firearms and firearm parts through a post or courier service to prevent theft. This is particularly timely with our pivot to online shopping and the capacity to have our goods delivered to our door.

The bill introduces changes that improve the oversight and monitoring of the maximum duration for the hire and loan through commercial arrangement of a firearm for that licensed firearm dealer and further that these arrangements cannot be indefinite.

Licensed firearm dealers will also be required to see a valid firearm licence before they dispose of a firearm. This bill is putting into legislation something that is already in practice.

Another change is a person subject to a firearm prohibition order to notify the Chief Commissioner of Police within 24 hours after a change of residential address.

There is also a minor broadening of the delegation list of senior police authorised to approve a firearm prohibition order—this is on 1.5 per cent of the Victoria Police sworn workforce.

We are a government that respects and supports Victorian police. I would like to add my voice to many others who are so grateful to our police, who are doing an incredible job protecting our state, most recently dealing with the anti-vaxxers, anarchists and antisocial elements at the illegal gatherings out the front of the CFMEU office, across the city and at the Shrine of Remembrance.

Watching the attacks on police, as well as journalists and innocent bystanders going about their business, was not only disrespectful but disgraceful.

I pass on my heartfelt thanks to our committed Victoria Police who keep us safe, and I wish to pass on my best wishes to those police members who have been injured in the line of duty. Footage that I have seen from some of these rallies of people attacking members of the police is sickening and shows us who these people really are.

We are serious about community safety and crime prevention. The most significant law and order issue in my community is family violence. Sadly, family violence is far too common for many living in my community and the impacts on women and children are significant, enduring and intergenerational.

Many people living in Ballarat and western Victoria have suffered and continue to suffer from the impacts of a life that has been dominated by threats and controlling behaviours as well as the effects of physical, psychological and financial abuse.
Our police, our Orange Door and our social services are working hard to support these families and break the cycle of violence. But it is very challenging work and I am grateful for the job that they do.

In summary, this bill makes amendments to the Firearms Act 1996 (Vic) to improve firearm safety and enhance regulatory practice and amends the firearm prohibition order (FPO) scheme to improve oversight of FPO subjects and expand the delegation list of who can approve an FPO.

The bill also makes a range of miscellaneous amendments to other acts to continue improvements and ensure fairness across our justice system and deal with the ongoing pressures of the COVID-19 global pandemic.

I commend the Firearms and Other Acts Amendment Bill 2021 to the house.

Mr BRAYNE (Nepean)

I rise today to speak on the Firearms and Other Acts Amendment Bill 2021.

The Andrews government is committed to delivering the resources, tools and powers that our police need to keep the community safe.

We have no greater responsibility than to protect our community, and that is why this government has invested so heavily in the policing and community budget.

Nearly $4 billion in funding has been invested in our police since this government came to power.

This investment includes over 3000 new police officers, new stations for our police force and state-of-the-art equipment that helps police officers to provide critical assistance to the community.

I know that in my electorate of Nepean there are so many police officers who work every day to make the community as safe as possible.

It is so important that these hardworking men and women are provided with all the resources, tools and powers that they need to keep us all safe.

That is why this government is committed to having a well-resourced police force that can tackle serious and organised crime, particularly when the use of illegal firearms is involved.

And that is why this government has already passed laws to tackle criminals who use illegal firearms and whose actions endanger the community.

Unfortunately, those opposite have worked to oppose these laws.

When this government introduced the firearms prohibition order scheme in 2017, they did everything they could to water it down.

They tried to limit the effectiveness of the orders and to make it harder for police to issue them.

Only serious and organised criminals would have benefitted from these changes.

In contrast, this government remains committed to ensuring that the police can do their job with the resources, tools and powers that are necessary to do so.

The safety of the community should never be compromised, and this government understands that.

As such, this government is committed to ensuring that the firearms industry operates safely.

This means that only licensed people who have a legitimate reason should have access to firearms.

This bill contributes to this commitment to firearm safety by making targeted amendments to the regulatory practice of the firearms industry, while also making improvements to firearms safety more generally.

I know that some legitimate firearms users in the community will be concerned at these changes.

And it is important to note that the use of firearms in sports shooting and recreational hunting provide various benefits to our communities.

However, there are some misconceptions about this bill, including claims that police officers can place 10-year bans on law-abiding firearm owners, and that firearm prohibition orders will be used to take firearms away from people for speeding tickets.

There claims are not true and are not backed by legitimate firearm and shooting associations.

What is true is that this bill will help to protect our communities from the use of illegal firearms while balancing the legitimate interests of law-abiding firearm owners.

I will now turn to the specifics of the legislation.

This bill comprises a series of amendments to several bills that affect the justice system.

This most prominent of these amendments involves targeted changes to the Firearms Act 1996.
These changes will help to facilitate the accurate classification of firearms, to provide for enhanced firearm storage requirements and to improve the overall administration of the act.

The changes that will most concern firearm holders in our community include higher minimum standards for firearm storage to help prevent firearms being stolen.

In order to do this, the bill upgrades storage requirements for category A and B firearms to prohibit their storage in hardwood receptacles, instead requiring these firearms to be stored in steel receptacles.

These steel receptacles must be of a minimum thickness and bolted to the premises if they weigh less than 150 kilograms.

In essence, these changes align the storage requirements of category A and B firearms with those of the higher classified category C and D firearms.

It is important to note that this bill provides a transition period of 12 months for licensed firearm holders to upgrade their storage receptacles to meet these new standards.

While these changes will come at some cost to existing firearm holders, this government maintains that this will be offset by a decrease in firearm theft.

Any reduction in the number of stolen firearms circulating in the community will help to protect our community from serious and violent crimes that would otherwise involve these firearms.

This bill also makes other targeted changes to the regulation of firearms in the community, including:

- minimum conditions for licensed firearms dealers when sending firearms through postal and courier services
- maximum durations for the hire and loan of firearms by a licensed firearms dealer
- requiring licensed firearms dealers to sight a valid firearms licence before they dispose of firearms
- and, requiring a person who is subject to a firearm prohibition order to notify the Chief Commissioner of Police within 24 hours of a change of residential address.

The combination of these targeted changes will improve community safety by better regulating the firearms industry.

As I mentioned, this bill also makes other amendments to existing legislation that affects the justice system.

The first of these amendments concerns the Control of Weapons Act 1990.

This bill retrospectively validates the conduct of PSOs who engaged in official duties with capsicum spray so that they have not committed an offence against the act.

It was intended that these PSOs were authorised to possess, carry and use the service equipment issued to them, and this amendment addresses an historical issue that should have been identified when the former government expanded PSOs onto our public transport network.

It is important to note that this amendment clarifies this issue but does not limit any civil claims of unreasonable force by PSOs.

The second of these amendments concerns the Criminal Procedure Act 2009.

This bill amends this act to enable the expanded phased trial and evaluation of digitally recorded evidence-in-chief to continue until 3 October 2024.

Expanding this phased trial will help to ensure that the experience of victim-survivors using the digitally recorded evidence-in-chief is captured.

This will, in turn, allow for a full assessment of the program and its impacts on the criminal justice and policing systems.

The third of these amendments concerns the Evidence (Miscellaneous Provisions) Act 1958.

This bill amends the act to enable the Magistrates Court to direct an adult accused to appear at an initial remand hearing by an audiovisual link.

This can occur if the court is satisfied that an appearance by an audiovisual link is consistent with the interests of justice and if the accused consents, or if court is satisfied that exceptional circumstances exist.

These changes are important for public safety and the safety of those who are present in the court.

The next amendment concerns the Sex Offenders Registration Act 2004.

This bill amends the act to provide for consistency with commonwealth amendments relating to child abuse material.
These changes also reduce the time that a registrable offender must notify the police of their return to Victoria. These changes are important updates to this act, and, like other amendments in this bill, are intended to improve community safety.

The final amendment concerns the Victoria Police Act 2013. This bill amends the act to retrospectively validate the promotion of PSOs in accordance with the Victoria Police enterprise agreement 2019.

Our hardworking police officers and PSOs deserve this recognition, and this government is committed to acknowledging their contribution to community safety.

This bill has been underpinned by significant consultation with affected parties across all aspects of this legislation.

This includes a range of actors, including Victoria Police, the Magistrates Court, Victoria Legal Aid, the Victorian Firearms Consultative Committee and a subgroup of the committee which designed and recommended the amendments to storage requirements for category A and B firearms that I described earlier.

This government is not only committed to community safety but is willing to listen to the experts. As such, this bill is backed by those who best understand our justice system.

Overall, these changes are another example of how the Andrews government is working to assist our police officers and protect the community, and I am proud to say that I support this legislation.

Ms EDWARDS (Bendigo West)

I’m pleased to make a contribution to this bill before the house.

This government has been very clear on its stance when it comes to policing and community safety and our investment in supporting police is 52 per cent higher than what it was under those opposite.

Having a well-resourced police force is essential to keeping our communities safe and for ensuring the police have the resources they need to tackle serious and organised crime and the threat of violent extremism.

The bill covers a number of amendments to different acts; however I want to speak directly to the Firearms Act 1996 amendment.

Sporting shooters and recreational hunting have many positive economic and social benefits, particularly in our regional communities.

In my family rifle shooting and clay target shooting have played a prominent role.

My brother is rifle shooter as was my father and two of my uncles, and in fact my uncles were responsible for the building of the Maryborough Rifle Club clubrooms.

My brother has excelled at the sport and was a world record holder for the 1500 yards. His trophy cabinet is full of trophies he has accumulated as a member of the Maryborough Rifle Club, as a representative of the Victorian rifle team, and as a representative of the Australian rifle team.

He has travelled overseas and competed. He has travelled interstate and competed, and although the long-range target match rifle competition he competes in is not a Commonwealth or Olympic sport, I’m confident that if it was, he would be competing at this level for Australia.

My cousin Jim is a clay target shooter and is involved heavily in the administration of the sport at elite level. He is a member of the Maryborough Clay Target Club.

I have the great honour of being patron of the Castlemaine Rifle Club, a club that is the oldest rifle club in Victoria if not Australia.

A club with dedicated members, and passionate and hardworking volunteers and president and secretary.

I am privileged to attend many of their events to present winning trophies, and it’s always a great pleasure to spend time with and socialise with the competitors who are not just local but come from all over the state to compete and often from interstate.

A firearms industry which is well regulated and keeps firearms out of the hands of unlicensed individuals and criminals protects the image and reputation of all firearms users and keeps our community safe.

This bill specifically makes targeted amendments to improve firearm safety and to enhance regulatory practice across the firearms industry.

Firearm theft has adverse social and community impacts as firearms that leave the regulated market fall into the possession of organised crime groups where they might potentially be used in violent offences.
A significant factor in firearm theft is inadequate storage of firearms. I know for a fact that my brother is extremely diligent and conscious of the need to safely secure his match rifles. Anyone in the sporting shooters community knows the importance of safety. Not only that there is a lot of pride taken in having well cleaned and presented rifles that are worth a considerable amount of money.

However, Victoria Police advise that firearm licence holders are not always adequately securing their firearms and that some are using inappropriate firearm storage such as clothing lockers or toolboxes.

The amendment in this bill enhances storage requirements for category A and B firearms (the most reported stolen firearms) and aligns them with the current storage requirements for the higher-classified category C and D firearms.

The bill makes further practical and targeted amendments to improve firearm safety in the community, including strengthening how licensed firearm dealers send firearms and firearm parts through the postal service to other licensed dealers.

Firearm licensed dealers must comply with minimum packaging and service requirements when sending firearms and parts through the post. These parcels must not be labelled to indicate their contents, must be electronically tracked, and must be personally received by the licensed firearm dealer.

In addition, the bill applies conditions on the hire and loan of firearms by licensed dealers to limit the hire and loan of firearms for a period of no more than 30 days, with the provision to apply in writing to extend this to a further one 30-day period.

To ensure important security checks, before a firearm is disposed under this legislation licensed dealers will be required to sight a valid firearms licence before disposing of the firearm.

The bill also requires a person subject to a firearm prohibition order to notify the Chief Commissioner of Police within 24 hours after a change of residential address and provide a minor broadening of the delegation list of senior police officers authorised to approve a firearm prohibition order.

Contrary to some commentary around this measure in the bill, the firearms prohibition order scheme has been law since 2018. The criteria and thresholds for issuing firearm prohibition orders are not changing. This scheme is targeted at those people who operate outside the licensed and regulated firearms community.

There is already a fit and proper test used by police for licensed firearm owners and an existing prohibition provision for licensed firearm owners that is uncontroversial and has been part of the licensing and regulatory approach for a very long time.

There are no changes to these licensing arrangements for law-abiding firearm owners.

This bill makes sensible changes that improve firearms safety, particularly for the licensing and regulation of firearms, and makes pragmatic updates to the already existing firearms prohibition order scheme targeting illegal firearms.

Sadly, those opposite have a pretty shaky record on keeping Victorians safe.

When this government first introduced the firearms prohibition order scheme in 2017 it was those opposite who tried everything they could to water them down. They attempted to limit the effectiveness of the orders, to make them unworkable and make it harder for police to issue them.

The only ones who would have benefited by the opposition’s proposed changes would have been serious and organised criminals, people involved in outlaw motorcycle gangs, organised crime families, and those involved in radicalised violence.

More than 1000 firearm prohibition orders have been issued since the scheme first commenced and they have been tested in the Supreme Court and upheld.

There are several amendments in other areas in this bill, including the Sex Offenders Registration Act 2004, the Victoria Police Act 2013, the Control of Weapons Act 1990, and the Evidence (Miscellaneous Provisions) Act 1958. However, the importance of firearm safety and the amendments to the Firearms Act 1996 are reforms that go to the heart of this government’s reforms that are about public safety.

I commend the bill to the house.

Mr McGHIE (Melton)

I rise today to contribute to the Firearms and Other Acts Amendment Bill 2021.
The aim of this bill is to achieve a number of outcomes such as to retrospectively validate the conduct of protective services officers who engaged in official duties with capsicum spray (OC spray) so that they do not commit an offence against the Control of Weapons Act 1990. It was always intended that PSOs were properly authorised to possess, carry and use the service equipment issued to them.

Also to amend the Criminal Procedure Act 2009 to enable the expanded phased trial and evaluation of digitally recorded evidence-in-chief to continue for a further two years to 3 October 2024.

It seeks to amend the Evidence (Miscellaneous Provisions) Act 1958 to enable the Magistrates Court to direct an adult accused to appear at a first remand hearing by audio visual link if satisfied that appearance by audio visual link is consistent with the interests of justice and the accused consents or the court is satisfied that exceptional circumstances exist.

One of its main objectives is to amend the Firearms Act 1996 to facilitate the accurate classification of firearms, to provide for enhanced firearm storage requirements and to generally improve the administration of that act; as well as to amend the Sex Offenders Registration Act 2004 to provide for consistency with commonwealth amendments relating to child abuse material, to reduce the time that a registrable offender has to notify the police of their return to Victoria and to make amendments consequential to machinery of government changes; and an amendment to the Victoria Police Act 2013 to retrospectively validate the promotion of PSOs in accordance with the Victoria Police (Police Officers, Protective Services Officers, Police Reservists and Police Recruits) Enterprise Agreement 2019.

I would like to begin my contribution to this debate by stating that those who know me are not surprised by the fact that I’m not a fan of guns in our community.

I’m supportive of necessary usages such as farmers owning firearms for the humane treatment of animals in distress and the elimination and control of feral animals that cause harm to our environment and livestock.

In this way I support professional shooters to control feral animal control and government organised culls of animals where necessary to protect wildlife populations.

With the exception of non-lethal sporting shooting at organised gun clubs I see no reason why members of the public should need to possess a firearm.

This view has been developed over years of service as a paramedic in Victoria.

I have seen some devastation caused by lax gun control and storage.

As a paramedic I have attended murders, attempted murders, suicides, threats of suicide and accidents all involving firearms.

I have encountered many individuals with mental health impacts, family violence and involvement in criminal activity that have had easy access to firearms.

I and the members I represented as a trade unionist are the ones that had to attend to the aftermath when things went wrong.

I recall attending an incident in Sunshine where a 17-year-old boy was threatened by his neighbour. Scared the young man went inside his home and grabbed his old man’s 303 and went outside to confront his neighbour.

In broad daylight at seven in the morning, two families’ lives were irrevocably changed forever in a matter of seconds when the young man shot the man and killed him instantly.

Having to attend that scene as a paramedic was horrific, those survivors of that morning had to endure that nightmare for far longer.

That is why I’m supportive of measures in this bill that seeks to ensure the safe storage of firearms. In my opinion there shouldn’t be access to these to begin with, but if we are going to allow the use of firearms in our community it is imperative that at a minimum the access to stored firearms is appropriate and limits the easy access of firearms in tragic situations like those I have attended.

I know many here will be supportive of the continued use of firearms for the general public, however my opinion has been formed by one too many call out attendances to suicide by shotgun. Having to enter a room where brain matter has been splattered over walls and ceilings has forever solidified my personal opinions on guns in our community.

This bill makes amendments to the Firearms Act 1996 which are focused on improving community safety.

This includes:

• upgrading storage requirements for category A and B firearms to prohibit hard wood receptacles and instead require steel receptacles of at least a minimum thickness which must be bolted to the premises if weighing less than 150 kilograms. These reforms will align the storage requirements
for category A and B firearms with the storage requirements for the higher classified category C and D firearms;

• requiring licensed firearms dealers to comply with minimum conditions when sending firearms and firearms parts through a postal or courier service;
• imposing a maximum duration for the hire and loan of a firearm by a licensed firearms dealer to prevent dealers entering agreements for indefinite periods;
• requiring a licensed firearms dealer to sight a valid firearms licence before they dispose of a firearm; and
• requiring a person subject to a firearm prohibition order to notify the Chief Commissioner of Police within 24 hours after a change of residential address.

Firearms stakeholders have of course been consulted on these amendments.

This has been led by the Victorian Firearms Consultative Committee (VFCC). They are the Minister for Police’s firearms advisory body and passed a resolution on 15 June 2021 endorsing all amendments to the Firearms Act 1996 in the bill.

The VFCC meets quarterly and includes representatives from:

• academics from Victorian universities
• Australian Security Industry Association
• Australian Deer Association
• Field & Game
• Firearm Safety Foundation
• Firearms Traders Association of Victoria
• Law Institute of Victoria
• The Police Association
• Shooting Sports Council of Victoria
• Sporting Shooters Association of Australia (SSAA)
• Shooting Industry Foundation of Australia (SIFA)
• Target Rifle Victoria
• Victorian Amateur Pistol Association (VAPA)
• Victorian Clay Target Association
• Victorian Farmers Federation
• Victoria Police

This is an extensive list of stakeholders that are supportive of this bill.

1 There are some misconceptions about this bill that have been circulated among the licensed and legitimate firearm community (pushed by the National Shooting Council, a fringe group that is seeking to divide legitimate firearm representative groups and associations).

2 These claims include new powers associated with FPOS, claiming that any police officer can slap a 10-year ban on legitimate and law-abiding firearm owners, that FPOs will be used to take firearms off people for speeding tickets and CHO breaches, or because a police officer has a grudge against someone.

3 These claims are simply not true and are not supported by legitimate firearm and shooting associations.

4 The government is clear on its stance on policing and community safety. Since being elected in 2014 we have provided the resources, tools and powers that police need to keep the community safe.

5 We have invested nearly $4 billion in new funding for police. This includes 3135 new police officers, which includes hundreds of FV specialists, more PSOs for mobile patrols, new stations for our growing force, and state of the art equipment like mobile devices and body-worn cameras, which are proving critical to assisting FV victims but also improving accountability for interactions between police and the public.

6 We make no apologies for having a well-resourced police force. It’s essential to providing a safe environment for our state in how it tackles serious and organised crime and the threat of violent extremism. That’s why we have already passed laws to tackle criminals who use illegal firearms and who present a clear and present damage to the community.
Those opposite have a very different record on community safety. Their record is one of cutting the police budget and sacking staff.

The member for Western Metropolitan in the Legislative Council is a proud anti-police advocate, labelling police officers who take an oath to protect Victorians and who are placed in positions that put them at great risk of physical harm and exposure to covid, as armed militia.

He posted on Facebook on 29 September:

I have always been a staunch supporter of the men and women of Victoria Police. I can’t extend that support to the modern incarnation of the Despot’s militia. It horrifies me!

It is shameful behaviour from anyone, let alone a member of Parliament.

I am clearly supportive of measures that restrict the access of firearms to ensure safety of the public. I will be supporting this legislation, and I commend the bill to the house.

The SPEAKER: Order! The time set down for consideration of items on the government business program has arrived, and I am required to interrupt business.

Motion agreed to.
Read second time.

Third reading

Motion agreed to.
Read third time.

The SPEAKER: The bill will now be sent to the Legislative Council and their agreement requested.

WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2021

Second reading

Debate resumed on motion of Mr WYNNE:

That this bill be now read a second time.

Motion agreed to.
Read second time.

Third reading

Motion agreed to.
Read third time.

The SPEAKER: The bill will now be sent to the Legislative Council and their agreement requested.

ESSENTIAL SERVICES COMMISSION (COMPLIANCE AND ENFORCEMENT POWERS) AMENDMENT BILL 2021

Second reading

Debate resumed on motion of Mr PEARSON:

That this bill be now read a second time.

Motion agreed to.
Read second time.

Third reading

Motion agreed to.
Read third time.
The SPEAKER: The bill will now be sent to the Legislative Council and their agreement requested.

FORESTS AMENDMENT (FOREST FIREFIGHTERS PRESUMPITIVE RIGHTS COMPENSATION) BILL 2021

Second reading

Debate resumed on motion of Ms D'AMBROSIO:

That this bill be now read a second time.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

The SPEAKER: The bill will now be sent to the Legislative Council and their agreement requested.

Business interrupted under resolution of house of 5 October.

The SPEAKER: The time appointed under the resolution of the house for me to interrupt business has now arrived. The house is now adjourned.

House adjourned 2.02 pm until Tuesday, 12 October, at 9.00 am.
Members statements

Following statements incorporated in accordance with resolution of house of 5 October:

COVID-19

Mr BURGESS (Hastings)

With the longest lockdown in the world and the most daily cases and deaths in Australia, Victoria is a paradox that has done nothing but fail. At the centre of these failures, the Victorian government have failed to prove that they understand anything about COVID-19 in our state.

Last year, the Premier stated that:

We’re not going to spend 2021 bouncing in and out of lockdowns.

Whilst our chief health officer, Brett Sutton, stated that:

We’re not going to see, you know, 300s and 400s again in Victoria, not under my watch at least …

These are the two most prominent figures in leading our pandemic response, and at every step of the way they have misunderstood the situation and led Victorians into deeper and deeper trouble.

On 4 August, we celebrated our last doughnut day, before being plunged back into lockdown just 24 hours later. Our government had opened under the assumption that all the cases were under control in quarantine, yet it has now acknowledged that there were possibly four different sources in the community spreading the virus—Norman Swan. With our failing contact tracing at the helm, we are never likely to understand how widespread it was then and how widespread it is now.

In comparison with the testing rates and outbreak control in NSW, Victoria is routinely testing around half the amount of people that NSW is. This is after accounting for population as well. How can we expect to get a clear picture of the current outbreak without understanding how widespread COVID is within our community—or does the government just not want to know because it would look even poorer in comparison?

We need greater testing rates and a government that strives to understand the virus, not one that misrepresents and lies. Under a Guy government, we would firstly ensure we understand the virus and then be transparent on the health advice we are receiving from non-politicised bureaucrats.

COVID-19

Mr BURGESS (Hastings)

We are now 18 months into a health crisis and the Victorian Labor government has failed to reinforce our health system. It begs the question: why, after so long, with so much warning of what was coming, are our hospitals still not prepared for the reopening of our state?

On 1 April 2020, the Andrews Labor government promised to fund an extra 4000 ICU beds as a protective measure to ensure our hospitals could cope with the expected influx of COVID-19 patients. Despite the Premier’s current denial of this promise, he was joined in making the announcement by the former health minister Jenny Mikakos, where she stated that Victoria’s health system will be receiving a $1.3 billion injection to quickly establish 4000 additional ICU beds. The most damning aspect of this broken promise and the Premier’s disingenuous denial is that no-one is surprised—not surprised by the promise, not surprised that it was never acted upon and not surprised that the Premier would lie and deny it.

This promise has not been met, and instead the number of existing ICU beds available has reduced from 450 to 400! The Andrews Labor government has failed to protect Victorians yet again. With over 800 Victorians having already lost their lives to the Labor government’s handling of the pandemic, we must not lose more.

Instead of answering questions and providing information about this project, the Premier simply denies it was ever promised. With such an untrustworthy government, there is no reason to expect these beds will ever be delivered and the $1.3 billion will follow so much other Victorian taxpayers money—down the bottomless pit of failed or failing Labor projects.

If the government had stuck to its promises, Victorians could have expected a clearer and quicker road map that uses modelling that takes into consideration higher capacity ICUs. Instead, our road map has been based on our underfunded hospital system, which has simply not been prepared for a pandemic.
MEMBERS STATEMENTS
Thursday, 7 October 2021

COVID-19

Mr BURGESS (Hastings)

With a world record-breaking 267 days of lockdown set for the city, it is fair to ask the question: why Melbourne?

Previously known as the sporting capital of Australia, the Andrews Labor government has lost two AFL grand finals, two Formula One races, one Melbourne Cup—and counting—one Bells Beach surfing competition and hundreds of other sport events that would have previously been scheduled for Melbourne. Not only is our state and capital city losing events, but we are also now losing people. In stark contrast to every other Australian state, Victoria actually lost population over the last year. There are now 43,000 fewer Victorians than there were at the beginning of this pandemic.

The proven track record for the metropolitan Melbourne lockdowns is the worst in the world. Victorians have had their livelihoods ripped away from them, and the repercussions and consequences of such an approach is what will hurt Victoria for decades to come.

Despite the rest of Australia having managed and controlled the pandemic with greater levels of success with less draconian measures, Victoria has failed to do so. So, when asked the question ‘Why Melbourne?’, there is only one rational answer: the Andrews Labor government.

COVID-19

Mr BURGESS (Hastings)

As Victoria received the road map to reopening, the state is left wondering when we will be able to live our lives again.

A slow easing of restrictions has allowed the draconian measures of the Andrews government to stay in place whilst also depriving Victorians of their freedoms and future. We need this government to reassess its approach and take a commonsense look at their rules and give back safe freedoms to the people.

There are many examples of this lack of logic.

A curfew in place that forces everyone to do their shopping and exercise at the same time as everyone else thus creating a higher likelihood of transmission through forcing everyone to be at the same place at the same time—it would be logical to abandon the curfew to prevent this and give people a little more freedom to help them cope with the lockdowns.

Mornington Peninsula, with next to no COVID cases over the entire pandemic, being considered metropolitan Melbourne, yet the highly populated and high-case region of Geelong is considered as regional Victoria—this should have been reassessed on the basis of population and case numbers instead of being based on old zoning definitions. This has caused a rise of COVID case numbers on the Mornington Peninsula, allowing people from high-risk metro areas to move unimpeded to and from the peninsula.

Toilets being banned at golf courses yet still being open in public parks and settings—whilst this has been overturned now, the lack of logic behind such decisions in the first place is of massive concern.

Under a Guy government, good sense and logic will be restored to ensure that the people of Victoria once again have faith in the government that serves them.

COVID-19

Mr BURGESS (Hastings)

With over 800 deaths resulting directly from a failure that has been deemed the fault of the Andrews government’s Department of Health, the Andrews government should take responsibility for their failures.

Since the hotel quarantine failure, the Andrews government has deflected responsibility at every turn and is now staring down multimillion-dollar fines from its own government agency. What is the real consequence of these actions other than the handing over of money from one government agency to another? Victorians
need to be assured that the tragic mistakes of this government can never be repeated, and that very obviously will never be the case until a Guy government is in office.

COVID-19 VACCINATIONS

Mr BURGESS (Hastings)

It is unacceptable that our booking system for the coronavirus vaccine is not optimised for a quick vaccine rollout.

The booking system is frequently being updated with new times which are only able to be booked if you are constantly checking the system to try and get an earlier time. If you had booked a time in August through the Victorian government coronavirus website, it is likely that you would not have got a booking until late September. Alternatively, if you had booked through a third-party, non-government application such as DocHub that has utilised pharmacies and GPs since the beginning, you would have been able to get a time in just a few weeks. Why has this government directed Victorians to a less efficient state-run system that hasn’t been optimised for a quick vaccine rollout?

This flawed system requires Victorians to constantly check the bookings to ensure that they can get a time that will speed up the rollout in Victoria. It should be the state’s responsibility to ensure that the vaccine rollout is quick and efficient and not that of the individual.

This flawed system has slowed down the vaccine rollout and consequentially increased the duration of the lockdown. Victorians deserve better, and the only way that can happen is by electing a Guy Liberal government which will act to serve all Victorians.

COVID-19

Mr BURGESS (Hastings)

At the start of the sixth lockdown the Andrews Labor government said that we must lock down now to avoid the situation in NSW. Here we are now, in a far more serious situation that what NSW ever had, and I ask for the government to rationalise how this could have occurred.

Instead of telling Victorians that this is the fault of NSW, the federal government and the people of Victoria, why not take responsibility for a response that has been mismanaged since day one?

We have now endured the longest lockdown in the world as well as having the Australian record for most daily cases and the most deaths from the pandemic. How can such failures be rationalised when the Andrews Labor government is the only common denominator?

Unfortunately, the Victorian public has been misled at every step and is told to believe that it couldn’t possibly be the fault of the Victorian government. The public deserves to be treated better and not misled through the political blame game that the Andrews Labor government continues to play.

COVID-19 VACCINATIONS

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations)

I acknowledge to the house the enthusiastic and rapid response to the Voices for Vaccine campaign from residents in my electorate of Werribee.

Wyndham has been hit hard during several COVID outbreaks, in 2020 and in 2021.

My electorate is home for many essential workers, who cannot work from a desk at home.

We are a young community who haven’t been eligible to be vaccinated until recently.

With vaccine supply now becoming available, and eligibility opening up to the younger cohort, Wyndham hasn’t held back on doing their part to help protect fellow Victorians.

Wyndham has enthusiastically embraced the local vaccination hub made available at Eagle Stadium in my electorate.

I thank the dedicated staff at Western Health and our public health team for operating this hub and Wyndham council for making this facility available.

I also thank local doctors and pharmacists who have supported our residents in providing the vaccination at their clinics, and I’m pleased that our government has provided financial support to help facilitate this.

I particularly thank the residents of Wyndham.
As of 4 October, Wyndham has reached a first dose vaccination rate of 89.2 per cent. We are now among the highest first dose vaccinated LGAs in Victoria.

As soon as the vaccine became available, I’m proud that locals have taken the opportunity and stepped up to be vaccinated to support our health system, to look after each other and to protect all Victorians.

I look forward to the continued uptake of the vaccination in Wyndham and across Victoria so we can get back to a COVID-normal life as soon as possible.

COVID-19

Mr ANGUS (Forest Hill)

Victorians continue to be punished for the incompetence and mismanagement of the state government. After more than 18 months of battling with COVID-19, it is clearly obvious to everyone that the government’s fear-driven, draconian and bullying approach has been a failure. With record numbers of daily cases, the world’s longest lockdown of 250 days, students missing 160 days of school, an ongoing curfew, mandatory vaccination requirement for authorised workers, countless other restrictions and Victorian residents being daily berated and blamed for the state government’s mess, it is time for the Premier to take responsibility for where we are as a state. It is time for the Premier to apologise to all Victorians and then step aside and allow fresh members of his team to look at the issues and plan a way forward.

One question that all Victorians would like an answer to is: why won’t the government release the health advice it says that it is using to make its various decisions? Despite being asked this countless times, the government is still refusing to release this information. Victorians are also still waiting for an answer from the Premier as to where the additional 4000 intensive care unit beds that were promised last year are. The government also needs to implement rapid testing as a way of protecting all members of the community and allowing society to reopen.

Forest Hill locals are continuing to contact my office to share their terrible experiences as a result of the COVID-19 requirements imposed by the Victorian government. I recently met with a local small business man who is struggling to keep his longstanding business going. He has already had to lay off his four full-time and one part-time staff members and is desperately trying to keep his business afloat. With minimal support from the state government, every day is a battle for him. For many other businesses, who have previously operated in a COVID-safe manner but are currently unable to open, they are in an even worse position. They need an assurance that the government will not move the goalposts of the so-called road map and again dash any hope they have for reopening.

As schools start to resume onsite learning, I wish all Forest Hill students well in the final few weeks of the year. In particular I think of the year 12 students who are approaching the final exams of their schooling. After such a difficult two years, I know they will do their very best. I certainly wish them well for their exams and also for what comes for them after their schooling finishes.

Many local charities, faith groups and other not-for-profit organisations are continuing to work tirelessly to serve and assist Forest Hill residents during these difficult times. I congratulate and thank them for their ongoing work in our community.

BARWON HEADS ARTS AND COMMUNITY HUB

Ms NEVILLE (Bellarine—Minister for Water, Minister for Police)

After much planning, consultation and anticipation, works have now commenced on the Barwon Heads arts and community hub.

This new community facility will see the old Clifford Parade kindergarten totally transformed into a modern multipurpose hub for local artists and the wider Barwon Heads community.

Works will include the complete refurbishment of the existing building, development of an outdoor communal space and an upgrade to the parking facilities.

The finished building will provide the space to support all local artists, from the visual arts to music, drama, theatre, dance, poetry and literature.

Since the hub’s inception, I have been very pleased to have worked with and on behalf of local community organisations like the Barwon Heads Art Council and the Barwon Heads Association in supporting the project. This included the delivery of a 2018 state government election commitment of $1 million for planning and, now, construction.

I take this opportunity to congratulate all those people and organisations who have contributed to the project.
Their initiative and untiring commitment to the project have ensured the hub will become an important community asset.

In particular there is the Barwon Heads Association and its committee, led by president Sandy Gatehouse and her predecessor, Judith Brooks, and from the arts council there are Victoria Strachan, Karen McGlynn and Karen Shirley.

I also commend the facilities designer, Four18 Architecture, for their creative work and now the builder, Plan Group, both respected Geelong-based companies.

Community connection has never been more important, and I know that the people of Barwon Heads will benefit greatly, now and well into the future, with the delivery of their fantastic arts and community hub.

COVID-19

Mr BATTIN (Gembrook)

249: the number of days Victorians have been in hard lockdown. Once the most livable city in the world, now the most locked down. This record is the result of its leader and government. With the state of emergency in place now for the majority of that time, our leader and government have complete control. Yet when the people of the most locked down state look for answers to ‘Why Victoria? What separates us from everyone else around the world?’, the most logical answer would be: our state government, our state leader, in charge of holding the most power under their enforced state of emergency.

But when we look to our leader of the most locked down state in the world, we get only excuses, deflection and scapegoats. First, it was the federal government for vaccine supply; that was not true. We then got, ‘It’s the NSW virus’, yet see other states have managed to control their COVID leaks from neighbouring states. So then he turns to the people—it is all our fault, we are breaking the rules, we are not being patient. Well, Premier, why Victoria? Are we more rebellious than the 7 billion people around the world?

I will tell you why. It solely comes down to the leader calling the shots, the Premier and government of the state, with all the power they have awarded themselves under their heavily extended state-of-emergency powers. That is what makes us different from everywhere else and why we are at 249 days and counting.

COVID-19 VACCINATIONS

Ms THOMAS (Macedon—Minister for Agriculture, Minister for Regional Development)

- I want to begin by again thanking my constituents and local health services for playing their part in Victoria’s vaccination rollout and pandemic response.
- Hepburn, Macedon, and Mount Alexander shires have all surpassed 60 per cent double-dose rates and are well on their way to road map targets.
- Staff at Bendigo Health and Central Highlands Rural Health have also been amazing—ensuring that the Macedon community has access to the testing and information they need in response to local exposure sites.
- Thank you to all.

TRENTHAM SPORTS GROUND RESERVE PAVILION

Ms THOMAS (Macedon—Minister for Agriculture, Minister for Regional Development)

- I was excited to join Hepburn Shire Council, Trentham District Football Netball Club and the Trentham District Cricket Club to celebrate the Andrews Labor government’s $2 million commitment to redevelop the Trentham Sports Ground Reserve pavilion.
- The upgrade will include new change rooms, a full commercial kitchen, a large multipurpose meeting space and a new covered outdoor spectator area.
- These new facilities will provide a fully equipped space for the Trentham community to host events as we emerge out of the pandemic in 2022.

MACEDON ELECTORATE SCHOOLS

Ms THOMAS (Macedon—Minister for Agriculture, Minister for Regional Development)

- Finally, on behalf of the Macedon community, I would like to congratulate five local teachers for their years of service and dedication.
MEMBERS STATEMENTS
Thursday, 7 October 2021
Legislative Assembly

Karen McHugh, Ray Borg, Patricia Hyland and Gayle Ryan have all been honoured by the Department of Education and Training for 40 years of service to the Victorian community.

Stephen Winzar has also been congratulated for an incredible 50 years of service.

Thank you to all these amazing educators. Our community is exceptionally lucky to have such experienced teachers at our local schools.

GREAT ALPINE ROAD

Mr T BULL (Gippsland East)

I recently travelled the Great Alpine Road to Omeo in my electorate and was pleased to see work being undertaken to remedy landslips in the area.

The issue I wish to raise is to seek a guarantee from the minister that all locations where landslips occur be rectified due to the sheer vertical road batter than have been left from recent works.

EAST CAPE BOARDWALK

Mr T BULL (Gippsland East)

In September last year the environment minister said that the East Cape Boardwalk at Cape Conran was expected to be delivered by Christmas 2020, ‘subject to processes proceeding as expected.’ It has not yet commenced, and I am advised by Parks it will be finished by the end of the year. With work still having commenced, can the minister support this commentary from Parks Victoria that work will be completed by Christmas?

COVID-19 VACCINATIONS

Mr T BULL (Gippsland East)

It is pleasing to see high vaccination rates being achieved in my electorate. On Monday, East Gippsland was 89 per cent first dosed and 63 per cent fully vaccinated, while Wellington was sitting on 85 per cent and 60 per cent, respectively.

PRINCES HIGHWAY

Mr T BULL (Gippsland East)

The Princes Highway between Stratford and Bairnsdale has been voted by RACV members as the most dangerous road in Victoria. Regional Roads Victoria can no longer ignore this or the spate of serious accidents that have occurred over the past two years. This road needs an independent safety audit and a commitment to act on its findings, and I urge the minister to announce this.

STEVEN WATTS

Ms WARD (Eltham)

I extend my congratulations and deep gratitude to commander Steven Watts for his lifetime of service to Victoria as a firefighter. For over 35 years Commander Watts has served the people of Victoria, Australia and the international community, especially in bushfire assistance, support and advice.

Steve comes from a large family and his father, Ivan Watts, was also a 30-year career MFB firefighter. Serving and keeping the community safe runs deeply in the Watts family’s DNA. Steve was a frontline firefighter at some of Melbourne’s biggest and most dangerous fires, from the Coode Island fire to the United Transport.

He was also an MFB marine commander, overseeing fires on container ships in Melbourne’s Port Phillip Bay.

In this year’s Queen’s Birthday honours, Steve was awarded the prestigious Australian Fire Services Medal for his prolonged and exceptional service within the emergency services sector. He has been noted as being a valuable source of advice for those seeking to improve or expand their professional skill sets or advance their career. Furthermore, he has been a strong advocate for enhancing culture and change within FRV. Throughout his career, he has been known for his operational and functional leadership and management style, with an emphasis on personal communication, wellbeing and accountability.

Steve’s commitment to making our communities and our workplace safer, and his strength in turning adversity into an enhanced level of service to others, is something from which we can all draw inspiration. Steve just wants to help people, in his career as a firefighter and now an ambassador for Parkinson’s Victoria. Since his
diagnosis with Parkinson’s five years ago, Steve has undertaken a huge amount of work to help others understand this condition as well as raise tens of thousands of dollars for Parkinson’s research and support. Being a firefighter can give some pretty challenging situations and confronting incidents. Steve is selfless, devoted and an all-round good bloke who has given so much to our community. Although now retired, Steve will continue his community fundraising and advocacy work as a board member of Parkinson’s Victoria. Steve, we thank you for your ongoing service to the community and wish you all the best over the many years ahead.

COVID-19

Mr WELLS (Rowville)

This statement condemns the state Labor government for keeping Victorians under harsh restrictions for longer than anywhere else in the world.

The Premier has thrown out the national cabinet plan for all states to open up in his effort to maintain total control. Yet in NSW, the former Premier Gladys Berejiklian last week delivered a clear road map forward, with everything to be open by December. NSW residents were given hope and something to look forward to. Construction in NSW is now back to 100 per cent capacity.

By contrast, the Premier has held 320 000 construction industry workers to ransom over mandatory vaccinations. Victorians have looked on in horror at the chaos and violence on our streets and the vandalism of our Shrine of Remembrance. Peter Parkinson, chair of the Premier’s own Building Industry Consultative Council, resigned in disgust.

The Premier’s knee-jerk reaction was to shut the entire industry down, an industry worth almost a billion dollars a week. This has delayed small-scale home builds and renovations for Victorians, with a flow-on effect right through the economy.

Victoria’s Premier has consistently undermined the vaccine campaign, harping on about vaccine supply. Not surprisingly, Victoria’s health department failed to predict when we would reach the 80 per cent single vaccination target and we fell short of reaching the date. Victorians reached the 50 per cent double-vaccinated target by the first of October. NSW are rocketing ahead of us with vaccination at 64 per cent double-dosed by late September (29/9/21).

NSW have lifted their curfew while Victorians are treated like children and can’t leave their homes after 9.00 pm for another three weeks (26/10). Victoria’s curfew had already been lifted by this time last year (28/09/20), and there is simply no health advice to support it continuing.

NSW will be officially out of lockdown by 11 October, with 70 per cent of residents fully vaccinated. What an achievement for the people of NSW!

The departing NSW Premier has shown true leadership and given NSW residents hope and reason to stay the course.

Victorians, who are straining under the separation from friends and family, are simply fed up. Fed up with restrictions that don’t make sense, fed up with their Premier talking down the vaccine supply, fed up with being lectured at while they are suffering and needing a break.

The latest announcement from the Premier to double down and mandate vaccines for all authorised workers will test Victorians’ patience to the very limit. It will disproportionately impact younger workers who haven’t had months to book in.

Nearly 50 000 Victorians have voted with their feet to move out of this state and it is no surprise.

PAKENHAM LIONS NETBALL CLUB

Ms CRUGNALE (Bass)

Pakenham Lions Netball Club is one magnificent club. All community, all heart, all about people and with an amazing story to tell. I was thrilled to virtually join with over 100 members for their incredibly special 2021 AFL Outer East presentation night.

2020 was the season that was then wasn’t. 2021 a half-year season with nine games played.

Such an honour to be off court cheering club captain Kate McCowan’s 400th game!

A super-dedicated, hardworking committee with Marg, Sarah, Julie and Ann, the many selfless volunteers and entire netty family have stayed connected in new and creative ways, wrapped their arms around each and everyone, walking together as a club, looking to the positives at every turn, not leaving anyone behind.
Life members are valued and have set a rock-solid foundation to build upon and soar. Vale, Val Hardy and Audrey Tyrrell, and so beautifully honoured. The inaugural Audrey Tyrrell Goaler of the Year trophy was presented by her son Rick and went to Hayley Melsen, known as Big H.

Special mention of course to all the coaches, team managers and personal carers, apprentice and assistant coaches and support crew—all too numerous to mention. 

Congratulations to all the award winners across all divisions, and here they are:


Allow me to rattle off some of the words used during the night when speaking of the players and award recipients: versatile on the court, 110 per cent, exceptional, ‘How can I help’ attitude, perseverance in a tough season, quiet achiever, new player and an incredibly hard worker, no fancy stuff just works and works and works, reliable, stand out, innate ability to read the play, calming influence, commitment to training, ability to come together, always putting hand up, no limits on work ethic, passionate, absolute gem and unbelievable role model.

This year’s club awards, from person of the year to service, club spirit through to senior and junior players, went to Lori Walker, Amanda Sidebottom, Ann Molino, David Sollberger, Emma Jones, Paddy and Isabel Fairclough.

I am so proud to be connected with and sponsor this welcoming club.

What a club, what a year and what a family.

Let’s go, Paky! Let’s roar!

COMMUNITY ORGANISATIONS SUPPORT

Mr WAKELING (Ferntree Gully)

Across my community, many small businesses and sole traders have missed out on much-needed state government financial support. Often the reason for this has been some trivial matter, such as the fact that they are not registered for GST, notwithstanding they are not legally obliged to be registered, or that they do not fit within a particular ANZSIC code classification, notwithstanding they have nevertheless been severely impacted by the state government’s crippling COVID-19 restrictions. But there is yet another class of individuals and organisations who have been forgotten by the state government—community organisations. While I welcome the state government following the Victorian Liberal-National call for more funding to support local community sport, there are more community organisations in desperate need of support. Recently, I was contacted by the Australian Jazz Museum. This is a fantastic museum in its 25th year of preserving Australian jazz history for future generations. Without income from museum tours, the museum is struggling with its ongoing costs. These include electricity, insurance, telecommunications, and other monthly service fees. I call the government’s attention to the plight of the Australian Jazz Museum and to this class of individuals and organisations more generally so that urgent support can be provided.

COVID-19 VACCINATIONS

Ms KILKENNY (Carrum)

Thank you to every single person in my local community who has already rolled up their sleeve to get their COVID-19 vaccination.

For some this was easy. For others, it wasn’t. Varying levels of worry, apprehension, concerns, perhaps even some fear, had to be worked through and overcome first.

So I really want to acknowledge those people and let them know how enormously grateful I am. And how proud I am of them and our local community.

And now because of their kindness and bravery and compassion, with every single jab we are getting ever more closer to opening up and being able to do those things we love: enjoy a meal with friends and family at our local cafe; browse our local shops; get in the car or on a train or bus or plane to visit friends and family and places across Melbourne, across Victoria and across Australia; get back to school, TAFE, university and work; get back into community sport; get back to the gym; go to the movies, the gallery, the theatre, a concert,
the library, the neighbourhood house; start puppy training; sign up for art and cooking classes; go for a swim in the public pool; and get a haircut.

So much is waiting for us. Yes, it has been a long journey. But we are nearly there. And how good is that.

Thank you to my wonderful local community. I am inspired by you every day.

DAVID BLACK

Mr TAYLOR (Bayswater)

I wanted to give a massive shout-out to our very own local finalist in the Victorian Education Excellence Awards, David Black from Wantima College, who has been selected as a finalist in the outstanding physical education and activity teacher category. What an absolute legend.

It’s wonderful to see David’s (Mr Black’s) contribution to the school and broader community is being acknowledged.

I’m very proud of the contribution made by David. Good luck—either way you’ve done us all proud.

I want to also say a massive thank you to each and every single teacher, staff member and in between at our local schools, who’ve done an incredible job continuing to educate kids.

And thank you to the families out there who’ve supported kids during a really challenging time.

I’m so proud of all of you!

COVID-19 VACCINATIONS

Mr TAYLOR (Bayswater)

Knox and Maroondah are helping to lead the way with nearly 90 per cent of all eligible locals receiving their first dose of a COVID vaccine.

We know it’s our ticket out of this pandemic. We know it protects us, our community and our health system.

I can’t thank you all enough.

And I know we’ll continue to show up and get the job done to reopen safely.

U3A KNOX

Mr TAYLOR (Bayswater)

One of the best parts of my job is getting to work with amazing community groups like U3A Knox! So it was nice to catch up recently over a cuppa to see how things are tracking.

Like many groups they’ve had to pivot online and that’s come with its challenges, but despite it all they’ve continued to support their members through it all.

For those of you who haven’t heard about U3A, it was established for people in their third age, who are over the age of 45 and are retired or are semiretired.

Their mission is to provide opportunities to learn, teach, share and to give mutual support to each other in a friendly and warm environment, regardless of ethnicity, religion, ability or disability.

They’re a known staple of the Knox community and have been for number of years and I’m looking forward to continuing to work with them and support them in any way that I can.

COVID-19

Mr SOUTHWICK (Caulfield)

Since stepping into my new role as the Shadow Minister for Small Business and Shadow Minister for Business Recovery, I have been inundated with requests for clarity and assistance from many business in Victoria doing it tough right now—not only financially due to the frequent and extended lockdowns over the past 18 months as well as the insufficient financial supports offered by the state government but also mentally due to the lack of clarity provided for many business operators in the Andrews government’s road map.

In particular, I have heard from a number of businesses who work in the school-adjacent sector, including school photo, school excursion and school camp providers. Currently, there have not been any clear directives provided regarding the lifting of bans for school photos, excursions and camps as we head into term 4.
One school camp operator, Bindaree Outdoor Education Services, noted that schools are still cancelling planned trips for term 4, specifically due to lack of direction from the Department of Education as to whether such events will be allowed to proceed. The current statement from the Department of Education reads:

Camp, excursions and incursions for Victorian schools cannot take place at this time.

This statement indicates that at some stage school-related business may be able to reopen but does not propose a date or an indicative target required to be achieved in order to reopen. All these business operators seek at this time is a realistic lead time to allow them to plan for the future with some level of certainty—a small ask more than one and a half years into the pandemic.

This is a real shame given the joy, learning opportunities, and skill development benefits these experiences deliver to students. Our kids have largely missed out on important social opportunities at a pivot point in their development, and this is an additional setback to their ability to get outdoors, play with their friends and learn about teamwork in a fun and interactive way. Such activities are important outlets for our students, who so desperately need our support.

Further, from my perspective as the Shadow Minister for Small Business, operators such as Bindaree Outdoor Education Services offer many employment opportunities, and their offering brings significant contributions to Victoria’s regional economy.

Additionally, one regional school photo provider, Leading Image School Photos, noted a similar lack of certainty around the resumption of school photos, though all of its staff are fully vaccinated and ready to work with strict COVID-safe measures in place. Mark from Leading Image School Photos mentioned that this comes at a time where schools are desperate to have their prep, year 6 and year 12 students photographed—to record once-in-a-lifetime milestones in the education system.

While many businesses have received at least some guidance in the Andrews government’s road map, school-related businesses remain in the dark. This industry is integral to the education sector in Victoria and to the wellbeing and health of Victorian students, and without clarity and further financial assistance many may not see out 2022.

**FRANKSTON ELECTORATE HEALTH SERVICES**

Mr EDBROOKE (Frankston)

I’m pleased to announce that Peninsula Health will partner with Mentis Assist to support people to manage anxiety, depression or stress in my electorate of Frankston, with free support and advice to improve wellbeing during COVID and beyond.

The pop-up service has already opened its doors, delivering a mix of in-person appointments, telehealth and limited walk-in sessions for those who need wellbeing coaching, small business support or veterans support.

I also want to take this opportunity to once again thank the healthcare workers for all their efforts while the vaccine blitz continues across Victoria, particularly the Frankston community vaccination hub, Bayside Centre, who are delivering record numbers in vaccination rates and currently a Moderna walk-in site.

**NATIONAL POLICE REMEMBRANCE DAY**

Mr EDBROOKE (Frankston)

I would also like to acknowledge that last week was National Police Remembrance Day. The pandemic has seen our police force handling situations no-one ever predicted. They’ve shown courage and commitment every day, and we are so grateful for their efforts keeping us safe over the past two years—thank you.

**NEPEAN ELECTORATE STUDENTS**

Mr BRAYNE (Nepean)

I rise to recognise all the Victorian students who sat the GAT on Tuesday. The past two years have been so challenging for our students, all of whom have adapted so well to the challenge of remote learning. The GAT marks the beginning of exam season, and I know that I speak on behalf of Nepean’s school communities, parents and carers when I say how proud we are of our local students for persevering throughout this pandemic. To the students themselves—your grit, determination and resilience has been on display, and I know that your hard work is going to pay off as you sit down to do your exams over the next few weeks. Whether you’re completing VCE or VCAL, you should be proud of your efforts and I hope that you find some time to reflect on the amazing job that you’ve done over the past two years. So once again, well done to all of our students who sat the GAT this week, and good luck to every student who will soon be finishing their high school journey.
SOUTH SUDANESE-AUSTRIAN ACADEMIC SOCIETY

Ms RICHARDS (Cranbourne)

I would like to take this opportunity to commend the South Sudanese-Australian Academic Society for their fantastic work providing food relief in Cranbourne and surrounding communities.

With the allocation of $15 000 as part of the Andrews Labor government’s priority response to multicultural communities program, the South Sudanese-Australian Academic Society have begun the coordination of food delivery to families and individuals in need, especially culturally and linguistically diverse communities from across a range of diasporas.

This funding allows organisations such as South Sudanese-Australian Academic Society to continue their important work by providing food, hampers, freshly cooked meals, groceries and essential items to community members in need.

Andrew Gai and others from the community advises that this funding is important alongside his ongoing work with the Refugee Communities Association of Australia (RCAA) and will relieve more than 155 Victorian families.

I would like to remind the house of the other important work that Andrew Gai and the South Sudanese-Australian Academic Society have done for Cranbourne and the Victorian community. Programs that celebrate the opportunities and talents of African youth, such as Just Drop In, and a collaboration with the Casey Titans and Red Roo are just part and parcel of the ways that this organisation have sought to foster existing talents in our communities.

The great talent of the community has been on full display over the last years, and I am always inspired by Dr Leek Makuei, founder and chairman of the South Sudanese-Australian Academic Society, who works alongside and in partnership with Deng Makuei, Thamsanqa Ndebele and Fogi Obai from the Casey Titans basketball club.

These groups are a testament to the altruism and community that is so characteristic of Victoria’s South Sudanese diaspora. It is a terrific honour to have such active contributors to Cranbourne’s community, and this cements the fact that multicultural communities such as the South Sudanese diaspora provide not just great compassion but also active consideration and meaningful support for their neighbours.

Community and the need for culturally relevant food relief, communications and support have never been so important in Victoria. I commend resident Andrew Gai, the entire South Sudanese-Australian Academic Society and the Casey Titans for their work addressing this and for preserving a sense of belonging and interconnectedness when it is particularly difficult to do so.

COVID-19 VACCINATIONS

Ms HALFPENNY (Thomastown)

Epping Secondary College was converted to a vaccination pop-up centre over the weekend, and it was great to see so many residents lined up to get the COVID vaccination when I visited on Sunday. The pop-up started last Friday and finished on Sunday.

From my observation the centre was very well run and highly organised. It has been run by DPV Health, who have administered thousands of doses of vaccine in both the city of Whittlesea and Hume.

During my attendance there was a buzz of activity and a real sense of determination and goodwill as family groups and individuals—young and old—all came to do the right thing and get vaccinated. This centre was taking bookings as well as walk-ins without a booking, and this method was most popular.

Thanks to Epping Secondary College for allowing the school to be used for vaccinations—also to the great work of City of Whittlesea, the Nepalese Association of Victoria, Women’s Health in the North, northern Scouts, Epping Storm basketball club, Epping City FC, Epping Football Club, and the Hmong association for publicising and promoting the vaccination and this pop-up centre.

Our Andrews Labor government is doing all it can to make it as easy as we can for Victorians to get vaccinated so we can open up and get on with our lives and businesses.
MEMBERS STATEMENTS
Thursday, 7 October 2021
Legislative Assembly 3781

MID-AUTUMN FESTIVAL

Ms SULEYMAN (St Albans)

This past month marked the Vietnamese Mid-Autumn Festival—and this year again we have had to celebrate in a different way.

I want to thank all those who helped protect our community and loved ones by staying safe at home this festival season.

There have been many online virtual events, with one to be held this weekend by Australian Vietnamese Arts, and will feature moon storytelling, how to make lanterns and so much more.

To everyone celebrating the Moon Lantern Festival this year— Tết Trung Thu—best wishes; may the round moon bring you and your family good health, peace and prosperity.

COVID-19 VACCINATIONS

Ms SULEYMAN (St Albans)

On another matter, I would also like to acknowledge and thank the Quang Minh temple, who have worked tirelessly to organise a successful pop-up vaccination clinic at the temple this month.

Many organisations and local schools are turning into pop-up vax clinics, and already we have seen a massive boost in vaccine numbers in Brimbank. Well done and let’s keep going. ‘Go and get vaccinated’ is my message to our community!
**Constituency questions**

*Following questions incorporated in accordance with resolution of house of 5 October:*

**HASTINGS ELECTORATE**

Mr BURGESS (Hastings) (6047)

My question is to the Minister for Health on behalf of my constituents, and I ask: when will the Andrews Labor government upgrade its 1800 675 398 Victorian coronavirus hotline?

Constituents and indeed my office have had trouble receiving updated information from the hotline even several days after the Premier or Minister for Health have announced new information regarding COVID-19 restrictions.

Days later, the hotline operators can often only say, ‘Sorry, we are unable to assist as the new information about COVID-19 has not yet been provided to us by the Victorian Department of Health’.

On more than one occasion when my staff have called the hotline seeking vital information on behalf of constituents, they have been told by the operator ‘I don’t know’ or ‘I am not sure as I still don’t have that information’.

This is not a satisfactory response. This is not an acceptable answer. This is clearly not good enough.

This information can literally mean the difference between life and death.

These delays by the department in providing important COVID-19 updates to its own public hotline service are totally unacceptable.

The Victorian Department of Health’s coronavirus website states:

> If your enquiry is related to coronavirus (COVID-19) health concerns or current guidelines, please call the dedicated COVID-19 hotline 1800 675 398.

It is hard to see how a dedicated COVID-19 hotline can properly serve the community it was set up to serve if it does not have the latest information.

Vulnerable Victorians with genuine health concerns need a service they can rely on and have faith in. This is not happening, and the system is failing them.

The Andrews Labor government has had more than 18 months to get this right. I am seeking the minister’s urgent assistance to rectify this problem.

**SOUTH BARWON ELECTORATE**

Mr CHEESEMAN (South Barwon) (6048)

My question is for the Minister for Transport Infrastructure. The Andrews Labor government has always been a government that delivers, particularly when undertaking the big, bold projects needed for our growing communities. Projects like the level crossing removal program, the Metro Tunnel, the Barwon Heads Road duplication and the Geelong line upgrade are fantastic investments in our state’s future.

These projects are creating thousands of jobs across our state and delivering direct benefits for our local communities in regional Victoria. The Geelong region is growing rapidly, and these investments are much needed to cater for and provide for the new residents of our community.

What is the total investment in state government transport infrastructure projects that benefit the South Barwon region?

**MORNINGTON ELECTORATE**

Mr MORRIS (Mornington) (6049)

My question is to the Minister for Industry Support and Recovery.

Minister, I recently received an email from a constituent, who wrote:

> As a business owner in Mornington of Remedial Massage and Myotherapy we have been forced to fully close during lockdowns. I have received the round two and extension grants however we are not part of a category that receives the extra $5000 continuity fund which we are in desperate need for.

When looking at the list I am completely confused as to why we are not on this list? Our association has been advocating on our behalf to be allowed to offer our service like all other Allied Health to allow for
those in real chronic pain to attend even if this is still rest practice. Unfortunately, we keep getting told NO …

Minister, why is support provided to allied health providers, hospitality providers et cetera but not to a business like that operated by my constituent?

WENDOUREE ELECTORATE

Ms ADDISON (Wendouree) (6050)

My constituency question is for the Minister for Mental Health.

The past 18 months have been challenging for many Victorian individuals and families due to the global COVID pandemic. I am incredibly proud of the response of our government in delivering additional mental health programs to support Victorians struggling with the impact of the pandemic.

Our recently announced $22 million COVID-19 mental health and wellbeing response package, which includes a focus on free, accessible and local mental health pop-ups, is an example of this response, and I am pleased that one of the sites is located in my electorate of Wendouree.

This service is already up and running only weeks after being announced, and I commend Uniting, in partnership with Ballarat Health Services, for their phenomenal work on this.

Minister, would you please provide further information on how this clinic will support and benefit Ballarat community members?

Importantly, I encourage anyone in my community who is seeking support for their mental health to reach out for assistance.

BRIGHTON ELECTORATE

Mr NEWBURY (Brighton) (6051)

My constituency question is directed to the Premier, and I ask it on behalf of aged-care residents and providers in my community. On what date will the state government allow them the quality of life they deserve?

For many in aged-care homes, it is the last step in their life. As a community, we want to make sure that residents are safe but also provide them with the best quality of life they can have. Our loved ones deserve no less.

That’s why the Liberal Party has called on the state Labor government to allow practical relaxation of restrictions for residents at aged-care homes. Where a resident and direct family member—children or grandchildren—are all fully vaccinated and are in agreement, they should be allowed to sit outside together, fully masked and socially distanced. This is common sense and compassionate.

As Linda Potter, the general manager of Princeton View in Brighton East, recently said to me: ‘I am all too aware of the need for caution and all care to be taken, however I cannot sit back and see people dying and not being able to enjoy their families as they would like to’.

Linda’s plea is heartfelt, and her words speak for residents and families across the state. The government needs to hear Linda’s sincere plea and give aged-care residents the enhanced but safe quality of life they deserve.

BURWOOD ELECTORATE

Mr FOWLES (Burwood) (6052)

My constituency question is directed to the Minister for Public Transport.

Minister, how will the recently announced zero-emission electric bus fleet help the Victorian government reach its net zero targets?

A strong public transport system helps us keep our city moving and is critical to building strong communities and a strong economy. But a successful system needs to be a clean and sustainable system as well, and that is just what this program delivers. The Andrews Labor government is investing $20 million to create an electric bus fleet, replacing our existing diesel buses, that will bring us closer to our emission reduction targets, as well as reducing particulate pollution on our roads and in our neighbourhoods.


Reaching net zero carbon emissions as soon as possible is an important goal, and I am proud to be part of the Andrews Labor government, which is taking real and decisive action to get us there.
SHEPPARTON ELECTORATE

Ms SHEED (Shepparton) (6053)

My question is for the Minister for Emergency Services.

With Hume Dam almost at capacity, downstream communities are growing concerned about a potential flooding event, especially if we get more wet weather.

Hume Dam is sitting at 97 per cent capacity, with 25 000 megalitres a day being released.

We have seen minor flooding along the Murray River at Corowa today due to the releases from Hume Dam and increased flow from the Kiewa River. This is forecast to peak at 5.1 metres this afternoon and remain above the minor flood level of 4.6 metres until Saturday.

Murray River communities grow increasingly concerned when the dam is almost at capacity, and we already have high river flows and many of the river storages near full.

We saw flooding in this part of the Murray in 2016 and several other times in the past.

I note that Water NSW, New South Wales SES, Victoria Police and Victoria SES all have roles to play in the event of a flood.

My question is: what flood preparedness plans have been put in place to safeguard communities downstream of the Hume Dam in case of a flooding event?

NORTHCOTE ELECTORATE

Ms THEOPHANOUS (Northcote) (6054)

My question is to the Minister for Community Sport.

What avenues are available to local government to apply for funding from the state government to support upgrades of their own sports facilities?

The Northcote electorate is fortunate to be home to a great many local sports facilities, from Bill Lawry Oval to Northcote Golf Course, John Cain Memorial Park, the Yarra Bend ovals and the Northcote Aquatic and Recreation Centre.

Since 2014, the Andrews Labor government has directed more than $13.2 million in community sport and active recreation infrastructure directly into Darebin to help make improvements to our local sports assets.

This has meant we’ve seen some fantastic improvements to sports facilities and others on the way, like the construction of new outdoor and indoor netball courts at John Cain Memorial Park, a new pavilion and facilities at WH Robinson Reserve, new lighting at Mayer Park and a plan to revitalise Bill Lawry Oval.

Another project currently underway is the complete redevelopment of Darebin council’s Northcote Aquatic and Recreation Centre.

Having grown up in the electorate, I have many fond memories of visiting NARC, all the way back to swimming lessons as a child. However, due to its age and maintenance, the facility is tired and no longer fit for purpose.

Back in 2019, I toured the site with Darebin council to discuss the need for redevelopment, and I have worked with council and councillors to support the progress of this important project.

It’s a big one, with a budget of $63.5 million to deliver a 6-star Green Star centre with new indoor and outdoor pools, a health and wellness centre, a splash park, picnic areas and a warm-water pool for exercise and rehabilitation.

I was happy to share the news earlier this year that, on the request of Darebin council and with my support, the Andrews Labor government is backing this project through a $10 million loan via the community sports infrastructure loans scheme. This is the highest amount available under the program.

As construction gets underway on this fantastic project, I’ve also been engaging with council to make sure they do what they can to minimise disruptions to our community and impacts on residents, staff and clubs.

I know that some councils have been able to also secure funding to upgrade aquatic centres through state government grant streams such as the Local Sports Infrastructure Fund.

While Darebin Council has chosen not to take up these opportunities and has not applied for any funding for NARC from any Victorian government community sports infrastructure program, I am pleased that with my support they have applied and been successful on a number of other projects in line with their priorities.
CONSTITUENCY QUESTIONS
Thursday, 7 October 2021
Legislative Assembly

Recently, this has included $2 million in funding towards the construction of the new multisports stadium at John Cain Memorial Park and $3.9 million towards a new Aboriginal Women and Girls Sport and Wellness Centre in partnership with the Aborigines Advancement League in Thornbury.

I look forward to seeing Northcote continue to benefit from investments such as these, and I will continue to provide Darebin council with information about upcoming sports infrastructure grant opportunities and support them to put forward priority applications.

As I understand, these grant rounds are the primary avenue for councils to signal their sports infrastructure priorities to the state government and seek funding contributions for them.

My community is excited about having a brand new Northcote Aquatic and Recreation Centre that meets the needs of our growing suburbs. With the NARC already budgeted for by Darebin council and a loan contribution from the state government, we are all looking forward to seeing it completed.

It will be great to hear more from the minister about what avenues of funding support are available to local government to improve even more important sports facilities like this one.

OVENS VALLEY ELECTORATE

Mr McCURDY (Ovens Valley) (6055)

My question is to the Minister for Roads and Road Safety, and I ask it on behalf of Martin Casey of Yarrawonga, who is concerned about the closure of the weir bridge at Yarrawonga.

He expresses his disappointment at the imminent closure of the Yarrawonga Weir Road bridge, and his question is: will the minister assist us to keep the weir bridge from closing until a new bridge is constructed between Yarrawonga and Mulwala?

Just to clarify, the bridge is managed and controlled by the Murray-Darling Basin Authority (MDBA), but I urge the minister to assist in whatever capacity he can to keep this important bridge open.

Obviously during COVID times, with the reduction in traffic between Yarrawonga and Mulwala, one could say the bridge has limited usage, but as the summer comes on and visitors flock back to Yarrawonga and Mulwala the second bridge crossing will play an important role for regular traffic but more importantly for heavy traffic.

Agricultural machinery across the main bridge has increased, which has also caused the secondary weir bridge to be utilised more often.

I implore the minister to help these cross-border communities to continue to function as one community with the assistance of the weir bridge remaining open.

MELTON ELECTORATE

Mr McGHIE (Melton) (6056)

My constituency question is to the Minister for Consumer Affairs, Gaming and Liquor Regulation.

The Victorian government has passed laws that will remove the ability of developers to use sunset clauses to intentionally delay building projects and exploit buyers.

Under the Sale of Land Amendment Act 2019 developers will only be able to exercise a sunset clause with written consent from the buyer or permission of the Supreme Court of Victoria.

Sunset clause provisions are commonly found in off-the-plan contracts to allow developers to cancel the contract where the plan of a subdivision has not been registered by a specified date.

The new laws protect buyers who have raised concerns about developers deliberately postponing the completion of construction work in order to cancel signed contracts using an existing sunset clause and then reselling the property at a higher price.

I have been contacted recently by numerous constituents in Melton who are frustrated with a developer who seems to be trying to worm their way out of delivering the land they are contracted to provide.

This developer seems to be trying to enact a clause in their contracts about unforeseen expenses in developing necessary civil works.
This is disputed by the local council and service providers, like Greater Western Water. 

It would seem to me that there is an attempt to resell the land at a higher price with the increase in land prices and new services like the future Melton hospital being built nearby.

Minister, what protections exist for consumers looking to purchase land, and what advice can be provided by your department to these concerned constituents?
Adjournment

Following matters incorporated in accordance with resolution of house of 5 October:

THE MALE HUG

Mr HODGETT (Croydon) (6058)

My adjournment matter is for the Minister for Mental Health, and the action I seek is for the minister to meet with Mr Tony Rabah and his colleagues from the Male Hug to hear of the tremendous work they are undertaking in the area of men’s mental health.

The Male Hug was founded by Mr Tony Rabah, and is a not-for-profit organisation that seeks to raise awareness of men’s mental health and help remove the negative stigma often associated with men’s mental health. Many men won’t seek mental health help for fear of shame or sense of less worth. Tragically, on average there are eight suicides a day in Australia, and of these, six are men. The organisation works to provide a supportive platform that encourages men to speak freely and engage in a safe and friendly environment that is free of judgement.

The vision of the Male Hug is to become one of Australia’s prominent advocacy groups for men’s mental health issues. They seek to eliminate the scourge of men’s mental health issues in Australia by promoting a safe and friendly environment for men to share problems—a problem shared is a problem halved.

One of the greatest challenges of men’s mental health is their inability to talk openly about such personal issues for fear of shame or sense of less worth. As an illness that is widespread but still in the shadows, Tony believed he should do something about it. Tony’s initiative calls for men to gather in a safe and friendly environment to talk openly without judgement on mental health issues. This safe and friendly environment seeks to create a timeout space for men to relax and open up about issues of mental health without fear of reprisal or judgement.

Throughout the month of October, the Male Hug is running the Talktober challenge. The challenge calls for men across the nation to call a different family member or friend each day in the month—31 calls in 31 days. These calls offer the perfect opportunity to check in, catch up or reconnect with each other.

The coronavirus pandemic has hit everyone hard, especially the professional world, with stresses of lost jobs, reduced hours and shut businesses causing daily stress. Tony believes, now more than ever, Talktober is just what the professional world needs:

This is the time that men need to speak out. Don’t hold your feelings or emotions back, because the damage that can be done from that could be immense.

Many of Australia’s sporting and entertainment celebrities have thrown their support behind the campaign. These include the music greats of Daryl Braithwaite and Ross Wilson, sporting legends Matthew Richardson, Alan Davidson and Doug Hawkins, along with media personalities like Sam Newman, Tom Elliott and George Kapiniaris, just to name a few of the big names committed to talking to a buddy every day for the month of Talktober.

Another great program from the Male Hug group is their Let’s Chat program. This allows men to reach out and talk. Men who are feeling overwhelmed, anxious or worried can reach out and have a buddy call them back, text with them, or meet face to face, depending on their preference—the mantra being, ‘A problem shared is a problem halved’.

This fantastic organisation has wonderful ideas and initiatives which will benefit so many men and help remove the barriers many men face when seeking mental health help. I ask the minister to please meet with Mr Tony Rabah and hear from him and his team at the Male Hug.

It would be wonderful to see the government support this amazing organisation at a time when we need it the most. I can assure the minister that his time will be well invested, and he will be impressed with Tony Rabah and all that the Male Hug stands for.

LYREBIRD DRIVE–BALLARTO ROAD INTERSECTION, CARRUM DOWNS

Ms KILKENNY (Carrum) (6059)

My adjournment matter is for the Minister for Roads and Road Safety.

And the action I seek is for the minister to provide my constituents with an update on my 2018 election commitment to upgrade the intersection of Lyrebird Drive and Ballarto Road in Carrum Downs.
This upgrade is such an important safety issue for my local community, which is why I promised to fix it—to make it safer for residents whether driving, on foot or on bicycle.

I want to thank the local community for their continued interest in and advocacy for this important upgrade. And I look forward to receiving the minister’s update on their behalf.

**COVID-19 VACCINATIONS**

Mr TILLEY (Benambra) (6060)

I wish to raise a matter for the Minister for Health and the action I seek is for the health orders related to the government’s planned mandatory vaccination for authorised workers be released urgently.

This was announced last Friday, and here today, a week out from people being turned away from work for not complying, we are yet to see the updated health order. The situation is compounded on the border where workers can seek employment in other state jurisdictions where vaccination is not mandatory. Businesses are losing staff across the state line, often highly skilled, irreplaceable staff—one business says it is too much and will close after 23 years.

This Labor government has become known for announcing its plans and then having to go into the back blocks to work out exactly how it will be delivered. But once again the thought bubble for this action fails to reflect the lived experience for regional Victoria or the impact on cross-border communities.

Steve Nusser runs a small motor mechanic business in Wodonga. He takes pride in his team of long-term staff—they provide them with good remuneration and look after them. However, they do have staff who are vaccine hesitant and are not happy about being forced/coerced into being vaccinated. Those staff say they will leave and go across the border into NSW and get work there.

Sandra and her husband run a local tree care business near Wodonga. They have a small loyal staff. However, they too have some staff who are vaccine hesitant and have said that they would just quit and go across into NSW to work. Sandra says after 23 years in business, 18 months of managing through COVID, that this is the straw that breaks the camel’s back.

An agricultural cooperative and rural supplies retailer that has recently expanded into north-east Victoria says most of its staff are willing to be vaccinated. They have several under-20s who have not been able to get the vaccine but they are organising to fast-track them to get their first vaccination done by October 15. However, one is vaccine hesitant, and without the public health orders mandating authorised workers, they are unsure of what is required or if it can be enforced.

Richard Hamilton runs a 1000-cow dairy herd in north-east Victoria. He’s confused as to how this will work. Several of his staff are showing him videos with contrary information. He is going off news reports, comments from NSW MPs and social media gossip. He needs his workers to manage his property—he has staff who are vaccine hesitant and are refusing to be coerced into being vaccinated—he is not sure what to do and does not have the official line from the Victorian government.

I believe the best way out of this pandemic is for people to be vaccinated but respect that some people choose not to or have medical issues that make this impossible. The Premier last Friday said there would be exemptions on medical grounds, but again here we are eight days out from this being enforced and we have no idea what that entails.

These businesses are justifiably worried about their legal obligation.

You have made these demands, said it will come into effect on 15 October and yet fail to recognise the fallout and impact of your inefficiencies in providing the health orders that will give them direction and certainty.

**SMALL BUSINESS SUPPORT**

Mr BRAYNE (Nepean) (6061)

The action I seek is for the Minister for Small Business in the other place to provide an update on how many small businesses in my community of Nepean have received small business grants from the Victorian government this year.

The last two years have been incredibly tough on small businesses across the country, but I know that many small businesses on the Mornington Peninsula have felt the full brunt of the pandemic and the effects of social distancing.

As a community, we rely so much on visitors flocking to Point Nepean National Park, the wineries in Red Hill and across the hinterland, seaside holiday towns from Dromana to Sorrento, the hot springs in Fingal, and the beautiful shores of Western Port Bay—spending money at our small businesses!
Small businesses have done it extremely tough these past 18 months, and if there is anything the government can do to support this large section of my community, then we must—so I ask the minister how the Victorian government can assist small businesses on the Mornington Peninsula.

**LAKE BOGA SILO ART**

Mr WALSH (Murray Plains) (6062)

My adjournment matter is for the Minister for Public Transport.

I call on the minister to urgently intervene on behalf of the Lake Boga community so their silo art project can proceed as they want.

If it does, it will become an important destination as part of Victoria’s silo art trail.

V/Line is currently refusing the Lake Boga community access to paint their silo art on the eastern or highway side of the silo, where it has maximum exposure and will be easily seen by travellers.

On the highway side there is also a large, open, unused parcel of public land that is available to pull off the highway, especially for people with caravans, and view the silo art.

This positioning would complement, and increase visitation to, the other major tourist attraction in Lake Boga, the Lake Boga Flying Boat Museum.

V/Line is trying to force the Lake Boga community to put its silo art on the western side of the silo where it won’t be visible to passing travellers and there is no parking for viewing or photographing the silo art.

And V/Line is hiding behind a safety excuse in rejecting every approach to be able to paint on the east side.

Only two passenger trains use this track on a daily basis. The Melbourne to Swan Hill goes through Lake Boga at 12.12 pm and 10.38 pm. The Swan Hill to Melbourne goes through at 7.06 am and 1.47 pm.

And yet the only solution V/Line has for painting to go ahead on the east side is to provide a ‘train spotter’ who, for a mere $1300 a day, will leap to his feet four times and shout ‘train’.

As the project is expected to take about 30 days to complete, that’s a grand total of $39 000—which makes the project immediately unviable.

Regional Victoria needs every boost it can get, even more so for the smaller communities, and I would have thought any government would be doing everything it can to help.

Here is a go-ahead local group trying to do something to benefit their community, and by extension, the state, and yet once again it is running into nothing but roadblocks and disinterest.

**EARLY CHILDHOOD EDUCATION**

Ms HALFPENNY (Thomastown) (6063)

My adjournment question is directed to the Minister for Early Childhood.

The Thomastown electorate is situated in one of Melbourne’s growth corridors and is home to thousands of families with young children.

Can the minister update me on how preparations are going for the statewide rollout of three-year-old kindergarten in 2022 including in my electorate of Thomastown?

As well as the wonderful learning opportunities for children, I’m aware that this ambitious reform will create thousands of new jobs for teachers and educators and see the building or expansion of hundreds of early learning facilities.

What work is currently underway to ensure we have the workforce and infrastructure in place to ensure all children can benefit from this exciting initiative?

**PUBLIC HOUSING WI-FI**

Ms SANDELL (Melbourne) (6064)

I ask that the minister fund a pilot of free and accessible wi-fi in public housing properties across my electorate of Melbourne.

I recently met with representatives from Carlton Neighbourhood Learning Centre, Kensington Neighbourhood House and North Melbourne Language and Learning. Together, these organisations have worked hard over the past two years to support disadvantaged residents living in public housing and they have seen firsthand the impact that poor digital access has on our public housing communities.
This includes residents who have been cut off from their community because they can no longer participate in important social activities online, older people who do not have access to any source of information about COVID-19 apart from their radio, parents who can no longer continue their English-language classes or the local courses that they were previously enrolled in and people suffering from physical and mental ill health who cannot access important services such as telehealth appointments.

I know of large families with multiple school-aged children where the only device in the house is a mobile phone, or where the kids are trying to hotspot off mum’s mobile and then having their classes interrupted when someone calls or the data runs out. These are families who cannot afford to upgrade their plan, leaving kids unable to engage properly with remote learning.

While students have often been supported with loaned or free devices from their school, the government or community organisations, they still face difficulty in actually accessing the internet.

Disadvantaged students, who were already falling behind before the crisis, will have slipped further back.

Part of the problem is the cost of internet, but it is also how difficult and complicated it is to sign up to an NBN plan. I know I’ve even struggled to understand how to get a plan and what’s a good deal, let alone what to do when the internet doesn’t work! I can only imagine how difficult it is for many of our families in public housing who face multiple barriers.

There are a few options that the government could consider for a trial. Working with an NBN provider to provide free wi-fi to each public housing property and covering the cost would be a great place to start.

Or, if the government isn’t keen on this idea, you could subsidise the cost of wi-fi for public housing residents on a simple plan and employ staff in community organisations or neighbourhood houses to help all families who want to get connected, get connected, so there’s a one-stop shop for residents to overcome the complexities of accessing internet.

Public housing residents need high-speed, low or no-cost internet access so they can stay engaged, informed and ensure that, as Victoria works towards opening up, they are not unfairly disadvantaged due to the digital divide.

COVID-19

Ms McLEISH (Eildon) (6065)

I have a matter for the Minister for Education.

The action I seek is for the minister to review the Victorian COVID-19 road map restrictions to allow students at small schools located in the outskirts of metropolitan Melbourne and those not in lockdown in regional Victoria to return to school for the remainder of term 4.

I have been contacted by a number of small schools in my electorate, who have 50 students or less and are made up of composite grades, who wish to see all students return to school together.

The Liberal and Nationals’ plan from 11 October would have all regional students returning to school and returning to the classroom. A week later, on a staggered basis, metropolitan students would return to their schools, and a week after that all students would be back at school.

I am asking for small schools on the outskirts of metropolitan Melbourne with less than 100 or 50 students be allowed to return to school before 18 October.

Schools:

• To stagger the return of students per year level is simply not viable for small schools as many are made up of composite classes.
• In some schools there may only be one prep student or one grade 6 student.
• Small schools are more capable of maintaining social distancing and monitoring classes.
• Smaller schools traditionally have smaller class numbers.
• Students and school staff are from small communities.
• Many of the students in schools are siblings.

Issues:

• With the current road map, teachers of composite classes will have to teach some students in the classroom while teaching students online, in a separate year level, at the same time.
• This puts high demand on teachers to juggle this task, especially since small schools have limited staff numbers.
• This may result in students feeling left out from the classroom setting, alienated from the school community and becoming disconnected.

**Metropolitan Melbourne schools:**

• As the minister would know, as it is close to the Monbulk electorate, many schools on the outskirts of the metropolitan Melbourne border have 50 or less students.

• Throughout the Yarra Ranges and Nillumbik shires, there are seven primary schools with less than 50 students and one with less than 100.

• This is not a high number of schools. Allowing these limited numbers of students to return will make a big positive difference in the community and to students’ and teachers’ wellbeing.

**What needs to happen:**

• Road map review:
  Instead of blanketing all metropolitan Melbourne schools with the same road map, consider the individual school’s population, staff count and location.

• Allow schools in metropolitan Melbourne of 100 or 50 students and less to return at the same time.

• Treat schools as a bubble on a case-by-case basis.

• Open regional Victorian schools that aren’t in lockdown.

• Introduce rapid testing at schools.

• Students have missed over 160 days of school of being in class and face-to-face learning. Time to get them back into the classroom.

**BLACKBURN HIGH SCHOOL**

Mr HAMER (Box Hill) (6066)

My adjournment matter is for the Minister for Education.

The action I seek is for the minister to provide me with an update on the $10 million upgrade to Blackburn High School.

The centrepiece of this upgrade, which was funded in the 2020–21 Victorian state budget, is the delivery of a brand new STEM centre. It is not only my background as an engineer which excites me about the construction of this new facility. Fostering the skills of the scientists, engineers and mathematicians of tomorrow, as well as growing the ability to understand and apply data to develop solutions to complex problems, are not only important life skills but they deliver benefits for all of us—new technologies, developments in biomedicine, innovations in robotics and manufacturing technology to name just a few. Many of these disciplines are already taught through the existing Blackburn High curriculum, but the new and purpose-built space will deliver the new teaching and learning spaces that our kids and their educators deserve and will help even more students achieve their full potential.

Staff and students across my electorate have done a wonderful job in pivoting to remote learning over the last 18 months, and I want to congratulate and acknowledge the leadership of the principal of Blackburn High, Ms Joanna Alexander, for her leadership through this difficult period—which was made all the more challenging due to the sudden passing of assistant principal Mr Geoff Vezey earlier this year.

As we all look forward to opening back up in a safe way that best protects the health and wellbeing of Victorian schoolchildren and staff and getting back to school, there is good reason to look ahead and celebrate the bright future for the Blackburn High School community.