

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Wednesday, 14 September 2016

(Extract from book 13)

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HANSARD¹⁵⁰



1866–2016

Following a select committee investigation, Victorian Hansard was conceived when the following amended motion was passed by the Legislative Assembly on 23 June 1865:

That in the opinion of this house, provision should be made to secure a more accurate report of the debates in Parliament, in the form of *Hansard*.

The sessional volume for the first sitting period of the Fifth Parliament, from 12 February to 10 April 1866, contains the following preface dated 11 April:

As a preface to the first volume of “Parliamentary Debates” (new series), it is not inappropriate to state that prior to the Fifth Parliament of Victoria the newspapers of the day virtually supplied the only records of the debates of the Legislature.

With the commencement of the Fifth Parliament, however, an independent report was furnished by a special staff of reporters, and issued in weekly parts.

This volume contains the complete reports of the proceedings of both Houses during the past session.

In 2016 the Hansard Unit of the Department of Parliamentary Services continues the work begun 150 years ago of providing an accurate and complete report of the proceedings of both houses of the Victorian Parliament.

The Governor

The Honourable LINDA DESSAU, AM

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(from 20 June 2016)

Premier	The Hon. D. M. Andrews, MP
Deputy Premier and Minister for Education, and Minister for Emergency Services (from 10 June 2016) [Minister for Consumer Affairs, Gaming and Liquor Regulation 10 June to 20 June 2016]	The Hon. J. A. Merlino, MP
Treasurer	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Major Projects	The Hon. J. Allan, MP
Minister for Small Business, Innovation and Trade	The Hon. P. Dalidakis, MLC
Minister for Energy, Environment and Climate Change, and Minister for Suburban Development	The Hon. L. D' Ambrosio, MP
Minister for Roads and Road Safety, and Minister for Ports	The Hon. L. A. Donnellan, MP
Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans	The Hon. J. H. Eren, MP
Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries	The Hon. M. P. Foley, MP
Minister for Health and Minister for Ambulance Services	The Hon. J. Hennessy, MP
Minister for Training and Skills, Minister for International Education and Minister for Corrections	The Hon. S. R. Herbert, MLC
Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
Minister for Consumer Affairs, Gaming and Liquor Regulation	The Hon. M. Kairouz, MP
Minister for Families and Children, and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
Minister for Police and Minister for Water	The Hon. L. M. Neville, MP
Minister for Industry and Employment, and Minister for Resources	The Hon. W. M. Noonan, MP
Attorney-General and Minister for Racing	The Hon. M. P. Pakula, MP
Minister for Agriculture and Minister for Regional Development	The Hon. J. L. Pulford, MLC
Minister for Women and Minister for the Prevention of Family Violence	The Hon. F. Richardson, MP
Minister for Finance and Minister for Multicultural Affairs	The Hon. R. D. Scott, MP
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms G. A. Tierney, MLC

Legislative Council committees

Privileges Committee — Ms Hartland, Mr Herbert, Ms Mikakos, Mr O’Donohue, Ms Pulford, Mr Purcell, Mr Rich-Phillips and Ms Wooldridge.

Procedure Committee — The President, Dr Carling-Jenkins, Mr Davis, Mr Jennings, Ms Pennicuik, Ms Pulford, Ms Tierney and Ms Wooldridge.

Legislative Council standing committees

Standing Committee on the Economy and Infrastructure — Mr Bourman, #Ms Dunn, Mr Eideh, Mr Elasmarr, Mr Finn, Ms Hartland, Mr Leane, Mr Morris and Mr Ondarchie.

Standing Committee on the Environment and Planning — #Mr Barber, Ms Bath, #Mr Bourman, Mr Dalla-Riva, Mr Davis, Ms Dunn, Mr Eideh, #Ms Hartland, Mr Melhem, #Mr Purcell, #Mr Ramsay, Ms Shing and Mr Young.

Standing Committee on Legal and Social Issues — Ms Fitzherbert, #Ms Hartland, Mr Mulino, Mr O’Donohue, Ms Patten, Mrs Peulich, #Mr Rich-Phillips, Mr Somyurek, Ms Springle and Ms Symes.

participating members

Legislative Council select committees

Port of Melbourne Select Committee — Mr Barber, Mr Mulino, Mr Ondarchie, Mr Purcell, Mr Rich-Phillips, Ms Shing and Ms Tierney.

Joint committees

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

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

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

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

Environment, Natural Resources and Regional Development Committee — (*Council*): Mr Ramsay and Mr Young. (*Assembly*): Ms Halfpenny, Mr McCurdy, Mr Richardson, Mr Tilley and Ms Ward.

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

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

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

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

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

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

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

**MEMBERS OF THE LEGISLATIVE COUNCIL
FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

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The Hon. B. N. ATKINSON

Deputy President:

Mr K. EIDEH

Acting Presidents:

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Leader of the Government:

The Hon. G. JENNINGS

Deputy Leader of the Government:

The Hon. J. L. PULFORD

Leader of the Opposition:

The Hon. M. WOOLDRIDGE

Deputy Leader of the Opposition:

The Hon. G. K. RICH-PHILLIPS

Leader of the Greens:

Mr G. BARBER

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Morris, Mr Joshua	Western Victoria	LP
Bath, Ms Melina ²	Eastern Victoria	Nats	Mulino, Mr Daniel	Eastern Victoria	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFFP	O'Brien, Mr Daniel David ¹	Eastern Victoria	Nats
Carling-Jenkins, Dr Rachel	Western Metropolitan	DLP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Dalidakis, Mr Philip	Southern Metropolitan	ALP	Patten, Ms Fiona	Northern Metropolitan	ASP
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Davis, Mr David McLean	Southern Metropolitan	LP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
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Dunn, Ms Samantha	Eastern Metropolitan	Greens	Purcell, Mr James	Western Victoria	VILJ
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Elasmr, Mr Nazih	Northern Metropolitan	ALP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Shing, Ms Harriet	Eastern Victoria	ALP
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Springle, Ms Nina	South Eastern Metropolitan	Greens
Herbert, Mr Steven Ralph	Northern Victoria	ALP	Symes, Ms Jaclyn	Northern Victoria	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Wooldridge, Ms Mary Louise Newling	Eastern Metropolitan	LP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Young, Mr Daniel	Northern Victoria	SFFP
Melhem, Mr Cesar	Western Metropolitan	ALP			

¹ Resigned 25 February 2015

² Appointed 15 April 2015

³ Resigned 27 May 2016

PARTY ABBREVIATIONS

ALP — Labor Party; ASP — Australian Sex Party;
DLP — Democratic Labour Party; Greens — Australian Greens;
LP — Liberal Party; Nats — The Nationals;
SFFP — Shooters, Fishers and Farmers Party; VILJ — Vote 1 Local Jobs

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Wednesday, 14 September 2016

The **PRESIDENT (Hon. B. N. Atkinson)** took the chair at 9.35 a.m. and read the prayer.

PETITIONS

Following petition presented to house:

Domain railway station

To the Legislative Council of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council the many serious impacts of the cut-and-cover construction method for Domain station. Compared to using deep cavern mining construction, this means more extensive disruption for residents, local businesses and commuters. Cut-and-cover also means the destruction of each of the 223 trees in the construction zone.

The petitioners therefore request that the Andrews government use deep cavern mining construction for the Domain station, to minimise the impact on one of Melbourne's great boulevards during construction, and retain as many of St Kilda Road's trees as is possible.

By **Ms FITZHERBERT (Southern Metropolitan)** (4257 signatures).

Laid on table.

PAPERS

Laid on table by Clerk:

Auditor-General's Report on Meeting Obligations to Protect Ramsar Wetlands, September 2016 (*Ordered to be published*).

Crown Land (Reserves) Act 1978 — Ministerial Order for approval in relation to Flagstaff Gardens granting a licence, dated 28 August 2016.

Independent Broad-based Anti-corruption Commission — Report, 2015–16 (*Ordered to be published*).

Statutory Rules under the following Acts of Parliament —

Building Act 1993 — No. 114.

Magistrates' Court Act 1989 — No. 115.

MINISTERS STATEMENTS

Animal welfare

Ms PULFORD (Minister for Agriculture) — On Sunday the government released a draft action plan to improve animal welfare in Victoria. The draft plan was developed through the expert Animal Welfare Advisory Committee, with input sought from key groups and organisations, and this work has been led by the

member for Pascoe Vale in the Legislative Assembly, Lizzie Blandthorn, who is doing a terrific job as a Victorian government ambassador for animal welfare.

The plan has three key areas for action: ensuring Victoria has contemporary animal welfare laws, because I think it is time to review and refresh our 30-year-old legislation and ensure we have laws in place that are contemporary and meet modern practices; that collaborative approaches underpin knowledge, commitment and investment in animal welfare, because animal welfare is a shared responsibility; and compliance and enforcement that are efficient and effective, because people need to be aware of their responsibilities through education and know that the rules will be enforced if they ignore them.

The welfare of our animals, be they pets, animals bred to produce our food, those used in sport and entertainment, or wildlife, is important. It is important to the community, to our animal industries and to the economy. Industry leaders know that improved animal welfare makes good commercial sense, because it matters to consumers and because it matters to export markets. Animal welfare is a high priority for the Andrews Labor government. Community expectations have changed in recent years, and the government is very well aware of the need to recognise current efforts by industry and achievements and to support future improvements.

Family violence

Ms MIKAKOS (Minister for Families and Children) — I rise to update the house on the Andrews Labor government's continued commitment to implementing the recommendations of the Royal Commission into Family Violence. On 2 September I was proud to announce an \$87 million funding boost for family violence services across the state, implementing a number of those recommendations. Of this, more than \$45 million is allocated to boost client support, more than doubling the capacity of specialist family violence services to offer case management to family violence victims. We know how important the safety and security of victims of family violence is, and helping them find stable and suitable housing or access legal and financial practical supports is crucial to supporting them to move on and to recover. At least 9000 women and children are expected to benefit from additional case management services this financial year.

We have also provided \$17 million in 2016–17 to flexible support packages for victims of family violence, a 480 per cent increase on existing funding levels. More than 5000 additional packages will

become available for practical supports including rental or relocation costs, furnishings, clothing and books for children. Over \$6 million will address sexual assault waiting lists across the state, providing more care, counselling and advocacy. We know the lasting impact that family violence and sexual assault can have on children, so through this package we have continued to prioritise support for children who have experienced sexual assault. There is also over \$5 million in 2016–17 to allow more than 1900 men who use violence to receive the support they need to change their attitude through men's behaviour change programs. Continued investment of over \$5 million will also ensure that more than 1000 women and children continue to receive the counselling support they need.

Victoria is leading the nation in terms of its response to family violence. We are delivering on more services to meet the existing and growing demand, doing more to keep women and children safe and providing more opportunities for perpetrators of violence to change their behaviour.

Asylum seekers

Mr HERBERT (Minister for Training and Skills) — I rise to inform the house of the massively expanded support the government is giving to asylum seekers and temporary protection visa holders in Victoria to gain training, skills and qualifications to get a job. Currently there are about 11 000 asylum seekers or temporary protection visa holders across Victoria who came into this state between 2012 and 2014, before the changes involving offshore processing et cetera that happened at the federal level.

We have been providing some funds over the years for asylum seekers — up to 300 positions to get training a year. I do not believe that is good enough. These people are here. Many of them will go on to the Safe Haven Enterprise Visa system to get visas to work in country Victoria. They are a large part of our community. Quite frankly, they came here to work, they can make a positive contribution to our community and we should be ensuring that they are in fact part of our workforce while they are here.

The funding I have announced is \$15 million to provide 3000 asylum seekers with qualifications over the next two years. The funding will also support the Asylum Seeker Resource Centre, which will refer asylum seekers and refugees to Victorian TAFEs, private training providers and Learn Local organisations to do their training after they have been assessed.

Some refugees of course have additional needs to be met before they can go straight into it; they come from war-torn countries, in many cases. The Asylum Seeker Resource Centre, as well as referring, will provide additional support and professional development to trainers in TAFEs, in the training systems, to give them the specific skills that are needed in training and teaching asylum seekers and refugees. A customised language and literacy program to support reading and writing skills will also be part of this program.

Can I say that this is a good initiative, not just for asylum seekers and refugees but for Victoria, because it will ensure that these people play their part in our growing workforce and our economic development.

MEMBERS STATEMENTS

Religious freedom

Mrs PEULICH (South Eastern Metropolitan) — I would like to take the opportunity to make a few passing remarks on the importance of religious freedom as one of the critical elements of our democracy. Part of that celebration of religious freedom is a celebration of various religious festivals, including Ganesh Chaturthi, which was recently celebrated by our Hindu community. Currently of course the Muslim community is celebrating the beginning of Eid al-Adha, which is a celebration of accomplishments and thanksgiving, including of course acts of charity to assist those who have suffered misfortune.

African community

Mrs PEULICH — I note the comments made by Mr Herbert about the government making funding available for asylum seekers to access training. One funding commitment that is required to be made by the government is towards the project officer position identified as a need in the African community's strategic plan, which was developed and launched last week in Kensington. It represents the African community stepping forward to take a lead on some of the issues and challenges facing their community. I was disappointed to hear that the funding that is available through the cohesion and resilience grants will not be made available to this important initiative. I call on the government to rectify this as soon as possible and make funds available so that the African community leaders, who have invested a lot of time and effort in developing this plan, showing leadership and taking responsibility for those issues which are theirs, can be assisted in coming to terms with those challenges.

Ice Meltdown Project

Mr BOURMAN (Eastern Victoria) — The Ice Meltdown Project contacted me very early in my parliamentary term asking for a meeting. Given my background I was not too sure what to make of this, but I met with Janice and Megan to hear them out. After a chat I got where they were coming from. I do not believe that we can enforce our way out of the ice problem, nor do I believe that we can be all soft and treat the problem as purely social. It is a mix of the two. The main part of rehabilitation is willing participation.

Last week I attended a community meeting in Drouin and heard from recovering addicts and their helpers. The meeting was well attended, and I reckon it was a raging success. Ice is a massive problem in regional Victoria, and increasing police manpower will be a great start, but organisations such as the Ice Meltdown Project and Foundation 61 are also a part of the solution. I commend Janice, Megan and the team for the effort they are putting in to help minimise the impact of this drug.

Casey City Council

Ms SPRINGLE (South Eastern Metropolitan) — I would like to respond to the vast number of emails members have received in the form of a petition about a perceived crime wave sweeping the Casey municipality. It is true that the latest crime statistics data does show an increase in the last year in some offence categories in Casey, in particular theft, robberies and burglaries.

The petition has been drafted by Casey City Council, and it calls for some truly extraordinary measures, including the internationally illegal deportation of dual citizens who commit criminal offences. This is very unfortunate because Casey City Council has missed an opportunity to show real leadership here. Instead Casey council has succumbed to the populist temptation to stoke the fires of ignorance, racism and bigotry with its misguided and divisive petition.

People in Casey do have concerns, especially given the sensationalist nonsense they are reading in the *Herald Sun* about the so-called Apex gang of youths when official crime statistics clearly show that people under 25 are not responsible for the increase in reported offending across the state. Local, state and federal governments must show leadership by implementing evidence-based policies that work to both reduce offending and build a more cohesive and safer community.

Monica Hayes

Ms TIERNEY (Western Victoria) — Monica Hayes, a friend and constituent in western Victoria, passed away on 26 August. Monica was a community activist extraordinaire, an outstanding exemplar of commitment and advocacy in her communities — in Essendon when she was a councillor and mayor, and on the Bellarine from 2001. Monica was a social reformer and an agent of change, especially locally. She founded and led innovative groups seeking practical improvements. Staying Put in Portarlington advocates for positive ageing in place and the establishment of age-friendly communities, reflecting Monica's lifelong ideals and ethos that we should bind together to care for each other.

A career in clinical psychology provided insight into the importance of solutions to the dangers of isolation and exclusion from locality and community. Monica led inclusively and championed respectful relationships in all arenas. Her strength, resilience and determination meant that she put her hand up in challenging situations, inspiring many. As a committed feminist Monica constantly supported women in local democracy and leadership roles. The City of Greater Geelong's inaugural Women in Community Life Award in 2015 and the Monica Hayes award for women in the north Bellarine recognise Monica's work.

Monica's pragmatic approach guided the way she approached motor neurone disease, embracing end-of-life choices and continuing to advocate for advance care planning. Monica was a dedicated ALP member, an office-bearer to the last and a regular campaigner. It was an honour to attend the Portarlington celebration of Monica's life, where it was so clear that Monica touched the hearts of so many people as a friend, a community activist and a party member. Deepest condolences to Monica's husband, Geoff Farey, and children, Sam and Rebecca. Vale, Monica Hayes.

Latrobe Valley girl guides

Ms BATH (Eastern Victoria) — The girl guide mission is to empower girls and young women to grow into confident, self-respecting, responsible community members. The girl guide movement is certainly flourishing in the Latrobe Valley. Recently I had the pleasure of sharing my experiences of my trip to Japan and Korea with the Morwell, Newborough and Traralgon girl guides groups and their families. The girls inquired about Asian food, pop culture and traditional costumes before embracing the hands-on art of origami. I thank the girl guide leaders for their

expertise and ongoing dedication. One such beautiful lady's name is Kangaroo and her normal name is Zelma. She has been a guide leader for decades and has embraced the spirit of friendship, collective participation and enthusiasm with the girls. So it is with sadness I acknowledge the passing of her husband of 55 years, Bob, and I send my condolences to Zelma and her family.

Emily Beecroft

Ms BATH — Latrobe Valley is also home to a sporting champion competing in the Paralympics — today, in fact — in Rio. Congratulations to Emily Beecroft on making her first final and finishing equal sixth overall in the pool in the women's freestyle yesterday. Today Emily finished fourth in the 50-metre freestyle, and she competes tomorrow in her pet event, the 100-metre butterfly. Emily and her parents, Garry and Lauren, coach Dean Gooch and Traralgon Swimming Club head coach Brian Ford have worked very hard for many years for this wonderful achievement. She is an outstanding and unassuming young lady and a beautiful champion, and I congratulate her.

Caulfield Racecourse Reserve

Ms PENNICUIK (Southern Metropolitan) — Last weekend the Minister for Energy, Environment and Climate Change announced that the trustees of the Caulfield Racecourse Reserve Trust (CRRT) had been asked to resign and that an independent, modern governance structure would be set up following the report of the bipartisan working group of the Caulfield Racecourse Reserve (CRR). The working group, made up of David Southwick and Steve Dimopoulos from the Legislative Assembly, and independent chair Mr Ken Ryan, confirmed what the community has known for years: that the CRR has been run by the Melbourne Racing Club (MRC) by delegation from the CRRT, which is stacked with racing figures almost exclusively in the interests and profit of the racing industry, and the public has been shut out of its own land for decades.

City of Glen Eira councillor Jim Magee, who has been a tireless advocate for change, recently tweeted a copy of an article in the *Argus* of 1906 where the community called for the sacking of the trust and more public access to the land that was being co-opted exclusively for racing. I was surprised to see the report open by stating that governance and operational issues have been raised over several years by the member for Caulfield, the local community, the City of Glen Eira, the CRRT and the MRC. Other members of Parliament, including me, have also been raising these issues over

many years, as indeed has the local community and the Glen Eira council. The members of the CRRT and the MRC have up until now been resistant to change. I would think that such a report should aim to be more accurate and balanced in this regard.

The working group has found that the CRRT has not taken sufficient action to address the Victorian Auditor-General's Office's recommendations of 2014. All stakeholders now agree that a new independent structure should be set up. It has to be acknowledged that this is a breakthrough. Whatever happens, it must tip the balance in favour of the community. For too long the interests of racing have prevailed and millions of dollars have been siphoned into racing from its virtually unfettered and unaccountable use of public land.

Family violence

Mr MELHEM (Western Metropolitan) — I rise to highlight to the house that the Andrews Labor government is getting on with implementing the recommendations of the Royal Commission into Family Violence. About two weeks ago the Minister for Families and Children and the Minister for Housing, Disability and Ageing announced a funding boost of \$87 million to family violence support services in Victoria. This investment includes \$45.6 million over two years to boost specialist family violence client support; \$17 million in 2016–17 for flexible support packages; \$6.4 million over two years to support adults, young people and children who are victims of sexual assault; \$5.2 million in 2016–17 for men's family violence services; and \$5 million over two years for counselling for women and children.

The funding will more than double the capacity of specialist family violence service providers to offer case management to family violence victims and will provide a 480 per cent increase in flexible support packages. This funding will do much to assist my electorate of Western Metropolitan Region. For western Melbourne this boost equates to \$3.5 million, and \$2.8 million for the Brimbank-Melton area. Demonstrated by this boost in funding, the Andrews Labor government is determined to ensure family violence agencies are able to offer women and children the support they need in my electorate and throughout Victoria.

Geelong Memory Walk & Jog

Mr RAMSAY (Western Victoria) — I was delighted to join 600 walkers, joggers and runners at Barwon Valley Park on Sunday morning to participate

and support the Memory Walk & Jog hosted by Alzheimer's Australia Vic. Victorian chairman Neil Samuel was in his running shorts with many other brightly coloured lycra-clad fitness fanatics raising awareness and funds to help fight the onset of dementia in our communities.

Country Fire Authority Barwon Heads brigade

Mr RAMSAY — I also attended an awards ceremony at the Country Fire Authority (CFA) fire station at Barwon Heads on Sunday to see 44-year-long serving CFA volunteer John Crozier, who has served in many brigades and in many leadership roles, from communications officer to captain, receive a life membership service award. Congratulations to John and other CFA volunteers who were acknowledged for their service contributions to the Barwon Heads CFA brigade.

The Age Good Food Guide awards

Mr RAMSAY — Congratulations to Brae restaurant, Birregurra, and chef Dan Hunter for being named best restaurant for 2017 in the *Age Good Food Guide* awards. Congratulations also to Geelong's IGNI for winning Santa Vittoria Regional Restaurant of the Year and Citi Chef of the Year. Two hats were awarded to Dunkeld's Royal Mail Hotel, Inverleigh's Gladioli, Geelong's Tulip Bar and Restaurant and Aireys Inlet's á la grecque. It means that we are in good hands in relation to good food in Western Victoria Region.

Doctors in Secondary Schools

Mr EIDEH (Western Metropolitan) — I was pleased at the recent announcement of the Doctors in Secondary Schools program. The Doctors in Secondary Schools program will put GPs into 100 Victorian secondary schools for up to one day a week. The program will be targeted at schools facing disadvantage and specific health concerns, including mental health and wellbeing. Constituents within my electorate face serious health issues, many related to socio-economic status and social choices, which is why this initiative is so important. This program will target teenage children to make a positive impact on all aspects of their health to encourage a healthy youth and adulthood.

The Victorian budget of 2016–17 provided \$43.8 million for Doctors in Secondary Schools, which allows students to make appointments with a doctor located on school grounds. Under the program \$25.8 million will go to recruiting and training GPs as well as staffing and operational costs, while a further \$18 million will build examination rooms on school

grounds. Thousands of Victorian students will be able to better access health care through this program at no cost to the students or their families. I am very pleased that a number of schools within my electorate will be benefiting from this program, including schools in Tarneit, Hoppers Crossing, Taylors Lakes, Keilor Downs, St Albans, Delahey, Sunshine, Footscray and Braybrook.

Nathalia Secondary College

Ms LOVELL (Northern Victoria) — Last Friday I had the pleasure of visiting Nathalia Secondary College as principal for a day, where I had the opportunity to walk in principal Helen Ginnivan's shoes for a few hours, interacting with the students and just enjoying the school and its clear values: caring, learning, excellence, accountability and respect.

I was highly impressed with the quality of learning at the school and was particularly impressed by the years 9 and 10 intensive subjects that include making wood-fired pizza ovens, a sustainability class that made an Aboriginal bark canoe and a landscaping class that was installing high-tech drainage to parts of the school grounds.

It was an absolute pleasure to be principal for a day at Nathalia, and I look forward to visiting the school again soon.

Australian National Piano Award

Ms LOVELL — Over the past week Shepparton has been home to the 13th biennial Australian National Piano Award competition. Eleven of the nation's best pianists aged 21 to 35 competed for the prestigious \$25 000 first prize.

I would like to congratulate Melbourne pianist Peter de Jager, who won \$13 000 for second place, and Brisbane pianist Oliver Che, who won \$7000 for third place. But most of all I would like to congratulate Sydney pianist Tony Lee, whose outstanding performance of the music of Beethoven, Camille Saint-Saens and Sergei Prokofiev won the prestigious first prize.

I would also like to thank the City of Greater Shepparton and the local families and businesses that donated the prize money that makes this award so highly sought after. I would also like to make mention of Peter de Jager's amazing rendition of *My Favourite Things*, which was my favourite piece performed in the competition.

Ambulance Museum Victoria

Mr LEANE (Eastern Metropolitan) — I was very pleased to join the Minister for Health, Jill Hennessey, at the 45-year anniversary celebration of mobile intensive care ambulance (MICA) services. This was in Bayswater at the ambulance museum, which is maintained by some retired paramedics. It is a fantastic facility, and it was great to be able to talk to a number of retired MICA paramedics about their experiences in actually saving people's lives. They should be commended, and it was well worth celebrating.

As I said, this museum is maintained by some retired paramedics, and they put a lot of love and effort into maintaining this museum. There are some fantastic old ambulances there which they have restored and brought out to basically as good as new condition. I have got to say my favourite one was the V8 Chrysler.

Mr Dalla-Riva — Hear, hear!

Mr LEANE — Back in the day probably people would break their legs to get into this particular car! I would encourage Mr Dalla-Riva, a car enthusiast, to go down and have a look. It is in Bayswater; it is fantastic.

Gang violence

Ms CROZIER (Southern Metropolitan) — The Andrews government has completely lost control of law and order in this state. Only yesterday reports of girls aged 12 to 13 being recruited into gangs were absolutely shocking. These are young girls who are extremely vulnerable, yet they are being recruited into these gangs.

Violent gangs are becoming more prominent in suburbs right across Melbourne and now in other parts of regional Victoria. What is concerning is that these gang members have no regard for the law and no respect for those police officers who every day have worked to ensure our communities are safe. Police are calling on the government to provide more resources to assist with this increasing crime wave across Victoria.

What is also concerning is the disregard shown by many young offenders within the youth justice system. The youth justice system is in complete crisis. In the past year there have been numerous riots and staff fearing for their safety and saying the youth there are more dangerous than if they were in an adult jail.

Only this week for three nights running damage was done to the Melbourne Youth Justice Centre: rooms trashed, doors damaged and windows smashed. On Saturday night staff had to barricade themselves in to

protect themselves from rampaging youths. The damage bill is expected to be in the hundreds of thousands of dollars — break-ins into offices, and the list goes on.

This is completely unacceptable. The government has had numerous reviews and still has not been able to bring this dire situation under control. It demonstrates yet again that the government has no capacity to control law and order in Victoria, and all Victorians deserve better than this.

Daniel Andrews needs to provide the support to police, provide the necessary resources to the youth justice system and ensure that these young offenders understand the consequences of their actions.

Equal Pay Day

Ms SHING (Eastern Victoria) — I rise today to refer to Equal Pay Day, which took place on 8 September. It is unfortunate that, given the start of the financial year, it has taken until 8 September in comparative terms for women to earn the same amount of money as their male counterparts earned in the previous financial year. We continue to have a gender pay gap, and it is something which we need to continue to strive to remove and to reduce to the best extent possible. It is also crucial that we make sure that we continue to push for advances in proactive and positive workplace reform to assist women to return to the paid workforce after having children, to encourage them to be able to accrue retirement income in the form of superannuation to take care of them and to avoid, wherever possible, poverty in their older age.

We have also made sure that there have been significant changes to family violence leave and to making sure that women who have primary caring responsibilities in the community are not on their own, to the best extent possible, when faced with often difficult financial and emotional challenges associated with fleeing or escaping a situation of family violence. Part of the work that we are doing is geared towards maintaining vigilance on the gender pay gap and to making sure that we as a state do our very best to counter that.

Doctors in Secondary Schools

Ms SHING — In other news I would like to make reference to the very positive outcomes that will be driven by the introduction of doctors in schools in Gippsland. We will have a significant benefit, going through to Bairnsdale Secondary College; Swifts Creek P-12 School; Kurnai College, Morwell; Traralgon College east campus; Maffra Secondary College; Sale

College; Drouin Secondary College; Neerim District Secondary College; and Warragul Regional College as a consequence of this important announcement.

RULINGS BY THE CHAIR

Questions on notice

The PRESIDENT — Order! That completes members statements. Can I indicate that Ms Hartland has contacted me, asking me to reinstate a number of questions. I have reviewed those questions that she sent to me, and for the most part I am actually satisfied that the ministers' answers are responsive to the questions, and therefore I would not be seeking to reinstate most of the questions that she brought to my notice. However, in respect of question 5281, I believe that that question could be answered more appropriately, and so I reinstate that question. I would indicate that in regard to question 5354, I plan to do some further discovery as to whether or not information that the minister has indicated is available on the website is indeed accessible on the website before I make a determination on that particular question.

Committee legislation referral

The PRESIDENT — Order! I might also take this opportunity to reflect on yesterday, and I think the Clerk has had a discussion with a couple of the party leaders. It occurs to both the Clerk and me that we have a process available to us where certain legislation can be referred to our committees and dealt with in the committee system. Where there are a lot of amendments or indeed a lot of queries about a particular piece of legislation, that would allow for that to be progressed in the committee system. It is something that has been in place for a number of parliaments now, not just this Parliament, and it does afford an opportunity for the house to deal with other legislation while in fact these fairly complex bills are evaluated by members and brought back to the house by way of report to allow the house perhaps to deal with them more efficiently.

It obviously provides an opportunity for better examination of those bills in terms of the support staff to a minister, and I think that in the case of some other legislation that might come before the house in the future the house should perhaps give consideration to whether or not that process, which is available to us under our standing orders, might be used to deal with some pieces of legislation and ensure greater efficiency in the house.

Obviously one bill for a day is not a great outcome for the government, but I do indicate that I think yesterday's debate was a very good debate, a very good committee — a committee that actually addressed a number of quite significant issues in a very respectful way and a way where the minister was actually very helpful to the committee, and I think it was a positive committee, so I am not reflecting adversely on the proceedings of yesterday; I think they were very constructive. I just indicate that there is another opportunity for us that I think might be worth considering at other times.

JOINT SITTING OF PARLIAMENT

Legislative Council vacancy

Ms WOOLDRIDGE (Eastern Metropolitan) — I move:

That this house meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Mr Damian Drum and proposes that the time and place of such a meeting be the Legislative Assembly on Wednesday, 14 September 2016, at 6.45 p.m. or, at the latest, on Thursday, 15 September 2016, at 4.45 p.m.

Once again we find ourselves in this chamber for a third week running debating whether the Victorian Labor government and the Victorian Parliament will adhere to the requirements of the Victorian constitution. This motion covers ground we have debated time and time again over the last few weeks, and it is actually about addressing the recalcitrance of the Andrews government to fulfil the requirements of the constitution. At the heart of it is the contempt with which this Labor government are treating this Parliament and the contempt with which they are treating this chamber, but most importantly, the contempt with which they are treating the 500 000 people of northern Victoria.

It is a very straightforward process to have a joint sitting to appoint a member who has rightfully been chosen by their party to fill a vacancy, but this government now has set, and continues to set, a very dangerous precedent when it comes to filling casual vacancies in the chamber. That the filling of a casual vacancy can be held hostage to the political dynamics, debates and situations of the day is essentially what this government continues to support and week after week continues to actively promote as happening — the constitution is traded off against the political dynamics of the day and of the party.

This government should be better than that. This government should be able to uphold the Victorian

constitution and should be able to support the wishes of this house, which have clearly been passed with no division. The government members in this chamber have not had the courage to back their position and vote against this motion — they support it — but in the first instance it was denied in the lower house and returned to this chamber, and last week's motion was left sitting languishing on the notice paper. I think this continues to be a very sad reflection on this Labor government and their treatment of Victorians, their treatment of this Parliament and their respect for the constitution. John Lenders said it very clearly at the time when this issue was debated. As I have said before, he said:

... a government that refused to convene a joint sitting would deservedly be held in contempt by the Victorian public.

This is a government that deserves that contempt, especially from rural and regional Victorians.

We are not canvassing new ground, because this is the third similar motion that we have had in relation to this, but I do want to take a moment to reflect on some of the comments that we have heard from the Deputy Leader of the Government, Ms Pulford, in relation to these arguments. She has said:

Custom, practice and convention — all of these things — dictate in this house that it is the Leader of the Government that moves this motion.

That is correct, but custom, practice and convention have also been in place for many things, and when situations change so too do the requirements of this house. In fact on acting arrangements and changes to acting arrangements to the ministry, it has always been the Leader of the Government that informs the chamber as a courtesy, yet just yesterday we saw Ms Pulford break that practice and inform the house of changes of ministry practice, so when situations change, so too can the conventions and practices. What we see is the hypocrisy of the preparedness to do it in one circumstance but to hide behind it in another circumstance.

The custom, practice and convention normally apply to the government adhering to the standing orders of this chamber, but that has been thrown out by this government not being prepared to utilise the standing orders with an independent arbiter to assess the documents claim. The custom and practice in upholding the Victorian constitution should apply, but this government is ignoring it as well.

There is no requirement in our standing orders that the Leader of the Government moves the motion for the joint sitting, and for the deputy leader to come into this place and claim that the customs, practices and

conventions of this chamber must be upheld and that that is why we cannot have a joint sitting, while trampling over customs, conventions and practices in a whole range of other areas, such as the standing orders and the conventions — and even as simply as yesterday announcing the acting arrangements — is another clear example we see time and time again of the Andrews Labor government saying one thing and doing another. The rhetoric does not match the practice, and we have a classic example here again.

Ms Pulford has also said that the government will be providing a briefing to the opposition next week. That was in last week's debate. If indeed there is some desire by the opposition to engage in a sensible discussion about these matters, we look forward to those discussions. It may be of interest to the deputy leader and in fact the entire chamber that last week we did have a meeting. The coalition had a meeting with Mr Jennings, with representatives of the Department of Premier and Cabinet and also with the Victorian Government Solicitor's Office. We had very good discussions about how an independent arbiter process could be improved and also how you would assess a public interest test. There was a very good spirit, there were very constructive discussions and there was very clearly a responsibility left in Mr Jennings's court to discuss this with his colleagues and to come back with some proposals and some ideas about how that might be progressed. In fact we left the meeting thinking that maybe we would have a response and that there may be some resolution or some way forward to resolve some of these issues, which is what we have always sought. Documents or a document process will enable us to fulfil the requirements of the resolution of this house and lift that suspension so that Mr Jennings could return. Unfortunately what we have had is deathly silence ever since.

There has been no progress, and I suspect, as we said last sitting week, that it is not Mr Jennings who does not want to progress this but in fact his cabinet colleagues, who are limiting and constraining his ability to provide a constructive solution to the impasse that we have in relation to those documents motions. We encourage not only Mr Jennings, who has engaged constructively in discussions, but in fact the entire Labor cabinet to get on board to try to resolve this situation, because the fact is that this is a choice of the government. This is a choice of the government about whether they wish to resolve a situation about a documents process that will be enduring for this Parliament and parliaments in the future, but there has been absolutely no response, no progress, when the ball is clearly in the government's court.

Ms Pulford has also said, ‘It is incumbent upon all of us to take a better approach and a more responsible approach’, and we could not agree more. This is a responsible approach. The government is hell-bent on bending the rules in this chamber — and not only in this chamber but more broadly of course with the constitution. It is deliberately and purposefully preventing an endorsed nominee from accessing his parliamentary and electorate office in northern Victoria, from setting up his parliamentary email address, from preparing business cards and letterheads, from having signage printed and even from formally talking to the Department of Parliamentary Services. Mr O’Sullivan is waiting to represent the community of Northern Victoria Region, which he has been selected to do, and this government is repeatedly not allowing him to fulfil that most basic responsibility. So when it is incumbent to take a better approach and a more responsible approach, I would say once again to Ms Pulford: this is again about your government upholding the constitution and upholding the responsibilities that you have as government to hold a joint sitting so that a member can be sworn into this place.

Ms Pulford has also said:

... Mr Jennings, somebody who, as members in this place know, has a deep commitment to transparency, a deep commitment to reforming the structures and functions of government and the Parliament to make government more accountable and to make government better.

I concur with that. I think Mr Jennings does want to improve that situation, but what we are clearly seeing is that the Andrews Labor government does not. They push back at all times, and they are not engaging in a process to try and resolve the impasse in relation to the documents that are outstanding and Mr Jennings’s situation. We had a clear commitment from this government pre-election to be accountable and transparent, but in fact what we are seeing is quite the opposite. The parliamentary legacy of Mr Jennings that Ms Pulford speaks of is being eroded by his own side. It is the Labor Party that are undermining their leader in this place, not engaging to progress on the documents situation and leaving him outside this Parliament.

I have argued this case because the Labor Party continues to link these two issues, but I have to say very clearly that these issues are not linked. As you have said yourself, President, they are two different issues — separate issues. On the documents side of things we are engaging; we are prepared to commit to a longstanding process. We want to actually resolve and improve the process that is in our standing orders currently which the government refuses to engage in, but it is

government members that are holding themselves back and their interest in progressing on this matter.

That aside, because it is not linked, we have the fundamental issue at heart here which is that Mr O’Sullivan has been chosen by The Nationals to fulfil the vacancy left by Mr Damian Drum, to sit in this house and to represent the people of Northern Victoria Region, and week after week the Labor government continues to thwart his capacity to do it. They will not follow the standing orders, they will not follow the constitution and they will not hold the joint sitting so that Mr O’Sullivan can be sworn in. This is fairly simple for Labor and fairly simple for the government benches. This could be resolved this afternoon, and that is what this motion seeks — that we resolve this issue this afternoon with a joint sitting so that Mr O’Sullivan can be sworn in and represent his community and represent the people of northern Victoria. Simultaneously but not linked, we continue to engage and continue to be prepared to resolve the documents situation so that Mr Jennings, too, can return to this chamber.

This is an important motion. It is not new. This is the third time we have debated it, and very clearly we need the support of the government to hold the joint sitting so that Mr O’Sullivan can take his rightful place. We encourage the government, who tacitly support it by not dividing in this house and then passively aggressively sit it on the notice paper and refuse to progress it in the lower house and to get their colleagues on board, do the right thing, uphold the constitution and have the joint sitting.

Ms Shing interjected.

Ms WOOLDRIDGE — We are just hearing from Ms Shing, ‘You go first’. This is not a game of Mexican stand-off; this is an issue about —

Honourable members interjecting.

Ms WOOLDRIDGE — Ms Shing and the Labor Party might think this is a joke; they might think this is fun and games. That is absolutely not the case. This is a serious issue about upholding the constitution in relation to putting a member into his seat in Parliament. We do not joke about it; it is not fun and games. We seek through this motion to have the joint sitting so that Luke O’Sullivan can represent the people of northern Victoria. I encourage the support of this house.

Ms PULFORD (Minister for Agriculture) — Ms Wooldridge correctly states that this is a debate we have had a number of times in this place — three times in three weeks. Ms Wooldridge also said that there is

absolutely no relationship between the matter of the joint sitting and the suspension of the Leader of the Government and then proceeded to speak at some length about how the two were related.

We regard a joint sitting as a significant event, and we believe that the Leader of the Government ought to be able to attend. This is the fifth week that the Leader of the Government has not been in the chamber because the Liberal-Greens alliance sought to suspend him for upholding obligations that he has as a member of the executive. The matters surrounding the release of documents have been well canvassed in this place, but I think all members in this place should be well aware that this government has released more documents than any before it and certainly significantly more than the previous government, a government in which Ms Wooldridge served as a member of the executive, so it is worth noting that the hypocrisy has not diminished at all with time.

The suspension of Mr Jennings is extraordinary. Suspensions on previous occasions have been measured in hours rather than in months, and as it stands, this suspension is proposed to take effect until December of this year. The Leader of the Opposition comes in here expressing great dismay on behalf the voters of Northern Victoria Region but none whatsoever for the voters of South Eastern Metropolitan Region, again breathtaking hypocrisy when those members are denied their representation in this place as well.

I would like to move an amendment to Ms Wooldridge's motion, and I ask that it be circulated.

Government amendment circulated by Ms PULFORD (Minister for Agriculture) pursuant to standing orders.

Ms PULFORD — I will read it so that everyone is clear about its intent. I move:

That all the words after 'Legislative Assembly' (where secondly occurring) be omitted with the view of inserting in their place 'on the day following the day on which this house rescinds the resolution of the Council of 25 May 2016 "Production of documents — Suspension of the Leader of the Government" pursuant to standing order 7.07.'

That is the amendment I am seeking the support of the house for today. This amendment will enable the Leader of the Government to attend the joint sitting; this will enable the Leader of the Government to move the resolution, as is the custom and practice, to request the Assembly's agreement to a joint sitting. These matters are related, as Ms Wooldridge has indicated in her own comments and as members have in previous contributions in this debate in this place.

Ms Wooldridge — On a point of order, Deputy President, the Deputy Leader of the Government is misrepresenting what I said and misleading the house, and I ask you to ensure that she is correct in her statements. At no stage did I say there was any linkage. I argued about two separate processes and quite explicitly outlined that they were not linked, as the President has also ruled. I ask you to ask the Deputy Leader of the Government not to mislead the house.

The DEPUTY PRESIDENT — Order! There is no point of order.

Ms PULFORD — Thank you, Acting President. We seek a resolution, as does the opposition, of these matters.

Ms Wooldridge interjected.

Ms PULFORD — We do. Trust me. We would very much like the Leader of the Government to be returned to his duties in the house. We would very much like the legislation for which he is responsible, including the Transparency in Government Bill 2015 about ambulance time reporting and other matters, to be able to be considered by the house. We would very much like for the Leader of the Government, who as the Special Minister of State has a unique role in coordinating whole-of-government activity across a range of very important areas of public policy, to be able to be here in question time to answer the questions of the crossbenchers and the Greens and the coalition members on matters of the day. We would also like the ministers that Mr Jennings represents in this place to be fully represented in this place. So we still stand ready to participate in meaningful dialogue about these issues, and I welcome Ms Wooldridge's undertakings to this end.

But there has consistently been a gap, in our experience, between the position that is put in the chamber and the discussions that occur outside the chamber. We very much welcome a resolution of these matters. We would very much like Mr Jennings to be able to attend the joint sitting. As I indicated on previous occasions, we bear no ill will towards Mr O'Sullivan. I look forward to his joining us in this place in due course. I am sure he will be a fine representative for Northern Victoria Region. But for the members of the opposition and the Greens to come in here and lecture us about the denial of representation to people in one region while enforcing the same on another region is breathtaking hypocrisy, and we are not having it.

Ms Shing interjected.

Mr BARBER (Northern Metropolitan) — No, thank you. I will not change my position on this issue, but thank you for the invitation, Ms Shing. The reason is, leaving aside if we can for a moment the various political positions that we might like to take and thinking more about a future record and how some Legislative Council possibly many years in the future may want to consider what it is that is going on here, we will just go back to the constitution itself. As they say, when all else fails read the instruction manual.

Section 19 of the Constitution Act 1975 says:

- (1) The Council and the Assembly respectively and the committees and members thereof respectively shall hold enjoy and exercise such and the like privileges immunities and powers as at the 21st day of July, 1855 were held enjoyed and exercised by the House of Commons of Great Britain and Ireland and by the committees and members thereof, so far as the same are not inconsistent with any Act of the Parliament of Victoria, whether such privileges immunities or powers were so held possessed or enjoyed by custom statute or otherwise.

That is the basis on which this house has sought the tabling of certain documents that the house needs for its consideration of various matters. Just to give one example of documents that have not yet been provided in full — in fact the most important section of those documents having been excluded by the government in what they tabled before this house — there are the grants that were provided by the previous government to various companies wishing to exploit coal in the Latrobe Valley. This new government arrived; they said, ‘There’s nothing we can do about those grants. The previous government allocated them’.

This government also announced they were going to come up with a coal policy, which is the kind of thing I thought they might have done in their four years in opposition, but, no, they are now going to put out for public consultation, they tell us, before the end of the year a coal policy. In the meantime the government have gone ahead and issued, or at least extended, exploration licences for coal to some of the same companies that are the recipients of these grants. Not surprisingly, my party and members of the community are asking them to prove their claim that the grants cannot be rescinded and that the companies have a right to access those grants. Well, that is the exact section of the contract that this government has refused to provide. That is the nub of the issue that this house is trying to get to.

The government can hardly hide from the reality of global warming. They can hardly hide from the decisions they have to make. They are even asking this

house to make decisions in relation to coal use in Victoria. For example, they asked us to consider an expanded coal royalty this year. In other words this government wants this chamber to legislate in the dark. They want us to legislate in the dark. They will continue to put up a number of propositions before this house, and they will continue to exercise powers as an executive, but they will not give us the information we need to make decisions about these matters.

It is worse than that. They actually defy section 19 of the constitution. They do not believe that this house has the power to require documents, persons and other things. In fact the government have decided that they are the arbiter as to what material this Parliament can see. So much for section 19 of the constitution. Just to remind certain members, in the last Parliament I actually attempted to take the Baillieu government to court to obtain documents that this house had requested — that is, the secret myki report that the Liberals used to justify the continuation of myki and in fact the payment of more money to the myki ticketing system contractor. So if there is any challenge to the powers, privileges and immunities of this house in regard to section 19, so far I am the only person who has attempted to test that one way or another via the court system. However, I can assure any member who is wondering about that that if it was ever to be tested in court, the court is only going to determine whether the power exists, not the manner and occasion of its exercise. So that is an example already where this government simply thinks they can deny or at least attempt to undermine a particular and very important power that is obtained within the constitution.

Then we turn to the other matter that the government has sought to connect — that is, section 27A of the constitution, headed ‘Filling of casual vacancies in the Council’. Subsection (1) says:

Subject to this section, if a casual vacancy occurs in the seat of a member of the Council, a person must be chosen to occupy the vacant seat by a joint sitting of the Council and the Assembly.

It is simple enough on its first reading, but of course there is nothing in there that says how quickly that has to happen, nothing in there that in this government’s minds prevents them from delaying it indefinitely, according to any period they might choose.

So you have got a government that think they decide what the Parliament is allowed to read, and this same government think they decide when a member is to be placed into this chamber according to the provision under the constitution. Well, that is dictatorship. That is the complete takeover of the entire governance of the

state by an executive with a temporary majority in the lower house. Whether they think they are going to have a majority in the lower house in two years time is another question, but certainly the separation of powers — the balance between the different institutions that make our democracy, being the judiciary, the Parliament and the executive — has now been completely overturned, and the government, having won an election and got control of the lower house, can effectively just do whatever they want for four years.

Parliament has got no say in it. In fact Parliament cannot even ask questions. It cannot even ask to see a piece of paper, including some milestones in a funding and grant agreement which within the company and probably within the general coal industry would not be any great secret anyway. The government pigheadedly has decided the Parliament cannot see that material. It makes you wonder what else you think this government would get away with if they had the chance.

Whether it is that the government or the opposition sees these two matters as connected politically, the constitution does not treat them that way. The reason the Greens are maintaining our position on this, not just in terms of consistency over the years we have been here but also in terms of this particular set of circumstances, is that these powers cannot be given away lightly. Victoria's constitution does not have the same status as the Australian constitution — our constitution can be altered at any time by an ordinary vote in most cases, whereas at the federal level the constitution has to be altered by a referendum with quite a high burden — but nevertheless there is plenty of legal finding that suggests that the requirements of the Australian constitution for that separation of powers must also operate on a state-based constitution. That is, the federal constitution creates a federation of states, and those states themselves must have some degree of separation of powers operating as well. We could not simply pass a law here tomorrow that Dan Andrews is the boss of everything for four years and then give ourselves time off. In fact there are limits to how far even we could go if we amended the Victorian constitution.

In any case some of the invisible glue, the democratic assumptions that fall in between the spaces of these words on this page, also appears to be something this government values at something next to zero. They are chuckling away about this to themselves. They think they have just won the last round of this, but there will be people in years to come sitting in here, when political fortunes have turned, and they will not be laughing then. In fact they will be wishing that they had taken this opportunity to concrete in place some of that

democratic glue, because not everything can come down to a strict interpretation of what you can get away with under the law. Some of the unwritten conventions of our system are in fact very important, but by definition they are not laws; they are conventions. That means they are respected and followed by all sides until such time as they are not. If the government's intention here is to start tearing up those conventions even as they defy the requirements of the constitution and for that matter lawful resolutions of this house, they are certainly not going to be leaving democracy in better shape than they found it. For that reason the Greens will be supporting this motion.

Mr LEANE (Eastern Metropolitan) — I rise to support Ms Pulford's amendment to Ms Wooldridge's motion. I was a little bit confused about a couple of things I noted in Ms Wooldridge's contribution. Ms Wooldridge said this chamber is denying representation to the 5000 people in Northern Victoria Region. I do not know which 5000 out of the 45 000 the new representative will choose to represent, but I thought that was a little bit strange.

I will get back to Ms Wooldridge's contribution, but I will just touch on Mr Barber's contribution. I do not think Mr Barber will ever be satisfied with what documents come to this chamber. It is a matter of being continually outraged about this Labor government. He touched on global warming and this government's commitment to the environment. I think he is just going through a dark period of time, because this is the government that will legislate to ban fracking. Unfortunately for Mr Barber and his Greens party — —

Mr Barber — No, this Parliament will legislate; governments do not legislate.

Mr LEANE — I have hit a raw nerve there. I think Mr Barber is agreeing about the grief that he is feeling about not getting the credit they would love to have, but they know they have not done anything about it.

Ms Shing — They will claim it anyway.

Mr LEANE — You are right; they will claim it. I will agree with Mr Barber on one thing. Yes, Mr Barber, you are the only person.

As far as Ms Wooldridge's claim in her contribution that the government is denying Northern Victoria Region representation by an MLC, what I would say to Ms Wooldridge is that maybe she should speak to her coalition partner, the National Party. We will go through the history. They had every opportunity to replace Mr Drum before the suspension of Mr Jennings.

Mr Drum announced he would be the National Party candidate for a federal Parliament seat in April, before the suspension of Mr Jennings.

Ms Shing interjected.

Mr LEANE — That is when he officially announced his candidacy. He was preselected in March, I think. Talking about denying the people of Northern Victoria Region representation in this place, for two months Mr Drum did not have any thought for the people of Victoria he represented in this chamber; maybe he had a thought for the people of northern Victoria in the federal seat. He spent two months being a candidate for that federal seat. We were all amused when he came in and made adjournment contributions that were about his candidacy at the federal level; we all thought it was hilarious that he would do that. We knew exactly what he was doing; he knew what he was doing, and he thought it was funny too. Talk about denying the people of Northern Victoria Region representation.

That went on for two months. Then for the couple of months that followed, after Mr Drum finally ceased to be an MLC in this place, the National Party chose not to replace him. For months they chose to deny the people of Northern Victoria Region representation in this place because it suited them. The rumour at the time was that if Mr Drum was unsuccessful in his federal tilt, maybe he would come back, so they kept that vacancy open. That might have been just a rumour, and I accept that, but for months the National Party did not fill this vacancy. If the representation of Northern Victoria Region in this chamber is so important to them, as we have just heard from Ms Wooldridge, why did they not replace Mr Drum at least at the point that he left this chamber? They should have replaced him well before that, but they chose not to.

I am not too sure which part of the constitution that one comes under. I am not too sure where we are flying in the face of the constitution. We had a federal candidate in here who was campaigning for months for his federal seat, and then when he finally left this chamber the National Party decided they were not going to replace him for months. That is outrageous. If we are going to be outraged about the people of Northern Victoria Region being denied representation in this place, come on, Ms Wooldridge, get on board with that outrage. We have not heard about that outrage, because you know it is true. You know that you have just made a joke of yourself in this chamber. We all should be absolutely outraged.

If you want to talk about not supplying paperwork that has been requested by this chamber, let us just look at the last term when Ms Wooldridge was a senior minister. I remember my good friend and colleague that is no longer here, Mr Tee, requesting paperwork on the east–west link, and then what he got produced time and time again — it was actually a joke — was the 12-page short business case. Remember that 12-page short business case? That is what we used to get. I actually counted the coloured triangles in that. There were more coloured triangles than words in that particular document. It had a three-quarter-page photo of a tram. It had a half-page photo of a pedestrian crossing. I am being kind: the 12 pages included the front and back covers. And that is what we got produced as paperwork.

Now maybe, if at the time the government of the day had fulfilled that request, we might have got the side letter, the point of ultimate treachery against the good people of Victoria — not just northern Victoria, not just eastern Victoria, not just western Victoria, not just metropolitan Victoria, but all of Victoria. It is the most treacherous point probably in our history when a Treasurer wrote a grubby side letter that said, ‘If you’re unsuccessful, we’ll just give you a dump truck of taxpayers money. We’ll back it up at your place, we’ll lift it up and it’ll fall into your foyer’. So if we want to be outraged in this chamber about how this chamber is held in contempt, the contempt of the previous government was just amazing. It was just amazing. When Ms Wooldridge gets a right of reply — —

Ms Wooldridge — Can you work out how to pronounce my name?

Mr LEANE — Sorry, I am not being rude. It is just that I am lazy. Anyway, thanks for your attention.

In your right of reply, can you tell us why you are not outraged that the National Party did not fill this vacancy for months and denied the good people of northern Victoria representation for about five months? So for about five months Mr Drum was the federal candidate and had no concern for the good people of northern Victoria. Even Mr Rich-Phillips used to laugh when Mr Drum used to come in and do adjournments that we knew were all about his federal candidacy, along with the rest of us, so he had no concern for northern Victoria. And then when he finally left, stopped campaigning in here and stopped being an MLC, it took the National Party months to preselect his replacement.

So tell us, Ms Wooldridge, about contempt for the people of northern Victoria. Please, when you get up,

tell us. I dare you to tell us and to get up and say why that was okay. You are all crying crocodile tears, saying, 'Oh, northern Victoria, northern Victoria'. Why did you not say to your coalition partners then, 'This is outrageous. You can't just do this botchy four or five months just to accommodate a federal candidate in this house and then, when he leaves this house, keep the vacancy open for another few months'? That is outrageous.

Honourable members interjecting.

Mr LEANE — You can laugh all you like, but you have been called out as the biggest hypocrite in the time of this chamber. You have been called out, and you can yell and scream and you can stamp your feet, but that is the reality. You can yell and scream and carry on, but the bottom line is that all the crocodile tears — 'Oh no, the good people of northern Victoria' — are a farce. Why did you not jump up during that four or five months when Mr Drum was in his candidacy? And then the National Party — Ms Bath and her buddies — left the candidacy open even when he left for months, and you are saying, 'Oh, the poor people of northern Victoria'.

You will do anything for your political ends. You went and told your party room, 'They can never come back on us. We'll kick out Mr Jennings for six months, and they'll never come back on us', and then — boom, boom — channelling previous Prime Minister Keating, you are Wile E. Coyote. You got the Acme box, you opened it up and it blew up in your face, and now you are yelling and screaming. Your colleagues are shaking their heads, going, 'Why did we believe this? Why did we get sucked into this? This is painful. We want our second Nat back. We need our second Nat back here'. And you are going, 'The poor guy, he's not making a wage'.

Well, I mentioned before the bogus Country Fire Authority fundraising site that you set up where you said, 'Please support the CFA', and then asked for money. The next thing was you got an email from Michael Kroger saying, 'Hey, how about you give the Liberal Party the money?'. Well, why do you not give any money that went into there to the candidate who is waiting to come in here, because that will keep him going? That is what we would do. We would all chip in and go, 'You'll be right, mate'. That is what we do. That is what collectives do. I know you would never even think of that.

But anyway, I am waiting. It is fantastic. I cannot wait for the right of reply. Tell us about those four or five months when the National Party did not act on the

replacement, when the National Party could have replaced the member or when the coalition could have replaced the member before Mr Jennings's suspension. But you did not, and now you are stuck. You are stuck and you are talking about Mexican stand-offs, and I am not sure that is appropriate, but anyway, I am not too sure if I should be saying that. You are talking about those sorts of things, so welcome to the whole situation you made. Welcome to the whole situation you initiated. Maybe you should think about fixing this. Maybe you created this. Maybe you should take responsibility to fix it.

So over to you, Ms Wooldridge. We are looking forward to you talking all about that four or five months when your coalition partner decided not to fill the vacancy and to deny the people of Northern Victoria Region representation in this place, which you harped on for the last few months, but you did not seem to care at the time. You did not mention it. You did not say one word. We look forward to that. You tell us all about that. Over to you.

Mr O'DONOHUE (Eastern Victoria) — I am pleased to rise and support the motion moved by Ms Wooldridge, the Leader of the Opposition in this place. The government has for political purposes demeaned and made light of this very serious issue of the constitution and the filling of a casual vacancy, the precedents and processes for which were established after Evan Thornley left this place in 2008. To summarise Mr Leane's contribution, he has just further diminished the government's position on this issue, playing cheap and petty politics and raising side issues on what is an extremely serious issue. It is disappointing that Mr Leane would take such an approach to what is such a serious issue. I think often many of us reflect on the way the community views members of Parliament as a group of professionals and as a group of people. Having listened to Mr Leane's contribution today I can say he does nothing to add to the respect in which we as a group of people are held by the community, and that is ultimately very regrettable.

It is interesting that the government is now taking a different tack on this matter and talking about Mr Drum raising constituency issues in his own electorate of Northern Victoria Region while he was still a member of this place. Perhaps government members have forgotten that they elongated the winter recess so this Parliament did not sit for approximately eight weeks. The government has stretched out the winter break, and at the earliest opportunity following it the opposition sought to fill the casual vacancy. So that is a silly and baseless argument.

Ms Pulford made mention of Mr Jennings. It is interesting to know that it has been over 1000 days — 1036 days — since Mr Jennings last referred to the South Eastern Metropolitan Region in one of his speeches. Leaving aside adjournment responses and other responses from the opposition where he has cited the south-east, at his own initiative it has been over 1000 days since he actually referred to the south-east and to his own electorate in this place. I think that is interesting.

Let me just address the amendment moved by Ms Pulford. The opposition will oppose the amendment. The government is again trying to connect two very different and separate issues. I note again the words of the President in *Hansard* as cited by the Leader of the Opposition in this house. I think they are worth citing again, given the amendment moved by Ms Pulford. On 16 August the President said:

I do not believe that it is appropriate that the appointment of a new member to the Parliament ought to become a political football in respect of ... matters that might be before the Parliament.

He goes on to say:

Can I indicate that there is absolutely no connection — no connection — with the suspension of the Leader of the Government from this house.

Let me just repeat that final statement.

Can I indicate that there is absolutely no connection — no connection — with the suspension of the Leader of the Government from this house.

This is a disingenuous attempt by the government to cloud what is at its core a very simple issue. On that basis the opposition will be opposing the motion moved by Ms Pulford. Let me conclude by again quoting John Lenders. Although I obviously took a different view of the world from that taken by John, I never underestimated his capacity or his understanding of how this place operates. Mr Lenders said:

... a government that refused to convene a joint sitting would deservedly be held in contempt by the Victorian public.

Ms SHING (Eastern Victoria) — I am bemused and amused simultaneously by the contributions of those opposite and those we heard from Mr Barber as well. In rising to support the amendment being proposed by Ms Pulford, I note with great interest the time frames that have already been canvassed by Mr Leane in his contribution, which relate to an all too convenient inaction by those opposite in relation to the replacement of former member in this place Mr Drum, who was in a position to make the most of his political opportunities

here and on the campaign trail and who was then the indirect beneficiary of a gap in the preselection process which took place. This is in fact a matter of public record. On 29 March 2016 it was announced in the *Weekly Times* that Mr Drum would nominate for a position in the federal Parliament.

An honourable member — March?

Ms SHING — Yes, that is right, 29 March — the end of March this year. On 11 April, and that is not long after that — that is 13 days by my calculations; less than two weeks — it was announced on the ABC that Mr Drum had secured preselection. Preselection during that period thus meant that Mr Drum was in a position to begin his work to secure a move from the state jurisdiction to the federal jurisdiction. There was not a peep from those opposite in relation to needing to expedite the replacement of Mr Drum in this place. There was not a peep in relation to making sure that The Nationals could make sure that they had somebody else here to fill his place. There was not a peep in relation to providing support for Ms Bath in undertaking her duties as a Nationals member.

On 25 May, about a month and a week after being preselected, Mr Drum gave his valedictory speech in this place — an entertaining series of vignettes, recollections and good wishes, which were warmly received by everyone in this chamber. Mr Drum certainly made his mark in this place and continues to do so, but he also made his mark on the ground in the process of campaigning and announcing his intentions around securing a federal spot.

On 25 May, that day of the valedictory speech, Mr Jennings, the Leader of the Government, was suspended, with his suspension to take effect from 7 June. So for Mr O'Donohue to suggest, and I quote his remarks back to him, that there is no connection between the suspension of the Leader of the Government and this matter and to suggest otherwise is disingenuous, is all too convenient. On the same day that Mr Drum gave his valedictory speech Mr Drum and Ms Bath and those opposite and the Greens voted to suspend the Leader of the Government from the house, with effect from 7 June.

There was Parliament in that week of 7 June, Parliament again in the week of 21 June and Parliament again in the week of 16 August. Those opposite have referred to things not taking place in the winter break. It is alarming that apparently, according to the coalition, everybody goes into some sort of state of suspended animation, like we are talking about arctic frogs or snakes that in fact cease to exist and just freeze over

because it is too cold to do anything and they go into hibernation or perhaps seek to escape to a warmer climate.

It is breathtaking in terms of hypocrisy that we have seen a two-week period of preselection for Mr Drum to move from the state jurisdiction to the federal jurisdiction, and a two-month preselection for Mr O'Sullivan. I am looking forward as much as anyone else to hearing what he has to say in this place, but to suggest that we cannot actually find any correlation between the vote to remove Mr Jennings on 25 May and Mr Drum's valedictory speech on that same day is absolutely farcical. To me it looks like a duck and it quacks like a duck, so to suggest it is a polar bear is nothing short of ridiculous, facetious, stupid reasoning.

We also have a situation whereby those opposite — on their high horses, talking from the lofty moral high ground of no longer having to be accountable for their decisions to release or not release information — failed to provide information in any meaningful way when they were in government. This is a former government. The coalition government was elected on a three-word slogan. They love a three-word slogan because it does not complicate things, until you get down to the detail of having to deliver. They were elected on the promise of being open, transparent and accountable. What we have seen, however, is a litany of obfuscation. What we have seen is example after example — and these things have been very well canvassed in this house — of those opposite now saying that we should release the documents that they refused to provide when they were in government, that they had control or possession of when they were in government.

This is a government that has actually provided more documents in response to requests than any other. For the Greens and for the Liberal Party and for the National Party to vote in concert to remove the Leader of the Government on the one hand for a record period — an unprecedented suspension in terms of duration and an unprecedented suspension of any member inflicted by any house in this Parliament's history — on the basis of a refusal or an inability to provide documentation that cannot properly be provided in the terms being sought and that was not provided by the former government, and then whilst that suspension is afoot to call out the concerns around the inability to have the people of Northern Victoria Region represented, is breathtaking.

It is unfortunate that Ms Bath is not here in the chamber to hear this directly — I hope she is listening to this contribution and others from her office — because

Ms Bath voted to suspend the Leader of the Government. Mr Drum voted to suspend the Leader of the Government. What we have here is a situation of the coalition's and the Greens own making. The Greens, to many extents in relation to this issue, will always have the view that opposes that of an incumbent government until and unless it is convenient, and I look forward to doing a tally of the number of occasions upon which the Greens have voted with the coalition whilst also claiming a moral high ground on environmental, ecological, social and other considerations.

What we have here is a situation whereby the former government were unable, due to their own incompetence and their own lack of integrity and their own inability to deliver on being open, transparent and accountable, to provide anywhere near the number of documents that we have provided. We have a situation whereby the Andrews government has already responded to 12 of the 13 orders for documents made so far by this Council. As at 7 June 2016 we had released 523 documents in full or in part, and we had only withheld 45 documents. And yet we still had the Leader of the Government, based on the vote and the collective efforts of the Greens and the coalition, suspending the Leader of the Government for an unprecedented period of time. And yet in the same breath, according to those opposite, this has nothing to do with the current matter that is the subject of this motion and the subject of the application for a joint sitting.

Ms Pulford's own amendment actually refers to a way through this matter: 'on the day following the day on which this house rescinds the resolution of the Council of 25 May 2016'. That is all that we need to do to move things forward, and yet there is no preparedness from those opposite to move things forward. There is no preparedness until it bites those who have sat around a table and come up with a cute little strategy that has bitten right back to actually come to any form of solution on this challenge.

Ms Bath and Mr Drum voted, along with so many others, to remove Mr Jennings from this chamber. Everyone opposite sits here and huffs and puffs about the audacity of wanting to make sure that all members are in a position to represent their communities in the house. They huff and puff, but they do so selectively, and they claim in this bizarre, circuitous reasoning that there is no actual link between the chronology and the fact that the suspension was voted on on the same day that Mr Drum gave his valedictory speech. They do not see a correlation because it is not convenient, and yet I bet your bottom dollar that this, as a strategy, was

initially thought to be a very good idea, but it has ceased to be a very good idea, because it has backfired.

As Mr Leane indicated in his contribution, this is the Acme box that was picked up by Wile E. Coyote on the assumption that it would be something fantastic. And you know what? It has not turned into something fantastic for the coalition. It was never something fantastic for the government, because we are missing the Leader of the Government in this place thanks to an unprecedented period of suspension, which got across the line thanks to people like Ms Bath, like Mr Drum, like Ms Wooldridge, like Mr Barber — those around the chamber who voted in favour of removing Mr Jennings and drew a line in the sand with that. With the decision to vote in the way that they did, they created a position for themselves that indicated that it was acceptable, it is acceptable and it will remain acceptable to deny people the capacity to have representation in this house where it is politically useful.

What we want to see on this side of the chamber is members being in a position to represent their communities. This is a crucial part of a democratic system. It is something we on this side of the chamber at least take very, very seriously. It is unfortunate that when we are talking about game playing, we see the way in which the business program and the notice paper have operated in recent weeks. We see the 12-year-old boy's own adventure games that are taking place around what is allowed to come on and what is not, and we see the way in which the full legislative agenda that this government is trying to achieve in order to be progressive, in order to improve the everyday lives of Victorians and in order to make a significant, a substantive and an equitable difference to people's lives has ground to a halt due to the petty politics and game playing of those opposite, due to the ridiculous arguments of those from the cross benches and due to the way in which those who prioritise the moral high ground because they will never themselves be accountable would seek to undermine the passage of legislation and would seek to ensure that one person is not entitled to be in the house where another should, because it suits their ends. This is a disingenuous argument.

While we are talking about matters being advanced in bad faith, we should give careful consideration to the way in which those opposite have howled with indignation, with this confected outrage of theirs, in relation to the inability of the new member for Northern Victoria Region to be able to represent his community in this place, yet it is not okay for the Leader of the

Government to rely upon that as a standard for representation.

So it is all okay as long as it is the coalition's way or the highway. It is all okay as long as it is the Greens' way or the highway. On this basis, what we have here is yet another morning of outrageous hypocrisy, yet another morning of petty, ridiculous games being played by those opposite, who were perfectly happy to deny the people of northern Victoria representation by the National Party in this place, who were perfectly happy to allow that to continue until it had consequences for them here in this chamber and who were perfectly happy to vote to make sure that the leader of this government could not set foot in this chamber for a record period. It is all a bit convenient until the consequences present themselves, and so as far as petty political games are concerned, I would invite those opposite to go and find a mirror and take a good, long look at themselves.

House divided on amendment:

Ayes, 14

Dalidakis, Mr	Patten, Ms
Eideh, Mr	Pulford, Ms
Herbert, Mr (<i>Teller</i>)	Purcell, Mr
Leane, Mr	Shing, Ms (<i>Teller</i>)
Melhem, Mr	Somyurek, Mr
Mikakos, Ms	Symes, Ms
Mulino, Mr	Tierney, Ms

Noes, 22

Barber, Mr	Lovell, Ms
Bath, Ms	Morris, Mr (<i>Teller</i>)
Bourman, Mr	O'Donohue, Mr
Carling-Jenkins, Dr	Ondarchie, Mr
Crozier, Ms	Pennicuik, Ms
Dalla-Riva, Mr	Peulich, Mrs
Davis, Mr (<i>Teller</i>)	Ramsay, Mr
Dunn, Ms	Rich-Phillips, Mr
Finn, Mr	Springle, Ms
Fitzherbert, Ms	Wooldridge, Ms
Hartland, Ms	Young, Mr

Pair

Elasmar, Mr	Atkinson, Mr
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Amendment negatived.

House divided on motion:

Ayes, 24

Barber, Mr	Morris, Mr
Bath, Ms (<i>Teller</i>)	O'Donohue, Mr
Bourman, Mr	Ondarchie, Mr
Carling-Jenkins, Dr	Patten, Ms
Crozier, Ms	Pennicuik, Ms
Dalla-Riva, Mr	Peulich, Mrs
Davis, Mr	Purcell, Mr
Dunn, Ms	Ramsay, Mr (<i>Teller</i>)

Finn, Mr
Fitzherbert, Ms
Hartland, Ms
Lovell, Ms

Rich-Phillips, Mr
Springle, Ms
Wooldridge, Ms
Young, Mr

Noes, 12

Dalidakis, Mr
Eideh, Mr
Herbert, Mr (*Teller*)
Leane, Mr
Melhem, Mr
Mikakos, Ms

Mulino, Mr
Pulford, Ms
Shing, Ms
Somyurek, Mr
Symes, Ms
Tierney, Ms (*Teller*)

Pair

Elasmar, Mr

Atkinson, Mr

Motion agreed to.

Ordered that message be sent to Assembly informing them of resolution.

ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE

Reference

Mr O'DONOHUE (Eastern Victoria) — I am very pleased to move the motion standing in my name. I move:

That, pursuant to section 36 of the Parliamentary Committees Act 2003, this house requires the Economic, Education, Jobs and Skills Committee to inquire into, consider and report on, no later than 1 October 2017, fuel prices in regional Victoria including, but not limited to —

- (1) examining pricing methodology for unleaded, diesel and LPG fuels in regional Victoria;
- (2) examination of why significant pricing discrepancies occur in some regional communities when compared to metropolitan areas and many other regional communities;
- (3) consideration of best practice approaches and initiatives in other Australian states and territories, with a view of reducing fuel prices;
- (4) examining technology and tools that may enable motorists to compare fuel prices;
- (5) considering the experience and pricing impact upon families, businesses and industry; and
- (6) examining regulatory and legislative barriers that may influence fuel prices.

There are six limbs of the examination that the committee should undertake. In the interests of clarity, members will note that I have changed the relevant committee this motion is being referred to from the Law Reform, Road and Community Safety Committee to the Economic, Education, Jobs and Skills Committee. I think this is a cost-of-living issue. It is an

economic issue, and this is the appropriate committee to make this reference to.

The coalition, since losing the election, has undertaken a number of investigations into cost-of-living issues. Cost of living is an important issue for many Victorians, and that is why the Cost Watch website has been established. I know my colleague in the other place, Mr Gidley — —

Mr Finn — He's a good man.

Mr O'DONOHUE — He is a very good man, Mr Finn. He has been very focused on some of these cost-of-living issues that make a real difference to household budgets and to people's ability to pay the bills and meet all the expenses of modern life. It is in that context that I congratulate the member for Morwell in the other place, Mr Northe, because while I am the person moving this motion, Mr Northe is the one who has been campaigning for some time to see some action and increased transparency and clarity around fuel prices, particularly in regional Victoria. I note that he has previously lobbied the Australian Competition and Consumer Commission to undertake an inquiry in relation to fuel prices in the Latrobe Valley, and he has now brought this issue through me and the coalition to this place.

I am very pleased to move the motion because, as someone who represents eastern Victoria, I am constantly perplexed myself by the vagaries of the fuel prices that exist throughout my electorate as I drive around and visit different communities in Eastern Victoria Region. I think an important context to understand is that in places where transport options and fuel options are limited there often is not the same choice of jumping on the bus, jumping on the train or making alternative travel arrangements if petrol is too expensive or if the price goes up. This is for many people in the Eastern Victoria Region and right across regional Victoria an issue of a fixed cost. The question has to be asked: why does that cost vary so significantly in areas where there seems little rationale or understanding for that?

I note an article in the *Latrobe Valley Express* of 11 February this year headed 'Northe talks fuel fiasco' by Ms Bonny Burrows. In that article is a range of fuel prices — the average fuel prices across regional Victoria for the week up to Tuesday, 9 February, with data taken from the RACV. It is hard to understand why, for example, based on this data, unleaded fuel that week in Traralgon was 120.6 cents per litre, yet further away in Bairnsdale fuel was 113 cents per litre, or why fuel in Mildura that week was 118.8 cents per litre —

cheaper than in Traralgon — and in Wodonga, which is much further from Melbourne than Traralgon is, fuel was much cheaper at 105.4 cents per litre.

These vagaries are indeed difficult to understand. We are all familiar with the fuel price changes that can take place in the lead-up to public holidays and other busy driving occasions, so the motion calls on the committee to examine pricing methodology for unleaded, diesel and LPG fuels in regional Victoria; examine why significant price discrepancies occur between metropolitan areas and other regional communities — and I have just highlighted some of what appear to be on the face of it significant discrepancies; consider best practice approaches and initiatives in other comparable jurisdictions, particularly Australian states and territories; consider how we can use new technologies and tools to increase motorists' ability to understand or see pricing differences across the marketplace, increasing transparency; give consideration to the pricing impact upon families, businesses and industries, which as I said in my introductory remarks can be quite significant, particularly for those where choice of retailer and the use of different modes of transport can be limited; and finally, to examine regulatory and legislative barriers that may influence prices.

In talking about the governance regime and the regulatory regime it is most regrettable that this government abolished the red tape commissioner, because for all we know some of these issues may be associated with red tape issues that could be an impediment in delivering a more effective and efficient market. Daniel Andrews and the Labor government abolished that position and that office, and that obviously is therefore no longer an option available to the government in examining these issues. Equally or perhaps even more regrettably, the government has gutted the Victorian Competition and Efficiency Commission, VCEC, bizarrely moving it out of the Department of Treasury and Finance into the Department of Premier and Cabinet and basically gutting it as an organisation. Again, in times gone by VCEC may have had a role in examining these issues. I think this reflects the attitude of the government and the priorities of the government. They do not understand cost-of-living issues: the connection between red tape bureaucracy and a regulatory regime and the impact that can have on costs for consumers.

It is most regrettable that the government has taken those decisions, but it is consistent with its approach in other areas of wasting money and not understanding that the cost to consumers can be impacted by government regulation and government decisions. In that context I think the Economic, Education, Jobs and

Skills Committee is an appropriate committee to examine this issue — an issue that has a significant impact around my electorate but right across regional Victoria. I commend the motion to the house, and I look forward to its support by all members of the chamber.

Mr MULINO (Eastern Victoria) — This is a very important issue for people throughout the state and particularly for people in regional Victoria. The cost of fuel has been a matter of some concern for decades in Australia. There are a number of aspects of fuel and its place in the household budget that make it particularly important. One is the fact that it is a significant part of most household budgets, either directly or indirectly — directly because of the fuel that people use for their own transport or indirectly because of the way that fuel can impact on the prices of goods and services, for example, through the freight industry or the transport industry more generally. So it is a very significant part of people's budgets.

But there are also some other aspects of fuel which make it a matter of particular concern and attention in the public sphere. One is the fact that it is an industry where there is at least the appearance of market power in some aspects of the industry. For example, on the retail side of the industry in some areas there is either a small number of players or in some regional parts of our state there may well be regional monopolies. That of course *prima facie* raises a question as to whether there is sufficient regulatory intervention, so market power is an issue in some aspects of the industry. I have mentioned retail, but of course there are other layers to this industry. One could argue that in some other aspects of the industry there are also market power issues.

I certainly do not want to claim to have access to definitive evidence that there are market power concerns. I simply say that the small number of players in some aspects of the sector raises questions. There is also vertical integration to some degree in some aspects of this industry, which again raises questions. When we look at economic regulation, whether it be the kind of economic regulation we see from the Australian Competition and Consumer Commission (ACCC) across large parts of the private sector in the way that it regulates different commercial arrangements or mergers and acquisitions, or whether it be the way that monopolies are regulated by various economic regulators in the utility sector and so on and so forth, I simply raise the fact that vertical integration *per se* raises questions. Where we see vertical integration, I think one has to look at issues of whether the regulatory arrangements are appropriate.

Then of course there are issues of cyclical, and this is a matter that has been looked at by many regulators. Of course we have all sorts of cyclical pricing that goes on, some of which looks very cynical on the part of suppliers at times. Some of the cyclical in retail prices seems to bear a relationship to wholesale prices, but then at times there is the appearance of cynical pricing, one might say, using a non-technical term, around public holidays and so forth. We have all experienced that, and that raises concerns amongst many in the population. Again I would not claim to have hard evidence that this occurs, but many people have observed pricing over time that does not appear to be necessarily based upon what would appear to be the fundamentals of the supply chain. That has generated a number of inquiries, including some by the ACCC. Then of course there are some concerns along the lines of those that were alluded to by Mr O'Donohue. When one looks at the geography of this industry, one sees that there are a number of geographic spreads which are not always obviously justifiable by transport costs and so forth.

The reason I raise all these different aspects of the industry is to say, yes, there are a number of aspects of this industry which have raised concerns. There are a small number of players; there is vertical integration; there is pricing over time, which can at times raise questions; and there are geographic spreads in prices. So these are all important issues, and they are definitely worth looking at. But I would also contend that a number of these issues are of a highly technical nature and we should also acknowledge that a number of these issues have been looked at — one can only say quite exhaustively — in other forums. For example, the ACCC has undertaken a number of very in-depth reviews of this sector. That is not to say that we should not look at it again or that we should not have a closer look at it in the Victorian context, but I do think we must, to the extent that we look at this issue, not reinvent the wheel, and if we are going to look at this issue, at the very least what we should do is to have a very close look at the current and recent examinations of pricing in this sector.

It would be a terrible mistake I think to undertake a review that did not build upon the quite significant amount of work that is already in place. For example, and this is just one example of a number that you could raise in relation to the way in which this review has been framed, the motion, in part (2), says that the review should undertake an 'examination of why significant pricing discrepancies occur in some regional communities when compared to metropolitan areas and many other regional communities'. Examining the geographic dispersion of pricing is an important issue,

and I think people's concerns there are definitely worth looking at. But I would also ask that we consider that when the ACCC, for example, has looked at this, they have tended to look in depth at very particular markets. For example, they have completed examinations of Darwin and Launceston and are currently undertaking an examination of the Armidale market.

The point here is that each market will tend to have very specific issues. It will tend to have very specific supply chain issues. It will tend to have very specific demand-side issues. So with a point like that in (2), which is very generic and very ill-defined, there is a risk that a review like this is going to start a process that does not necessarily come up with an answer that is of any great use to the people that we are actually trying to help here, who are the consumers in regional Victoria. If we ask a question such as (2), which is for a very generic examination of why prices differ between regional Victoria and metropolitan areas, it is difficult to see what the review is necessarily going to say other than something very generic.

Ms Bath — That is why you have a review.

Mr MULINO — No, but the point I am making here is simply to say that the ACCC, which has a vast set of resources at its disposal, is undertaking very specific regional inquiries. The question I have is: is it anticipated that this inquiry is going to undertake very detailed region-specific quantitative studies like that, or is it expected that it is going to come up with a very generic set of statements about how regional markets differ from metropolitan markets? If it is the latter, that is fine, but it is not really going to progress us very far. If it is the former, then I would hope that we are not overlapping with ACCC work, and I would hope that the committee might work out some way that it could dovetail with work that is being undertaken by the ACCC.

The ACCC is by far the best resourced entity when it comes to undertaking some of the analysis that is required to underpin work in this area. The other thing I would say about a market like this — and again I repeat that I share many people's concerns about some of the behaviours of the market that one observes — is that I come at this from two perspectives. One is as a consumer of fuel, often in regional markets, but I also have a bit of a background as an economist, and with the latter hat on I say that markets like this are actually quite difficult to pin down. There are so many moving parts. I just hope that we are not setting up an inquiry with expectations that are going to be impossible to meet. We should not be using the scarce resources of committees on inquiries if we have not got a clear path

forward to analysis, conclusions and then findings that will actually lead to benefits for regional Victorians. We have got to make sure that this inquiry is more than just bells and whistles, that it is more than just a public relations exercise.

I think that is possible, but I think we have got to be very careful about the terms of reference and the way in which they are actually implemented. We have got to be very careful about what the questions are that we are trying to answer, because many of the questions in this area have actually proved to be extremely difficult for the ACCC and indeed regulators in other countries to pin down. So if we are going to devote a committee's scarce time to examining an issue like this, let us just make sure that we have a clear line of sight to recommendations that can be implemented and to new pieces of analysis that can actually lead to better outcomes for regional Victorians. Let us not undertake a process that is going to repeat the work that other regulators are actually already undertaking as we speak.

To conclude I would simply say that this is an area of great importance for households. It is a significant part of people's budgets, but it also impacts on people's cost of living indirectly through the cost of the goods and services they buy through the freight network, and of course that affects people in regional Victoria in particular. It also affects our public transport system. It affects people indirectly in so many ways.

As I have said, this is also an industry where there are a number of characteristics of the supply chain that do raise questions — market power, vertical integration, cyclical and geographic dispersion of prices. But I will just repeat: those issues have raised questions in other jurisdictions and indeed at the federal level, and if we are going to undertake this inquiry, I believe we must build upon the work others have undertaken in this space. There has been a considerable amount of work in this space, and there still is. As we speak, the ACCC is undertaking work that overlaps with these terms of reference. I think we have just got to make sure that this inquiry is something with tangible practical benefits for regional Victorians and that it does not become some kind of political sideshow.

Ms BATH (Eastern Victoria) — I rise to endorse the motion before us put by Mr O'Donohue and championed by my colleague in the lower house Mr Russell Northe. I will argue there is a very clear way forward. The terms of reference are quite specific and have been looked into and contemplated before hitting this pink paper. I would argue that committees have terms of reference where we do not know the outcome. The whole idea of having a committee is to

explore the terms of reference and explore the options and receive information from a wide variety of stakeholders and individuals.

I would like to just look at a couple of the terms of reference that are quite specific and ready to go, first in relation to paragraph (2) — the examination of why significant pricing discrepancies occur in some regional communities in terms of a comparison with metropolitan areas and many other regional communities. Now, it is a known fact that for many, many years country Victorians — rural and regional — have had to experience a higher cost impost per litre of fuel across unleaded, gas and diesel.

If I just use a comparison of what was happening last week in regional Victoria with what was happening in Melbourne, members can see and highlight the difference and the discrepancies that country people have to experience, even between towns that are not too far away from each other. As of 31 August 2016 Melbourne experienced price ranges of somewhere in the vicinity of 99 cents per litre and up to 129 cents per litre. When looked at — and I had a team to look at this — the majority of the prices were in the lower range, around \$1. By comparison, in the township of Morwell the price was \$1.15 for unleaded, in Traralgon it was \$1.16 and in Sale it was \$1.19, where further on in the town of Bairnsdale it was \$1.12 and on Phillip Island it was \$1.13. This week we have the price on Phillip Island being \$1.19. So the discrepancy between towns just does not seem to make sense. In terms of access, vehicles still have to travel down and deposit their petrol into a town further away from, for example, the Latrobe Valley towns.

In terms of transportation alternatives, many country people do not have access to a bus or a train. Many people actually have to travel quite considerable distances in order to access public transport, so for some people it is just not an option. Also, if we look at the Latrobe Valley in recent times, we see that the V/Line debacle, where we saw people not being able to catch reliable public transport for a variety of reasons, really imposed a great impost on and caused distress for many people. Also in regard to that, in terms of higher fuel costs, either many of those higher fuel costs experienced by small businesses have to be borne by the businesses themselves, in which case their bottom line is again hit — and there is certainly pressure on them to keep prices down and they must then absorb those costs — or, if they choose to pass on the prices to consumers, they can often lose that retail advantage or competitiveness.

I would like to make another point, in relation to paragraphs (3), referring to consideration of best practice approaches and initiatives in other Australian states and territories, and also (4), referring to examining the technology and tools that may enable motorists to compare fuel prices. I recall a few years ago this wondrous thing under the Rudd government called FuelWatch. Was it FuelWatch? It was supposed to revolutionise and make it all so very much easier for us to afford, with cheaper prices. Well, if there is only one petrol station in your town, you can watch as much as you like, but you will not have any choice. It ended up getting voted down in the Senate, and whilst that is in the federal and not state sphere, I think it highlights the fact that many rural and regional people are at a disadvantage, and an inquiry of this nature is very important to do.

Lastly, just before we close this debate, I note that there have been examinations such as that of the Victorian Council of Social Service, which in its 2010 state election report found that low-income families spent more than half of their income on their cars and petrol. When you are looking at a very, very low base, in order to get about, to take your children to sports activities or to access your working environment to pay those bills, half your income goes to your car expenses.

I endorse this motion. I commend Mr Northe for listening to the voice of rural and regional people in the Legislative Assembly seat of Morwell, and I commend this motion to the house.

Business interrupted pursuant to sessional orders.

QUESTIONS WITHOUT NOTICE

Women's participation in sport

Ms PATTEN (Northern Metropolitan) — My question is for the Minister for Sport, represented by Minister Dalidakis. In the past few weeks we have seen how successful women in football can be, with nearly 400 000 people watching the most recent women's game ahead of the commencement of the AFL's national women's league next year. Northern Metropolitan Region has one of the highest rates of women's participation in this sport in the country, and that should not surprise anyone given that we have five AFL teams in that electorate — Carlton, Collingwood, Richmond, Melbourne and North Melbourne, and of course the Swans, who are in my heart. The VFL team the Fitzroy Lions had their first women's team last year. This year they have two teams because of the overwhelming interest, and there will be three teams next year.

Can the minister explain what the government is doing to support young women playing more sport in Victoria, in particular AFL, given that now these women can see a future in professionally playing the great game of footy?

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — I thank Ms Patten for her question. As Ms Patten is aware, I am only in the role as acting minister, so I will take that question on notice and provide her with a fulsome response. But let me make it clear that the government's position on supporting both gender and ethnic diversity is one that we take very seriously. As you would be aware, it led to the creation of the first Royal Commission into Family Violence. It has led to this government undertaking and instituting policies that require a 50 per cent gender diversity mix on our professional boards in government and also through the judiciary. Our support of sporting organisations and young women extends into that field, and I would be delighted to provide you with that fulsome response.

Supplementary question

Ms PATTEN (Northern Metropolitan) — Thank you, Minister; I look forward to that. I agree with you. We all know that we should be encouraging as many women to participate in sport as possible. We know it is good for community health, we know it is good for wellbeing and we know that sport fosters wonderful relationships in our community. As I said, now that these young women can see a future playing footy by participating in the national women's AFL, they need to be offered the brightest possible future — they need to be able to make a living, just like men can, from playing the game. In light of that, and in light of your comments about equity, will the Andrews government work with the AFL to ensure that there is parity of payment to football players in the women's league?

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — I thank Ms Patten for that further, supplementary question. The issue of gender equity in terms of parity of pay is one that of course stretches the depth and breadth of the globe. We have seen this continually raised in discussions on the professional tennis circuit, amongst others. It is no doubt an issue that the professional sporting organisations over time do need to look at addressing. The issue of course also deals with the issue of equity in terms of the commercial sponsorship that those organisations are able to receive.

I think what was demonstrated so wonderfully just last Saturday night in the game between the Melbourne and

Footscray women's football teams that drew, I believe, one of the highest rating TV audiences for the season this year — I think that was a fantastic outcome — was that society is moving. I know that just a number of weeks back I watched the Australian Netball Diamonds game with my children. It is something that organisations need to look at addressing, and I will get back to you with further information.

The PRESIDENT — Order! I do not normally correct a minister, but it was not an outstanding game, because Melbourne lost!

Forestry Industry Taskforce

Mr YOUNG (Northern Victoria) — My question today is for the Minister for Agriculture. The Forestry Industry Taskforce was started some time ago after concerns arose surrounding the environmental impacts of the forestry industry. The group that was formed comprises industry representatives, unions and environmental groups and is looking at the future sustainability of the industry. Could the minister please provide to the house some advice on the details of what will be investigated by the task force?

Ms PULFORD (Minister for Agriculture) — I thank Mr Young for his question and for his interest in the work of the Forestry Industry Taskforce. The government is supporting the work of the task force. It is a group of industry, union and environmental representatives that are working together to seek to find areas of consensus about the future of our timber industry and also how to balance with it our desire to protect our environmental assets in Victoria. These are, as all members in this place will appreciate, issues that are hotly contested and issues that are certainly not new to either side of the debate.

The task force has provided the government with a statement of intent and has sought some further time to continue its work. A great deal of work has been undertaken, and I certainly commend the work of the task force and congratulate those who have been involved in it on their work to date. I think there is a very great commitment from all of those participating to achieving a good outcome and ensuring that whatever consensus can be found is found. The task force has requested to continue its work in order to produce a set of more specific recommendations, and that work will be completed over the next few months.

Supplementary question

Mr YOUNG (Northern Victoria) — I thank the minister for her answer. The task force have just

released their statement of intent, which is a very interesting read, and I have gone through it quite thoroughly. Minister, were you aware before the release of this document as to whether the task force would be making recommendations on the establishment of new national parks or other parks?

Ms PULFORD (Minister for Agriculture) — I thank Mr Young for his further question. I think Mr Young, who has followed this issue with interest, as have many other members of the Parliament and members of the Victorian community, understands that some of the issues that are being considered are about by what means high-value environmental areas can be preserved and protected for future generations, and similarly the task force is working on ensuring that the industry is on a strong and sustainable path going forward. These are among the wide range of matters that the task force has been considering. They are continuing to work constructively towards that consensus that I referred to in my substantive answer.

Deer hunting

Mr BARBER (Northern Metropolitan) — My question is for the Minister for Agriculture. Minister, in your policy announcements associated with the budget this year you introduced the aim of maintaining sustainable deer populations for hunting purposes. What information does your department have on the current population levels across the different species of deer, what are the growth rates of those populations and what levels do you consider to be sustainable?

The PRESIDENT — Order! As Ms Mikakos indicated yesterday, in question time the questions should go to one issue rather than be multiple choice. Indeed I think Ms Pulford actually thought that she had also had one of those. I leave it to the minister to determine whether or not she will be able to answer all three elements, but essentially the question should have just one focus.

Ms PULFORD (Minister for Agriculture) — Thank you, President. I thank Mr Barber for his question and his interest in controlling our deer populations. I will provide Mr Barber with a written response.

Supplementary question

Mr BARBER (Northern Metropolitan) — Thank you, Minister; I appreciate that. By way of supplementary, it has been eight years since your department examined the impact of deer on agricultural production. Given the noted explosion in deer populations since then, what is your department's

estimate of the cost to farmers of invasive deer as of today and what measures are you taking to reduce that cost?

Ms PULFORD (Minister for Agriculture) — I thank Mr Barber for his supplementary question. I will provide Mr Barber with a written response.

Deer hunting

Mr BARBER (Northern Metropolitan) — Maybe we could just discuss a little bit the deer population on Snake Island. Your press release says that there are 500 deer on Snake Island, and you have now opened that island to hunting. Is the aim of issuing hunting permits for Snake Island to eliminate deer or reduce them to negligible levels, or is the aim to maintain deer populations, just harvest the surplus and turn Snake Island into some sort of royal hunting preserve where exclusive membership access allows you to be sure of hunting a deer year after year and off into the future?

Ms PULFORD (Minister for Agriculture) — I thank Mr Barber for his question. The press release that I think Mr Barber is referring to was issued by the Minister for Energy, Environment and Climate Change, Minister D’Ambrosio.

Fulham Correctional Centre

Mr O’DONOHUE (Eastern Victoria) — My question is to the Minister for Corrections. Minister, on 2 April last year the government signed a contract extension at Fulham prison near Sale valued at \$1.45 billion. In recent months Fulham has seen the discovery of a pet snake in a prisoner’s cell, the first escape from a medium-security walled prison since 16 June 2001, the discovery of cannabis plants being grown and cultivated by prisoners in the prison garden and the recent death in custody of an Indigenous man. Given all these issues, Minister, does the government retain confidence in the management and operation of the prison?

Mr HERBERT (Minister for Corrections) — I thank the member for his question. There have been a number of incidents recently at Fulham prison which have been of some concern. Certainly one of the serious ones was the escape of a prisoner, even though they were caught fairly quickly. But as Mr O’Donohue knows, they were fined substantially for that. A cure plan has been put in place on that, which involves a substantial upgrade to a whole range of security issues — issues that should have been addressed years ago, quite frankly, in terms of the quality of the cameras, fence et cetera. I will not go into that detail for

security reasons. What I will say is I have every faith in Corrections Victoria in how they manage our prison system.

Supplementary question

Mr O’DONOHUE (Eastern Victoria) — Minister, in recent months Fulham prison has also seen the proposed management unit of the prison downscaled, with millions of dollars supposed to be spent at the prison siphoned to pay for the cost blowouts at the Metropolitan Remand Centre. Minister, can you guarantee that the security of the prison will not be put at risk because of your decision to reduce the size of the management unit?

Mr HERBERT (Minister for Corrections) — Can I say that I reject the premise of that. There are not cost blowouts at the remand centre. There are a whole heap of additional works going on, as the member knows very well. When it comes to operational matters, however, I do trust that Corrections Victoria and in fact the corrections commissioner take all of these considerations into account in terms of safety, keeping Victorians safe and making sure our prisons are run well.

Barwon Prison

Mr O’DONOHUE (Eastern Victoria) — I refer my question to the Minister for Corrections. Minister, I refer to the prisoner strike at Barwon Prison, which lasted, I understand, for approximately a week and only recently concluded. Can you confirm, Minister, that the strike was only brought to a conclusion after concessions were made to prisoners by the Barwon Prison management, including changing the time that prisoners are counted during the day to the time demanded by those on strike?

Mr HERBERT (Minister for Corrections) — I have not been advised of that, no.

Supplementary question

Mr O’DONOHUE (Eastern Victoria) — I ask by way of supplementary, Minister: given that those who refused to work and went on strike had days in lockdown, can you confirm that pursuant to regulation 78 of the Corrections Regulations 2009 these strikers may be eligible for discounts on their time in prison, known as emergency management days, of up to four days off for every day in lockdown?

Mr HERBERT (Minister for Corrections) — In terms of the lockdown, can I just say to you that prisons are not workplaces per se; they are prisons. So when

you use the term ‘strike’, there was an issue there at Fulham. They wanted more money — some of them — and they did not get it — —

Mr O’Donohue — This is at Barwon.

Mr HERBERT — At Barwon, sorry. They did not get it, and they were in lockdown. Being locked in your cell for 23 hours is not a particularly pleasant thing. There were shifts in terms of prisoners, and they are now back at work.

Honourable members interjecting.

Mr HERBERT — I will take the other point on notice, but I would not have thought that would be the case.

Deaths in custody

Mr O’DONOHUE (Eastern Victoria) — My question is to the Minister for Corrections. Minister, under the Andrews government there has been a surge in the number of deaths in custody. In fact from your answer to me, there were 18 deaths in just 11 months between 1 July 2015 and 7 June 2016 — a dramatic increase from only 4 deaths, all from natural causes, in the 2011–12 financial year. Since that time we have heard in the public arena that there was the death in custody of a high-profile prisoner, Mr Hizir Ferman, in late July at the Middleton restricted minimum security facility, after reportedly having smoked ice; the death of a 21-year-old prisoner at Port Phillip, who allegedly died after smuggling in and ingesting drugs; the death of an Indigenous prisoner at the Fulham prison on Saturday, 3 September, reportedly from unnatural causes; and just on Monday a 25-year-old prisoner was found dead in his cell at Port Phillip Prison. Minister, between 7 June this year and today’s date how many other prisoners besides the four described above have died in custody and how many of those, from preliminary investigation, were from unnatural causes?

Mr HERBERT (Minister for Corrections) — It is outrageous to be alleging what the causes are. The coroner will determine that, and the former minister knows that very well. In each of those cases there will be a coronial investigation, and I will wait for the results of those before I allocate causes to those deaths. Can I say any death is tragic, whether it is in prison or not. The figures so far in 2016 are that there have been 14 deaths in Victorian prisons, and that follows the death of a 25-year-old young man at Port Phillip Prison. I understand that this is not being treated as a suspicious death at this stage. The coroner will look at it.

In 2015 there were 14 deaths, and in 2014 there were 15 deaths in our prisons. I am sure the member knows about that. We also know that the vast majority of deaths in prison are from natural causes. Some of those deaths that the member mentioned may in fact fit into that category; the coroner will determine that. The average age of death of prisoners in Victoria is 62 — a very substantial age. It highlights the fact that in recent years, as a result of cracking down on many cases of child abuse et cetera, many people are coming into our prisons older and they are dying in prison at an older age. As I say, in regard to deaths in prison, prisons are no different to anywhere else, and people do die; however, we need to make sure that all medical attention is given to them if they need it and that we have proper investigation into that death at the end of it.

Supplementary question

Mr O’DONOHUE (Eastern Victoria) — Minister, there is a clear trend of an increase in deaths in custody under the Andrews government, with many of these not just being caused by age or disease; many younger prisoners are dying from apparently unnatural causes. What are you doing to address this concerning trend?

Mr HERBERT (Minister for Corrections) — Are you talking about unnatural causes? You are talking about drug deaths, are you, Mr O’Donohue? Is that what you are saying? I will take that question on notice, but really it is such a broad category. If the member is talking about the substantial increase in search and seizure procedures in terms of drug testing in prison and the whole gamut of measures increasing the emphasis on stopping contraband, then I can give him all those figures; but I have done that before, if that is what he is talking about.

Prisoner transport

Ms LOVELL (Northern Victoria) — My question is for the Minister for Corrections. Minister, under your government, police cells continue to be overcrowded, with police babysitting criminals rather than catching criminals, and prisoners continue not being presented to court, in contravention of a court order. Minister, since 20 April this year how many costs orders have been made by the courts against Corrections Victoria for failure to present a prisoner to court, and what is the total quantum of those orders since that date?

Mr HERBERT (Minister for Corrections) — I thank the member for her question. In her question last week she asserted that hairdressing apprenticeships had been scrapped under Skills First, and that was of course totally wrong, wrong, wrong. As to the allegations in

this question, we will check it out to see whether the information she has been given is actually accurate, unlike that in the last question she asked of me, which was simply wrong, wrong, wrong. I will get back to her with details.

Supplementary question

Ms LOVELL (Northern Victoria) — I note that the minister could not answer that question. Minister, can you please advise the house when this flouting of court orders by the executive will be brought to a stop and the government through Corrections Victoria will comply with the orders of the court?

Mr HERBERT (Minister for Corrections) — What a silly question. I will take that on notice and get back to her.

Community correction orders

Mr DALLA-RIVA (Eastern Metropolitan) — My question is to the Minister for Corrections and is in regard to his responsibility for the administration of the community correction system. Minister, is community safety being put at risk following the Court of Appeal decision in Boulton, which has effectively expanded the category of eligible criminals that may remain in the community on a community correction order (CCO), which includes those convicted of sex offences, some categories of homicide and other serious crimes?

Mr HERBERT (Minister for Corrections) — That was a reasonable question, quite frankly. It was a very serious question. I can in answer to it, however, say that there has in fact been a 63 per cent increase in the number of offenders on supervised court orders between June 2014 and June 2016. This growth is due, I am advised, to a range of reasons, including the abolition of suspended sentences in September 2014 — I am sure you are aware of that; the Court of Appeal guideline judgement in the Boulton case, which you have referred to, in December 2014, which paved the way for community correction orders to be used for more serious offenders; and a shift by the courts which has seen a move away from sentences of imprisonment in some circumstances to the use of community correction orders combined with terms of imprisonment. I am sure the former minister knows about the legislation brought in by the former government relating to that.

We have in fact put, as you know, substantially more police on the streets. There are more arrests, and as a consequence there are more sentences with these correction orders. It is a serious issue, and that is why

we have invested \$89 million in our first budget to expand the community correction system to respond to management demand. We backed it up last year, as the member will know, with a massive \$233 million to strengthen and expand the risk management, supervision and program capacity of community correction. The government will keep a close eye on this and will ensure whatever needs to be done for community protection is done.

Supplementary question

Mr DALLA-RIVA (Eastern Metropolitan) — I thank the minister for his comprehensive response. In light of the decision in Boulton and the rise, as you have indicated, in community correction orders, have you undertaken any detailed research or briefings on specific cases where those on CCOs have reoffended in contravention of that, and if so, what has been that advice and who provided it?

Mr HERBERT (Minister for Corrections) — Have I? Putting it in the perspective of that \$233 million package to strengthen court advice and prosecution of contraventions, the money was for that. Of course if you contravene an order you need to go back to the courts and the courts make decisions, and it needs to be prosecuted there. The money is also to recruit senior case managers to manage high-risk offenders and to recruit additional clinical staff for assessment and treatment compliance. Obviously many people are on drugs or have a whole range of alcohol issues. The staff need to put them into drug and alcohol programs as part of their work.

It also encompasses 300 staff, including continuity of 143 staff funded in that 2015–16 budget and 157 new staff. In total, currently we have about 950 staff in community correction. It is fair to say that breaches of community correction orders do happen, obviously. They go back to the courts. Some are given new orders or allowed to remain in the community; for others of course the prison sentence is there. So there are a whole range of things, and you know that. If you are asking me have I asked for specific examples, no, I have not.

QUESTIONS ON NOTICE

Answers

Ms PULFORD (Minister for Agriculture) — I have seven written answers to the following questions on notice: 5059, 5060, 5061, 7243, 7244, 7245 and 7246.

QUESTIONS WITHOUT NOTICE

Written responses

Mr Barber — President, on a point of order, the Minister for Agriculture sought to discharge my second question by saying that the press release I was referring to was the responsibility of another minister. In fact the press release headed ‘Hog Deer Hunting Trial on Snake Island’ from the Minister for Agriculture and the Minister for Energy, Environment and Climate Change on 22 August 2016 also has quotes attributable to both those ministers —

Ms Shing interjected.

Mr Barber — and Ms Shing, who wanted a piece of the action. In addition, President, the minister would be well aware that she has responsibility for the hog deer hunting measures which come under the Wildlife Act 1975, and therefore I would ask you to direct her to provide a written answer to my question, which went to the issue of the management objective of the hunting trial.

The PRESIDENT — Order! In respect of today’s questions, on Ms Patten’s questions to Mr Dalidakis on women playing football, both substantive and supplementary questions, Mr Dalidakis has undertaken to provide written answers.

In accord with some remarks that I made yesterday about the ability of acting ministers to provide an answer in a portfolio on a one-day basis rather than a two-day basis, members will recall that yesterday I believed that the subject matter was such that it would require potentially some discussion between the minister in this house and another minister to establish an answer to the question posed. In respect of today’s with Mr Dalidakis as acting minister, I think that is very clearly within that one department and therefore that is a one-day response. I am just really explaining what might otherwise be seen as a contradiction but establishing a position there, so one day.

Mr Dalidakis — President, one of the things that I really did not make clear is that I am Acting Minister for Tourism and Major Events but I am representing the Minister for Sport, and the Acting Minister for Sport is in the other place, and that is Minister Foley.

The PRESIDENT — Order! All right; sorry. On that basis, make it two days. Thank you for the clarification.

In regard to Mr Barber’s first question to Ms Pulford, both the substantive and supplementary questions, I

would seek a written response, and in regard to Mr Barber’s second question to Ms Pulford I would seek a written response. On the first question and supplementary it is one day; on the second substantive question I will allow two days because two ministers are involved.

On Mr O’Donohue’s second question to Mr Herbert, I would seek a written response on the supplementary question, and that is one day. On Mr O’Donohue’s third question to Mr Herbert in respect of the supplementary question, also one day.

On Ms Lovell’s question to Mr Herbert, both the substantive and the supplementary questions, I would seek a written response, and that is one day. That satisfies me.

Mr O’Donohue — President, on a point of order, just in relation to the substantive question in question 3, Mr Herbert did give some figures about the deaths in custody this calendar year and last calendar year, but I do not think he answered my question about the number of deaths between 7 June this year and today’s date.

The PRESIDENT — Order! I would have thought that the figure he provided actually did include that time frame. In fact, you know, I thought the minister’s answers today were quite fulsome and did actually provide a significant amount of information. He did give figures for 2016, so that would include that time period.

Mr O’Donohue — On a point of order, President, I appreciate the minister did give some detail and a fulsome answer, President, but he did not provide those figures; and when we have operated previously on financial-year figures, the calendar-year figures do not necessarily match up. So my question was quite specific, and I would seek an answer from the minister.

The PRESIDENT — Order! I will consider that. In the meantime, Ms Crozier.

Ms Crozier — On a point of order, President, yesterday I asked a number of questions of the Minister for Families and Children, and I have received written responses today. The first one that I would like to bring to your attention is in relation to the question I asked about child protection numbers. I asked for the actual number of Victorian children under child protection that have not been allocated a caseworker. In the answer I received from the minister, the minister gave me an answer about data relating to the average rate of unallocated cases, which is on the department’s website. But my question was about the numbers, not

the percentage. I would say that you cannot get a percentage without having the numbers, so the minister would know the numbers, so I would ask that that question be reinstated with a proper answer to be provided. That is the first issue that I would like to raise.

My second one is in relation to another question I asked about how many days of WorkCover-related absences or sick days were taken by staff at the Parkville and Malmsbury youth justice centres between 1 July 2015 and 31 August 2016. The minister's answer related to a particular month, July 2014, where again it talks about rates — the claim rate for that particular month — but again the minister has not provided me with a figure; she has just provided me with the general rate. So I ask that that question be reinstated.

The third one that I would like to raise with you is in relation to the question I asked about the category 1 significant incidents that have occurred and significant case notes between 1 July 2015 and 31 July 2016 at both youth justice centres. Again, the minister in her written response to me has said that the incident data is published on the department's website, except I would say in this instance significant incidents and case notes are not published on the department's website, so I suggest that she has actually misled the house with this written answer, and I would ask that they all be reinstated.

Ms Mikakos — On the point of order, President, the member has made a pretty strong accusation there, and actually in her question she has asked for numbers for classifications of something that does not exist. She has actually used the wrong terminology, and then she has the gall to come in here after her sloppiness and accuse me of misleading the house. I take great offence at that.

The member has been provided with responses to each of these questions. In fact, President, I know this puts you in a difficult position because you may not as yet have had an opportunity to consider these matters, but the member has been provided with fulsome responses on each of these matters. I believe that she has received an appropriate response. She herself has referred to the fact that there is data on the departmental website. We now publish data on a rolling quarterly basis, which was not the case in the past, and in fact we have put in place a far higher level of transparency around these matters than has ever been the case before.

I particularly make the point in relation to the issue of the allocation rates that in my response I do say that all children whose cases are substantiated by child protection are overseen by a senior child protection

worker, and as such there is always someone responsible for ensuring the needs of vulnerable children and young people in the system are met.

Obviously I am happy for you to consider the responses and provide some further guidance on this matter, but I think the member needs to be very careful in coming in here and making these types of accusations when she herself does not realise that it is her own sloppy questioning that is the problem. Yet again she has been unable to pose a question in the correct form.

The PRESIDENT — Order! I am struggling to find a point of order in there, Ms Mikakos, but nonetheless I do understand the explanation.

Mrs Peulich — On the same point of order, President, could I suggest that the minister's excuse for not answering the question is longer than her answer, and clearly in feigning offence she has actually been more offensive, and indeed she has been debating the question, so perhaps you could take that into consideration when you rule on the point of order.

The PRESIDENT — Order! Perhaps I should remind members that points of order are about our standing orders and processes; they are not an opportunity to debate matters. I take a very dim view of vexatious points of order, and certainly, as I said, Ms Mikakos's explanation was an explanation rather than a point of order, and further I do not think Mrs Peulich's was a point of order either.

At any rate, coming to the matters brought to my attention by Ms Crozier, I have not had a chance to have a look at those responses this day, so I will have a look at those and make a determination on whether or not I would seek some further assistance from the minister.

In regard to Mr O'Donohue's point, the question is actually explicit about a time period that goes beyond the financial year figure that I think Mr Herbert referred to, so in that context I do accept that on question 3 there should be a response on the substantive question as well, which is for the period of 7 June to today. That is a written response, and that is one day.

CONSTITUENCY QUESTIONS

Western Victoria Region

Mr PURCELL (Western Victoria) — My constituency question is addressed to the Minister for Sport, and I commence by wishing him a speedy recovery. The Port Fairy Bowls Club have approached me to raise an issue on their behalf, and it is in regard to

the bowls club looking to refurbish their facilities. The Port Fairy Bowls Club has been a vital part of the community for the past 127 years, and the club is going from strength to strength, with its numbers growing, and it is a key feature for the permanent residents and the visitors alike to the region. It is a facility that has been used by many ages, and many younger people particularly are starting to use the facilities. The club facilities were built in the middle of last century and are in dire need of upgrade, and on behalf of the club I ask the minister to visit and discuss with the passionate members of the club the future of those upgrades for this particular club.

The PRESIDENT — Order! Mr Purcell, you have sought an action rather than posed a question. Can I ask you to just rephrase it?

Mr PURCELL — I was asking the minister to visit the club and discuss the needs for the upgrade, so the question is: will the minister visit the Port Fairy Bowls Club?

Western Metropolitan Region

Mr FINN (Western Metropolitan) — My constituency question is to the Minister for Education. I refer the minister to a previous question I asked about the proposed sale of school sites in the City of Brimbank and surrounds, and I ask: will the minister provide a guarantee that any of these redeveloped sites will provide community facilities, open space and, given the large ageing population of the area, aged-care facilities, retirement homes and similar community facilities?

Western Metropolitan Region

Mr MELHEM (Western Metropolitan) — My question is for the Minister for Education. Honouring the commitment made in the last state election and addressing the need for a secondary school in the electorate of Sydenham, the Andrews Labor government budget 2016–17 has allocated \$12 million to build a new secondary school in Taylors Hill. While it is good to see that progress is being made, can the minister please inform me on when the principal for Taylors Hill Secondary College will be appointed?

Western Metropolitan Region

Ms HARTLAND (Western Metropolitan) — My question is for the Minister for Energy, Environment and Climate Change. It has come to my attention due to community concerns that asbestos sheeting was discovered in Brimbank Park in December last year.

Parks Victoria acted to fence off the area but has failed to clean it up in the past eight months. While I respect that they are consulting with the Indigenous community regarding this issue due to the area being a site of significance, it should not have taken eight months. This is far too long for this material to be left out in the open and too long for the community to be cut off from this parkland. My question for the minister is: why has it taken Parks Victoria so long to act on this issue, and when will the remediation activity take place?

Western Victoria Region

Mr RAMSAY (Western Victoria) — My constituency question is for the Minister for Public Transport, the Honourable Jacinta Allan. It relates to the safety of motorists using an Indented Head street where a Public Transport Victoria (PTV) bus bay is to be constructed. Last week I visited Vincent and Margaret Dawson, home owners at Indented Head, who contacted me regarding concerns with the bus bay outside their property on Batman Road. The home owners feel this bus shelter will not only compromise the streetscape but also block visibility to motorists, including large trucks turning into the street from Ibbotson Street. It should be noted that housing developments are underway in Indented Head, and traffic from these new residents will feed into the aforementioned intersection. It would seem more appropriate to move the bus bay 50 to 100 metres west of the intersection to satisfy the Dawsons' concerns for motorists safety. The Minister for Roads and Road Safety, the member for Bellarine and PTV have not been able to provide a solution. Today I ask: will the minister request a PTV review of the site in relation to its necessity and placement on the busiest stretch of Batman Road?

Eastern Victoria Region

Ms SHING (Eastern Victoria) — My question is for the Acting Minister for Sport in the other place. I refer to a visit that I have paid to the Traralgon Tennis Association in relation to support and assistance that they are seeking to fix the fences and to provide improved mobility access for people with limited capacity to be able to participate in sports, competition events and training at that particular facility. The Traralgon Tennis Association provides a wonderful opportunity for people from all over Gippsland to participate and to see some of our very best Australian and international players in action. As part of making sure that we continue to drive competition and a really great spectator experience to this part of the world, I would ask that the minister give positive consideration to funding which will create better access for people

with limited mobility and make sure that the fences and surrounds of this facility are in tiptop shape.

The PRESIDENT — Order! Again, that is an action. You are not actually asking a question.

Ms SHING — May I rephrase, President? Will the minister give positive consideration to providing funding for improvements to the Traralgon Tennis Association's fences and mobility access?

The PRESIDENT — Order! It is close.

Southern Metropolitan Region

Mr DAVIS (Southern Metropolitan) — My question for my constituency concerns Fishermans Bend, which is a very important area of our city allowing great growth in population into the future. This is directed to the Minister for Industry and Employment and Minister for Resources, the Honourable Wade Noonan, and it concerns his announcement of the design and engineering hub. What I am seeking from him is some indication as to how this fits into the plans for Fishermans Bend, which have not been developed. The government ripped up the plans for Fishermans Bend and stripped the station out, and indeed their plans for Fishermans Bend are in disarray. They are now purchasing a mothballed factory at \$130 million. Will the minister explain how this fits into the Fishermans Bend plan and release the business case?

Eastern Metropolitan Region

Mr LEANE (Eastern Metropolitan) — My question is directed to the Minister for Public Transport, the Honourable Jacinta Allan. From speaking to a number of people in the electorate that are involved in a stakeholder group with the Blackburn and Heatherdale level crossing removals, I know they are pretty keen to see some of the revegetation go not only into the rail corridor but also into somewhere in the near vicinity of those two particular removals. Has a site been identified where there can be some revegetation put in as part of the offset of the project?

South Eastern Metropolitan Region

Mrs PEULICH (South Eastern Metropolitan) — My constituency question is for the Minister for Public Transport. The Level Crossing Removal Authority on behalf of the government undertook no consultations with residents impacted by sky rail being built on the Caulfield to Dandenong line, undertook flawed consultation with residents impacted on by the proposed sky rail along the Frankston line and is now

embarking on another round of flawed consultations along the Frankston line, dramatically limiting those who are able to attend the consultation sessions to invitation only. In view of the concrete sleepers which have recently been placed along sections of the Frankston line, can the minister confirm that these sections scheduled for sleeper replacement are not going to have sky rail built on these sections as part of the government's level crossing removal program and that those without concrete sleepers will have sky rail built along these sections? If the answers have already been predetermined, what does it say about the consultation which is currently taking place with the community?

Southern Metropolitan Region

Ms CROZIER (Southern Metropolitan) — My constituency question is for the minister responsible for the removal of level crossings, Jacinta Allan. Normally I would have directed my question to the Minister for Public Transport, who is responsible for decisions about public transport and location of bus stops. I am told, however, that both VicRoads and Public Transport Victoria believe that the responsibility for the issue I raise lies with the Level Crossing Removal Authority. The issue relates to relocated bus stops in Centre Road, Bentleigh. Currently buses travelling along Centre Road toward the Nepean Highway stop at the corner of Centre Road and Nicholson Avenue, and on the other side they stop near Bent Street and Centre Road, but both bus stop locations are going to be moved opposite one another to the corners of Bendigo Avenue and Centre Road. Concerns have been raised with me from commuters, traders and residents about the proximity of these two bus stops, the dangers they could pose for pedestrians and the congestion they will cause along Centre Road. As these concerns have been raised with various bodies, my question to the minister is: could she please provide information about the consultation process that was undertaken, including by whom it was undertaken and when?

QUESTIONS WITHOUT NOTICE

Written responses

The PRESIDENT — Order! I have had the clerks review the questions posed by Ms Crozier and the responses. In each case the responses actually rely on information that is published on a website. In accordance with our standing orders, that is not an answer that is acceptable for questions without notice. In regard to questions on notice our standing orders do provide that if information is publicly available elsewhere, which would include information and data

published on a website, then it is an acceptable response to a question on notice. But in questions without notice in this place as part of the proceedings here there is no provision in the standing orders for a minister to refer in an answer to information published elsewhere, particularly a website. In that respect I would ask that the minister review those answers. That is in regard to questions regarding leave from youth justice services, youth justice centres and family violence — all questions posed by Ms Crozier on 13 September.

Ms Crozier — And child protection, I think.

The PRESIDENT — I do not have that here. I thought you only raised three with me.

Ms Crozier — That is fine.

The PRESIDENT — Thank you. They are further written responses in that respect for the minister to review. Obviously members might bear in mind that website issue.

ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE

Reference

Debate resumed.

Ms DUNN (Eastern Metropolitan) — I rise to speak on Mr O'Donohue's motion, which refers to an inquiry into fuel prices in regional Victoria on a range of matters. It certainly is worth investigating the issue, although it would not be the first time it has come under the spotlight. Mr Mulino in his contribution raised Australian Competition and Consumer Commission investigations currently underway. It has been looked at extensively, and I hope, should Mr O'Donohue's motion be successful, that the committee does not unnecessarily duplicate the efforts already undertaken in relation to these matters and in fact uses that as an opportunity to inform the work of the Economic, Education, Jobs and Skills Committee in its inquiry.

High fuel prices in regional areas do have a disproportionate impact on vulnerable groups and businesses. Because of the tyranny of distance and the low density of these communities, private vehicle travel is often the only option to make many necessary journeys. Some of these are already economically depressed, so to pay 10 cents more per litre for petrol or diesel than people in Melbourne metropolitan areas only disadvantages business operations and the ability of some families to get by. We also see similar issues playing out in the car-dependent peri-urban areas of Melbourne. Those areas which have clusters of low

socio-economic communities are very dependent on motor cars for transport and very sensitive in terms of the amounts they have to pay in relation to mortgages.

In fact there is an index that is very useful in assessing social vulnerability and the interplay between the economy, mortgage and petrol. It is called the VAMPIRE (Vulnerability Assessment for Mortgage, Petrol and Inflation Risks and Expenditure) index, and I hope that, should the committee be doing this work, they actually look at the results of the VAMPIRE index. Developed by Griffith University's urban research program, what it does indicate very clearly in its spatial or visual analysis is that there are enormous vulnerabilities where there is a lack of public transport. The interplay between good public transport networks and petrol vulnerability is a real issue and has certainly been measured by using the VAMPIRE index.

The motion calls for an examination of technology and tools such that motorists can compare fuel prices. I note that there are many different smart phone applications that provide this service and that the Royal Automotive Club of Victoria already provides information on its website for the prices of petrol and diesel in towns across Victoria, albeit on a rolling seven-day average. Perhaps limited access to the internet and the mobile network in regional and rural Victoria is a greater impediment to finding out this information than the issue of there being a lack of a central repository of such information. If that is the case, perhaps Mr O'Donohue needs answers in that regard. He could investigate the pathetically slow rollout of the federal Liberal government's multi-technology mix broadband network.

The motion makes reference to examining regulatory and legislative barriers that may influence fuel prices and considering best practice approaches and initiatives in other states and territories with a view to reducing fuel prices. There may indeed be some good ideas out there — there sure are some bad ones. One state from which we could learn what not to do is New South Wales. In that sorry state the Baird Liberal government is threatening small family-owned petrol stations in regional areas with \$1 million fines if they do not sell E10 ethanol-blended petrol labelled as having an octane rating of 94, implying it is a premium grade fuel, which it is not. This will close down hundreds of stations, lead to an estimated 6200 job losses and reduce fuel price competition in rural and regional areas of the state.

The Labor opposition is curiously silent on the issue. That means the New South Wales Greens, the only party that have not solicited donations from the state's monopoly ethanol producer, are the only hope for small

petrol station businesses and the communities that depend on them. Indeed the only time the Liberal and National parties care about petroleum and gas in country areas is when they can frack farmland to get to it, liquefy it and export it overseas. They do not care about ensuring it is available to farmers, small businesses and families to run their cars, tractors and trucks.

Of course private road transport should not be the only option for regional and rural Victoria. If properly revitalised, Victoria's regional rail network could provide freight and passenger transport alternatives to costly private road travel. To this end, the Greens support the reviving of the goldfields train from Geelong to Bendigo through Ballarat, the inclusion of passenger service infrastructure in the Murray Basin rail upgrade and an integrated container rail shuttle system operating between the port of Melbourne and suburban intermodal terminals to provide an alternative to trucks. An improved regional bus network could provide good services within and between regional centres, with the added benefit of providing independence to vulnerable groups, such as the elderly and people with disabilities. Getting people out of cars and onto trains and buses will reduce the number of cars on our roads and in turn reduce the number of accidents and ease congestion on highways.

It does not help our communities that an unreliable public transport system means that they have no confidence in being able to use public transport as an option. If last night was any example, in metropolitan Melbourne our public transport system is antiquated, falling apart and there is no guarantee that you are going to get home if you start your journey in the morning. Is it any wonder that those communities who are some distance from where they work or where they need to be educated or go to health services turn to their cars? It is because there is no guarantee they will get home where they do have public transport — but of course many Victorians do not even have that option.

One of the other benefits of improved transport options is that they reduce dependence on fossil fuels. The burning of fossil fuels is a major contributor to climate change, which will in turn marginalise a lot of farmland in Australia. Improved public transport is a win for rural communities, a win for business and a win for farmers and the environment. An inquiry of this nature is an opportunity to explore and examine the issues, and the Economic, Education, Jobs and Skills Committee is the appropriate place for that to happen.

In summary, the Greens will support this motion so long as it is part of a broader effort by this Parliament to

consider improved service provision to regional and rural areas, particularly with regard to public transport alternatives.

Sitting suspended 12.58 p.m. until 2.04 p.m.

Ms SYMES (Northern Victoria) — I rise today to make a contribution on the motion moved by Mr O'Donohue in relation to a committee reference on fuel pricing. There is nothing offensive about this motion. As a country person and a person elected to represent country people, I always welcome discussions about ways to ease cost-of-living pressures for country people. On the face of it, there is merit to this motion. They are very important issues for country Victoria, but I fail to see that this is the best way to address these issues.

The motion proposes to establish a process that simply replicates a body that already exists and does exactly what they are suggesting. It is pretty much plagiarism really and does not seem to be overly subtle either. The Australian Competition and Consumer Commission (ACCC) is effectively the body that already does what the opposition are proposing we should set up separately. A quick glance at the ACCC's website provides a plethora of worthwhile and helpful information on petrol pricing, the pricing cycle, the factors which influence this cycle and a whole host of other things. If you want to check it out, it is at www.accc.gov.au/consumers/petrol-diesel-lpg/petrol-price-cycles. In fact I strongly suspect those opposite have already checked out this website and decided that it is a pretty good idea, so 'Let's rip it off.' Obviously that is where we have landed today by having this debate.

I understand that it is almost two years since the ACCC was directed by the federal Minister for Small Business to monitor the prices, costs and profits relating to the supply of unleaded petroleum products and report at least quarterly for a period of three years. The ACCC provides two types of reports. The first is a quarterly whole-of-market report, which looks at petrol price movements and price cycles and what drives them overall. For these reports the ACCC monitors and reports on fuel prices in all capital cities and around 190 regional locations across Australia, including more than 30 Victorian locations. The latest report was for the June quarter 2016. Where the ACCC identifies issues of concern, it has the power to investigate.

The other report they produce is the regional market reports. So far the ACCC has completed reports for Darwin and Launceston, and it has a study on Armidale underway. In April 2016 the ACCC announced that it

would also investigate the Cairns market, as its petrol prices are among the highest in Queensland.

Unlike the ACCC's approach, which looks at particular regional markets, today's motion is proposing an investigation of all regional markets in Victoria. A potential issue with this is that pricing in Victoria's regional markets may differ due to a range of variables unique to each market, such as population, location of service stations, transport costs and diversified business models for some retailers. As an alternative to this motion, and given the ACCC's expertise and specific role in fuel pricing, a recommendation to request that the ACCC investigate a Victorian regional market that historically has high prices would surely be more advantageous and effective and actually bring about something that might benefit country Victorians.

Given that an ACCC investigation would have access to international and local pricing data that would assist them to look at some longstanding issues that appear to be a focus of the motion, such as import parity pricing and the city-country fuel price differential, they are better placed to examine regulatory and legislative barriers, including at the commonwealth level. As the ACCC have previously examined the West Australian FuelWatch scheme, they could consider the recently implemented New South Wales scheme that publishes real-time fuel prices and assess the likely benefits for regional markets where the choice of fuel retailers is limited.

The ACCC also has an established expertise and can apply a similar methodology to that already employed to examine other markets, and it can consider it in the national market context. I think it is really difficult to maintain that this motion is a better alternative to the professional services of the ACCC. As I mentioned before, the New South Wales government introduced an online fuel price board called FuelCheck. The New South Wales scheme requires fuel retailers to report their current fuel prices in real time. This data will be made available to motorists through a public portal and updated as retailers change their prices. This portal and information will be made available to the private sector for use in developing applications for consumers on smart phones and other digital platforms. It is important to note that this portal was only launched in recent weeks and is currently in what I am told is a beta phase.

FuelWatch is a scheme that operates in Western Australian, which was introduced in 2001. It provides price certainty through a 24-hour rule, which requires fuel retailers in Perth and 52 other regional centres to advise of their next day prices by 2.00 p.m. each day, giving consumers fair warning of price fluctuations.

The price then becomes effective from 6.00 a.m. the next day and must remain in place for at least 24 hours. There has been criticism of the WA scheme via an ACCC study in 2002 which indicated that it reduces competition by adversely affecting independent retailers who use price changes as a tool for achieving a competitive advantage. Subsequent studies have had mixed findings, with other factors potentially manipulating the pricing of fuel beyond the introduction of FuelWatch, such as the introduction of Coles Express outlets into the Perth market. In 2015 Perth average retail prices were consistently above those of Sydney and Melbourne.

The cost of fuel is of concern to this government. We understand the cost-of-living pressures that Victorians face each and every day. I did take offence at the claim in Mr O'Donohue's contribution that Labor do not understand the cost-of-living pressures and believe it is quite untrue. To paraphrase his claim, it was along the lines of we fail to recognise that decisions have an impact on the cost of living. This is so far from the truth that I cannot believe that he even thinks it is somewhere near the truth.

Mr Davis interjected.

Ms SYMES — You know it is not true, Mr Davis. Cost-of-living measures that I just jotted down off the top of my head while I was listening to Mr O'Donohue were half-price registration for apprentices and the slashing of school bus fees, saving many country families between \$480 and \$1240 per annum. We capped council rate rises and funded Good Money stores. Better information for choosing power providers has also been introduced. I had a quick look at Mr Gidley's Cost Watch website over the lunchbreak, and it states:

The state government keeps promising to ease cost-of-living pressures, but let's face it, hot air isn't going to fill your wallet.

Well, I actually think that the measures I just outlined — and as I said they were just the ones I jotted down during Mr O'Donohue's contribution — do just that. We have a very good record in finding ways to support family budgets and will continue to do so. I do find it somewhat curious that the Liberal-Nationals coalition has a new-found interest in this space. Let us face it: petrol prices were between 20 and 30 cents higher when they were in government, and I do not recall them putting a motion to the house like this at that point in time.

The cost of fuel, especially in regional Victoria, often takes a large chunk of the family budget each week.

Discrepancy between regional centres and metro areas can often seem to defy logic and common sense. Fuel pricing and associated issues, however, have generally been regulated at a federal level — issues around cartel behaviour, taxation and excise, supply et cetera. As I have already stated, the monitoring of fuel pricing has been a responsibility of the ACCC. There is a strong argument that the establishment of a committee reference of this nature will simply duplicate much of this work.

Whilst we monitor what is occurring across other jurisdictions to manage this issue, the fact is initiatives such as the WA scheme risk reducing competition by removing flexibility for retailers, especially independent retailers, in their pricing. We would say that in conjunction with Consumer Affairs Victoria we will observe and monitor the effectiveness of the New South Wales scheme and any impact it has on fuel prices across their state in the coming months as we weigh up the potential for any application and benefits here in Victoria.

Given the duplication and federal responsibilities, we would have thought this reference was not the best use of the tightly stretched resources of our parliamentary committees. However, despite the view that the motion is largely unnecessary, I am happy to concede that it may be possible that a small amount of good for my country constituents can come of this process, and little harm can be caused by having a discussion.

I do hope that a reference to a committee such as this does not provide false hope that this Parliament or this government can resolve all of these very complex issues. Many of the things may be outside the jurisdiction of the Victorian government, but we will not let that stand in the way of bringing politics into it, will we? I do hope there are no disingenuous political motivations in relation to this reference as well, and as I said, I really do hope that it can bring about some benefits to my country constituents.

If indeed the motion passes the house today, I wish the Economic, Education, Jobs and Skills Committee well in its inquiry.

Mr RAMSAY (Western Victoria) — I have a very brief contribution to make, given the time limits, but I did want to indicate that I support Mr O'Donohue's motion. It was interesting to see two past inquiries, both the 2006 federal Senate inquiry and an Australian Competition and Consumer Commission inquiry in relation to Colac, the area I come from, where there was a disparity between local and metro fuel prices of about 30 cents. An investigation found there was in fact

some collusion between wholesalers and retailers in the Colac district that were actually being anti-competitive in their pricing. So it is a big concern in regional Victoria that we see a disparity in the prices for fuel, whether it be unleaded, diesel or gas, in the order of 20 to 30 cents.

Certainly users of fuel in regional areas want to know why their metro cousins are getting a significant discount on fuel, whereas they are paying a significant premium. As we know, the fuel price divides into components. There is the international price of crude, which makes up about 40 to 50 per cent of the price and which we cannot and do not have much involvement in, and there is the refinery price, which is anywhere between 0 and 10 per cent of the price of fuel at the bowser. The federal excise is 25 to 30 per cent of the price and is something we do not have much control over, but we do have control over the retail price, which is around 5 to 15 per cent of the price at the browser.

I think that is the area that Mr O'Donohue's committee inquiry will get some satisfaction on, and it will certainly allow people to come forward and put their views. In conclusion, I welcome the recommendations from Mr O'Donohue's inquiry into fuel pricing and maybe looking at how we might potentially fund our local road networks through the price of fuel in the future.

Mr O'DONOHUE (Eastern Victoria) — I would like to thank all contributors to this debate — Ms Bath, Mr Mulino, Ms Symes, Mr Ramsay and Ms Dunn. Thank you for your contributions to the debate. I welcome the reluctant support of the government members and wish to assure them of the bona fides of both myself in moving this motion and in particular Mr Northe, the member for Morwell in the Legislative Assembly, who as anybody who bothered to check would know, has been campaigning on this issue for a long time. His concerns are real and genuine. The comments from government members reflect poorly on the committee to which this matter is proposed to be referred. I have great faith that the committee will discharge its duty and respond to the terms of reference in a methodical and diligent way in the finest tradition of the joint parliamentary committees. I wish the motion a speedy passage through the house.

Motion agreed to.

CANNABIS LEGALISATION

Ms PATTEN (Northern Metropolitan) — I move:

That this house notes that the Victorian Parliament, all previous governments from both major parties and every member of this and the other house have failed the Victorian people on the issue of drug law reform, in particular the legalisation of cannabis, and:

- (1) calls on the Victorian government to immediately remove any criminal and civil sanctions for the possession, use and cultivation for personal use of cannabis by persons aged 18 and over;
- (2) notes that prohibitions on drug paraphernalia, such as bongos, should be immediately abolished because there is simply no evidence such restrictions work;
- (3) urges the Victorian government to allow for the licensing and taxation of farmers, wholesalers and retailers of cannabis for recreational purposes;
- (4) notes that other states and territories in several countries have legalised cannabis with beneficial effects on citizens and the economy and Victoria, as Australia's most progressive state, should do the same to lead the nation in what would be an entirely new industry;
- (5) notes that criminal syndicates, such as the Australian-Italian mafia and outlaw motorcycle gangs as already identified by crime authorities, rely on revenue from the illegal sale of cannabis to fund their criminal activities and legalisation would cut off their financial legs and make it harder for them to operate;

and notes that making these immediate changes will improve the Victorian bottom line by billions of dollars via money saved through enforcement and the court system and via the taxation revenue generated through such a move.

I am actually really quite proud, I suppose, or feeling very privileged, to be able to speak to this motion on the notice paper in my name. It is calling on the government to address the legalisation and decriminalisation of cannabis for personal use in Victoria.

I am not sure that I imagined a few years ago that I would be in this house having this conversation and having this debate. I could say, 'Let's breathe it in' or 'inhale it', as it were — pun intended. It is not often that a party like ours is even elected. We went in with a clear set of policy goals that we presented to the electorate, and now we have been given the opportunity to serve that electorate in this house and to pursue commitments we took to the election as the Australian Sex Party. We have pursued safe access zones, the inquiry into end-of-life choices, an inquiry into illicit synthetic drugs and prescription notification and a move to regulate Uber. These are just a few things that we campaigned on in the election period and over the

years since we came to exist. It is great to see some of those things becoming a reality.

I stand here today to finally start a conversation that I think we desperately need to have, and that is in relation to the legalisation of cannabis. The legalisation of cannabis for personal use is something that I have been campaigning for for decades. As far as I know — and I would be happy for someone to interject and correct me — I am probably the only leader of a political party in Victoria who has admitted to occasionally smoking marijuana for personal use, but in that respect I am no different to half a million Victorians who regularly or occasionally enjoy a smoke or a vape.

But we are still discriminated against; we are still considered pariahs; we still face heavy fines or even jail sentences for indulging in what I consider to be a pretty harmless and very widespread practice. In fact statistics show us that one-third of Victorians have smoked, do smoke or have tried cannabis. So I am kind of guessing that probably about a third of us in this chamber may have at one stage tried — but possibly not inhaled! — some cannabis. Feel free to stay quiet here; I am not asking for any admissions at this point.

I think it is time that we actually took this issue seriously. The tide is changing around the world on this issue, and Victoria should move with it. I wrote an op-ed, which was published in the *Age* in the lead-up to the election, that argued the need to tax and regulate recreational marijuana. The response to that op-ed was actually quite overwhelming. Social media went mad on it, and the *Age* certainly reported that it was one of the most popular articles that they had ever published. In that article I noted that in 2010–11, 5570 citizens of Victoria were arrested for possessing cannabis and 1500 were given a more severe criminal record.

I certainly spoke to a lot of parents about this; it was one area I was really able to engage with parents on. If we ask parents, 'Do you want your child arrested for smoking or possessing cannabis or buying some cannabis to share with friends? Do you want your child's future hampered and compromised by possession of cannabis?', parents will say, 'Absolutely no'. Many parents themselves were part of an era when they may have tried marijuana.

In fact Victoria has the highest rate of cannabis arrests of any state in Australia. I do not know why we do this. In Victoria we spend somewhere between \$750 million and \$1.5 billion on recreational cannabis every year — that is Victorians spending this. This money continues to be spent. It does not matter how many millions of dollars the government spends trying to stop us

spending those hundreds of millions of dollars; it is not stopping the use of cannabis in this state. I went on to say in this op-ed that if I was elected to state Parliament, I would move to pressure the government to look at taxing and regulating cannabis, so here we are.

Years ago I was part of a letter-writing campaign in the ACT to decriminalise cannabis there and to treat it as a civil matter, not something that should be clogging the courts. We were successful, and cannabis possession and the growth of plants for personal use — up to five plants, as I recall — were decriminalised and treated as civil matters, not criminal ones. Rates of use of cannabis in the ACT did not spike, obviously the arrests for possession went down and the sky did not fall in — despite many people's concern that it would. South Australia, Western Australia and the Northern Territory have also decriminalised the use and possession of cannabis, and I think when you are seeing that over half the states and territories in Australia have gone down this path, it is well time for Victoria to go down this path.

They have gone further in the US, where five states have legalised the personal use and sale of cannabis for recreational purposes or personal purposes, and there will be another five states in the US that will legalise the sale, use and taxation of cannabis this year. We have got to learn from the US experience, especially in Colorado, where it was legalised first and it has been scrutinised by academics, by lawmakers and by police. A whole range of different interest groups have looked at the experience that happened in Colorado. Colorado raised \$291 million in taxes from the sale of cannabis for personal use.

Colorado is quite a similar size to Victoria, so imagine what we could do with \$290 million. Imagine if that \$1.5 billion that we were not giving to organised crime and criminals was actually going into the government coffers and was not going into the coffers and bank accounts of criminals, where that money goes on to fund other criminal activity such as the sale of hard drugs like ice and the purchase of illegal weapons. In some cases we have heard of money going overseas to support terrorist activities.

By regulating this product, the state can control who buys it, who sells it, where it is sold and what is sold. As I say, we could raise hundreds of millions of dollars a year. It would mean jobs. If we were talking about any other industry with that popularity — with the fact that we already have a community spending close to \$1 billion a year on this product — and if this was any industry other than the commercial cannabis industry,

we would be flying and fighting for it. I can see Minister Dalidakis leaning over, trying to grab these people and bring them to Victoria, and quite rightly; as the Minister for Small Business, Innovation and Trade, that is what he should be doing. I do not see Minister Pulford, as the Minister for Agriculture, travelling around the world explaining how Victoria can be the mull bowl of the world. We have a beautiful climate, but I do not hear that.

We certainly have talked about Mr Dalidakis travelling overseas for a whole range of things that may not actually bring the same sort of revenue to Victoria that a cannabis industry could. In fact last year I asked a question of the Treasurer. I said, 'Has the Victorian Treasury done any modelling on a cannabis-based industry?'. 'No' was the answer — absolutely no.

There has been some modelling. The University of New South Wales has done some interesting modelling, and Alison Ritter from the university looked at this. She estimated that in the state of New South Wales — and she did not look at Victoria, but I think the state of New South Wales gives us an idea — the direct income from the sale of cannabis would be somewhere around \$300 million. She also estimated that the savings would be another \$80 million, so that is nearly \$400 million that could go into state revenue by legalising cannabis.

As I say, legalising means we can control it. We can control what is sold, where it is sold, when it is sold and who it is sold to. That is what they do in Colorado, for example. In Colorado you have got to be over 21 before you can purchase it, and you can only purchase up to an ounce. They control where it is sold, there is strict licensing around where this product can be sold and there is strict licensing on who can sell it. In the first three months of the legalisation of cannabis in Colorado, the Denver police related that gang-related crimes had decreased by 7 per cent, and that was just in the first three months.

Earlier this year I went to California and met the Senate sponsors for the ballot to legalise cannabis in California, which will happen this November; it will be passed. They raised the same issues. They said, 'Fiona, the reason we want to regulate personal use of cannabis and the industry that sells this cannabis is that it makes it easier for us to regulate it. It makes it easier for us to educate people about the risks and possible harms of this product'. We can do that if we can control it. At the moment we let the crime gangs control it.

In California they have some real environmental issues, because they are growing a hell of a lot of cannabis there and they do not have a lot of water. Illegal

cannabis plantations are pulling water out of desperate drought-ridden farm areas. This production has not been able to be controlled in the way that it could be controlled if it were legal and regulated. This would allow the police to be doing more serious things like stopping people from being harmed from crime. We have been talking about carjacking and home invasions; these are the types of things we want our police to be dealing with and not whether an adult chooses to have a vape after work, a joint after work or a cannabis cookie after work over a glass of wine. This is not the role of our government.

Finally, of course, there is the revenue raising. Canada is not dissimilar to Australia. Culturally we are quite similar. Canada is about to legalise cannabis. I note that the leader of the federal Labor Party, Mr Shorten, will be travelling to Canada to meet Prime Minister Trudeau, so I hope they might have a frank conversation about the benefits of legalising cannabis. In Canada, like Australia, it is the second most used recreational drug — that is, second after alcohol. In fact it was found that more people are probably smoking cannabis than tobacco in many age groups. This is a good thing.

In 2015 the Criminal Intelligence Service Canada reported that 657 organised crime groups were operating in Canada. Over half of those groups were known or suspected to be in the illicit marijuana market. That is why they are moving to change this. The Canadian Centre for Substance Abuse estimated that based on 2002 data public costs associated with the administration of justice for illicit drug use — including police, prosecutors, courts and correctional services — amounted to approximately \$2.3 billion per year. They are spending \$2.3 billion a year arresting people for using cannabis.

We have done some great work on medicinal cannabis here. We are the first state in Australia to positively move on medicinal cannabis. Many members know my feelings and that I do not think we went far enough. We could have done so much more in helping many other people who would benefit from medicinal cannabis. I am thinking of adults with multiple sclerosis, adults with epilepsy, people with HIV and people with terminal cancer who are in incredible pain and discomfort from the treatments they are undertaking.

I had the great opportunity of visiting the medicinal cannabis growing facility in Victoria. I have to say it was impressive. They are doing some really great work. Their research on low cannabidiol (CBD) treatment is excellent. I have to say it was a lab full of females. That is because they were cloning the females to produce the

CBD products they were producing. There were doing some very good work, and they were advancing the work that is done in other countries. I was very proud to see what we can do in this country and particularly what we can do in this state, but we can do so much more.

When we regulate something, we control it. Look at what we just did last night with the Tobacco Amendment Bill 2016. We looked at how we can further control tobacco, how we can further ensure that the community understands the absolute harms of that product, how we can ensure that the community is not being affected by second-hand smoke, for example, and how we can ensure that children are not getting access to this drug. Because we regulate it, we control it and we say who buys it, where they buy it, how they buy it, how much they buy and how much it costs. We have actually seen a decline in the sales of tobacco. That is fantastic. The same goes for alcohol. For the first time we are seeing a decline in alcohol sales to people aged under 25. This is as a result of our education programs and through us having that conversation — a conversation we can have because it is a legal product. When it is an illegal product, it is so much harder to have those conversations.

I also want to point out a study that many people may not have seen, the Global Drug Survey. This survey was run with Fairfax Media. I know that some of us have got an uneasy relationship with Fairfax Media from time to time. However, this study was a self-selecting study called the Global Drug Survey, so you can imagine who that interested the most — people who are interested in drugs. Twenty thousand people in the UK and Australia responded to this survey. That is quite a significant number. But the really interesting thing about this survey was that it asked: how would your drug use be affected if we changed our drug policies; if we decriminalise drugs, would you use more drugs; if we legalised them in restricted ways, would you use more drugs or less drugs; if we make drugs available through government pharmacies, would you use more drugs or less drugs?'. When it came to cannabis, the result was that they would not use more, they might use less but they would probably use the same amount. So legal or illegal, we are not affecting the market. What we can do is affect and regulate the market.

As my motion states, wiping out cannabis possession as an offence will save an enormous amount of time and resources for Victoria Police and the Victorian court system. When I first came to this house I asked the Minister for Police how many cannabis-related arrests there had been in the past year, broken down into

quarters. He told me that there had been 2600 in Victoria in the previous 12 months — 60 a week, 7 a day. That is how many people are going through our court system every day on cannabis-related arrests. What a way to clog up the court system. Look at what is happening in our remand centres. Look at how many prisoners we are now having on remand. We are doubling the number of prisoners on remand, because we cannot get them through the court system. And here is an obvious solution for clearing out a lot of our court system to allow for people on remand to actually be seen in court in a timely way.

Making cannabis legal for those over 18 not only creates a new industry that makes the state money but, as I mentioned, severely disrupts the revenue base for criminal syndicates. It is a massive criminal enterprise, when it does not have to be. It makes healthy products. As I say, \$750 million to \$1.5 billion is spent on cannabis. Imagine what we could do if that was decriminalised or legalised. We would cut off the financial legs of many criminal organisations.

Let us just have a look at the facts. Cannabis is a schedule 11 drug of dependence in Victoria. It is classed with LSD. It is classed with amphetamines, ice, cocaine, heroin and ecstasy. The mere possession of a small amount of cannabis is an indictable offence in this state. The use of cannabis is an indictable offence in this state. But the laws are rarely used. I personally think that is a good thing. Our police and our courts are using diversion systems; they are using warning systems. The cautioning scheme for first-time offenders is something that is well known and well used in our court structure, and that, as I say, is no bad thing. But it is irresponsible of us not to change the law to reflect how the law is being applied.

We need to stump up and accept that it is not okay for police to turn a blind eye to this law. If we think it is a good thing — and I think largely all of us do think it is a good thing — that we are not giving kids and young people a criminal conviction for smoking a joint and that the police are putting them through education systems and through cautioning, the law needs to reflect that. If we give it to the police, basically we are saying to them, ‘You manage the law as you see fit’. Now, we do not do that with any other law, and we should not do it with this one.

The Australian Crime Commission found that cannabis-related arrests accounted for the greatest proportion of illicit drug arrests in Victoria. In 2014 there were 8558 arrests; 87 per cent of those arrests were for personal use and possession. The crime commission also found that Victoria is the major

destination for cannabis import and cultivation. I would hope that the Minister for Small Business, Innovation and Trade’s ears will be pricking up in his office and that he will be thinking, ‘Really? Wow! This sounds great’. In fact 40 per cent of all cannabis that is seized in Australia is seized in Victoria, so 40 per cent of the 7 million grams, or the 7000 kilograms, of marijuana that is seized nationwide is seized in Victoria.

This debate is not new. I thought I was the first, but maybe I am not, because Jeff Kennett, Premier Kennett, when he was in this Parliament called for the decriminalisation of the use and possession of cannabis. He got a groundswell of public support for it, as we are getting now. So 20 years ago the Liberals were liberal. They thought seriously about personal freedoms and believed that it was not the government’s role to interfere with adults’ personal use, so maybe it is time to wake up to Jeff’s old idea.

There is a lot of talk that Liberal now just means conservative — that it is the other synonym for conservative. But sometimes they say that Matthew Guy is our progressive Liberal leader in this country. I am hoping that that is not just spin but that it is true — that he is a true liberal. Otherwise I would like to see the Liberal Party relinquish the name Liberal and let a party like mine become the Liberal Party.

Ms Bath — The Liberal Sex Party.

Ms PATTEN — Or the ALP, the Actual Liberal Party. Now, a lot has changed in that 20 years since Jeff Kennett first mooted this point and first gauged the public position on this. There has been a lot more research into it. We have seen other states move in significant ways. The public has an appetite for change. We have ex-commissioners, ex-coroners and ex-Director of Public Prosecutions officials all saying, ‘We need to change the law. We need to decriminalise the personal use and possession of cannabis’.

I know this is a difficult issue. I know that drug law reform is never easy and can polarise a community. I know many of our communities are dealing with the ravages of the use of drugs such as ice. When I walk down Victoria Street in Richmond I see the effects on people who are addicted to drugs. We cannot be arresting these people. We should be helping them. We should be treating this as a health issue, not as a criminal one.

We should be pragmatic about this and keep pace with public sentiment. The US has shown us that we can create an environment that allows the personal use of cannabis. Those opposing it need to look at the

research. They need to look at the fact that in countries where cannabis is largely legal to use and possess, usage in those countries has declined. Australia and New Zealand use cannabis more than any other countries in the world, and it is illegal here. We use more than the people of Uruguay, where it is legal. We use more than the people who live in Colorado, where it is legal. We use more than the people in the Netherlands, where it is legal. So banning it and prohibiting it and setting people up for jail and for an uncertain career future because of a drug record has not stopped people using it.

I know this is an area of concern, and I am equally concerned about mental health. I know people have talked about the links between cannabis use and mental health issues, and certainly issues like schizophrenia. What we found is that, seeing jurisdictions like Colorado having come before us, we can look at the evidence and we can look at the research. In the US they looked at this because they were concerned that they would see increases in mental illness in Colorado. They did not. They did not see an increase in rates of schizophrenia.

I have no doubt that sometimes using cannabis can exacerbate health issues, be they mental or physical health issues, but that does not mean we should keep it illegal. If we legalise it and we regulate it and we tax it, we can control it. You know the other outcome in Colorado? Guess which cohort of people use less cannabis now than they did prior to legalisation. The under-21s, because it is harder to get. In Australia I know most schoolkids will tell you it is easier to get a joint than a cigarette, because we control how we sell cigarettes. We do not control how we sell cannabis.

I hope that many of you have read a lot about cannabis reform around the world. There is so much research out there now; there is a plethora. We could go on forever. But I do just want to touch on some issues. I think the mental health issue is the one that we find most people touch on. When we start talking about decriminalising or regulating cannabis people say, 'But it affects mental health'. So I think this is something that we should continue to be concerned about, continue to research and continue to explore, but also continue to question. Does making it illegal make it safer?

Some psychoactive substances have actually been shown to improve mental health functioning. This was found in the Netherlands by the University Medical Center Utrecht, and they concluded that the endocannabinoid system is responsible for making chemicals that combat mental health conditions such as depression and that stimulating the endocannabinoid

system via the use of cannabinoids found in the cannabis plant might actually hold promise for the treatment of depression and other mental health conditions. We cannot do that while we keep it illegal.

A US congressional report by the American Institute of Medicine found that fewer than 8 per cent of those who try cannabis ever meet the clinical criteria for dependence — 8 per cent. That is really looking at clinical dependence, and that is largely in an unregulated industry, where we cannot educate about the warnings and the concerns and the issues around it. That is only 8 per cent, when we cannot educate people properly about this. Thirty-two per cent of tobacco users and 15 per cent of alcohol users of course are dependent, but we do not ban alcohol because we think it causes dependency — we control it, we regulate it, we educate people about it, and this is what we should be doing with cannabis.

Again, as I say, the other question is about the impact on young people. In the states where we have legalised it, cannabis use amongst young people has decreased. Now, some of that might be the forbidden fruit effect, but more of it is about the fact it is harder to get. When you do not have criminals who do not check IDs selling the product and you have got a regulated industry that has licences and severe penalties for breaching those licences, you find that IDs are checked and you find that young people do not access this.

I went to Portugal some years ago, where they decriminalised the use and possession of all drugs — and that is probably a conversation for another time. They have now had 16 years of a decriminalised regime, and they have seen significant reductions in blood-borne viruses and significant reductions in drug-related crime and drug-related deaths, as well as significant reductions in first-time drug use. We know if you are going to become a problem drug user the most significant factor is when you first start taking drugs; so if you first start taking drugs at a young age, you are far more likely to have a problem with drugs at an older age. In Portugal now less and yet less young people are using drugs. We are certainly seeing people using drugs in their mid-20s, but not in their teens in Portugal.

As I say, cannabis is the most widely used drug worldwide, and Australia and New Zealand are at the top. We use cannabis more than any other country in the world. The last point I want to make is about our international drug treaties. Supposedly this is about keeping these drugs illegal — hello? They are not working.

Melbourne-based Centre for Alcohol Policy Research director Professor Robin Room agrees. He says these international treaties are not working. In terms of suppressing the illegal markets there is very little evidence of success. The illicit use of drugs is much greater than it was in 1961, when we introduced the international convention.

Also, the National Drug and Alcohol Research Centre's Professor Louisa Degenhardt in her research has found that illicit drug use that is not cannabis accounts for 1.3 per cent of deaths in Australia, alcohol for 0.8 per cent of deaths, tobacco-related deaths are at 11 per cent and cannabis deaths account for zero. That is right, zero, yet alcohol and tobacco are freely available, taxed and regulated products.

I know that we are not going to be enjoying a cannabis cookie tomorrow afternoon, as much as I might have liked to have hoped for that — legally, I mean — and that we are not going to see the wonderful Yarra Valley or the 'Potways' chocolate being supplied in the dining room here in the very near future, but I hope that my motion today starts a conversation about ending the war on drugs, and particularly ending the war on a plant. I am very hopeful, and I am looking forward to the debate here today. Hopefully this does start the move towards the end of the prohibition on the personal use of cannabis.

Ms MIKAKOS (Minister for Families and Children) — I rise to speak on Ms Patten's motion on drug law reform, cannabis law reform, and in particular her call for the legalisation of cannabis. It is important to say at the outset that the Andrews Labor government will not be supporting the Australian Sex Party's motion to legalise cannabis and does not have any plans to decriminalise cannabis for recreational use. I say that understanding Ms Patten's lifelong advocacy around this issue.

It is illegal to use, possess, grow or sell cannabis in Victoria. The motion calls for the removal of criminal and civil sanctions for cannabis possession, use and cultivation for personal use for persons over 18 years of age. It is important also to understand that we are having this debate in the context that Victoria operates a caution scheme and that diversion programs exist for people found possessing small quantities of cannabis. In fact our government does fund a range of harm minimisation strategies each year. There is more than \$17 million invested each year in these types of strategies, not necessarily exclusively relating to cannabis use of course, but there are a range of strategies around needle and syringe programs and there are services available through primary health

services for drug users, as well as support for organisations like Harm Reduction Victoria and the Preventing Alcohol and Risk-related Trauma in Youth program for secondary students and other types of programs.

Focusing firstly on the issue of the recreational use of cannabis, recreational cannabis usage is harmful both to an individual and to the broader community. Its use resulted in 2212 individual ambulance call-outs in 2013–14, which was in fact an increase of 12 per cent on the previous year. In terms of alcohol and other drug-related emergencies requiring ambulance assistance, cannabis is the fourth highest cause of ambulance emergency. We also know that cannabis usage has an extremely detrimental impact on our road toll. Data from the Victorian Institute of Forensic Medicine shows us that last year 18 per cent of drivers killed on Victoria's roads were impacted by cannabis. This is a higher figure than for alcohol, which contributed to 17 per cent of all deaths on the road. In 2015–16, 19 per cent of clients who accessed Victorian alcohol and drug treatment services reported that cannabis was their primary drug of concern, ranking it as the third most common drug of concern behind alcohol and amphetamines. If cannabis was not the primary drug of concern for these clients, 13 per cent identified it as their secondary drug of concern.

We know that recreational cannabis use is also a prevalent issue for younger Victorians. A 2014 survey of Victorian secondary school students showed that cannabis was reported as the most commonly used illicit substance, with 14 per cent of students reporting having used cannabis. This level of usage was similar to results from similar studies in 2011 and further back in 2008. The proportion of students using cannabis in the past week, past month and in their lifetime increased with age. Some 10 per cent of all calls to DirectLine, which is a telephone support service for alcohol and drug addiction issues, are also reportedly related to cannabis as well.

So there are not only significant health impacts associated with recreational cannabis use, but cannabis-related criminal behaviour is also a burden on police resources. According to a Crime Statistics Agency report released in July 2016, between 1 April last year and 31 March this year cannabis was the drug most commonly associated with use and possession figures, accounting for 49 per cent of all use and possession offences.

The rate of cannabis offences per 100 000 in the population has also increased significantly over the past decade from 109 offences per 100 000 in 2006 to

142 offences per 100 000 in 2016. Of course Ms Patten may well argue that the decriminalisation of cannabis would eliminate much police work, but that argument avoids the stark reality that recreational cannabis has a detrimental impact on individual users and also on broader community safety. I have already touched upon the issue of road trauma, but I think it is also important to consider that cannabis is the drug most often used in addition to other illicit drugs. Across Australia 10.2 per cent of people aged 14 years or older have used cannabis in the past year, with 35 per cent reporting having used it over their lifetime.

I am not offering conclusive proof that cannabis is therefore a gateway drug to other harder drugs, such as cocaine, heroin and methamphetamines; however, a number of research papers have found a clear tendency for those using cannabis to report high usage of other illicit drugs as well. Naturally one wonders whether experience with cannabis encourages experimentation with other drugs and what role cannabis plays in leading to further drug use when we know that cannabis changes the brain's chemistry, particularly in young people.

As the Minister for Youth Affairs I am particularly concerned about the impacts of recreational cannabis use on young people. I think it is important to touch briefly upon this issue of the link between recreational cannabis and mental illness. There have been a number of reputable studies exploring this link. Evidence suggests that using cannabis can trigger things like schizophrenia in those who are already at risk of developing the disorder and that they may experience psychosis earlier. For a person vulnerable to schizophrenia, use of cannabis doubles the risk of developing schizophrenia and can bring forward the onset of a schizophrenic episode. Using cannabis can double the risk of schizophrenia in those who are vulnerable and bring on a first episode by up to two and a half years earlier.

Whether we talk about health, mental health or community safety in relation to recreational cannabis, we come to the same conclusion that recreational cannabis use is in fact harmful. In light of the impact that recreational cannabis has on our community, from a significant health impact to the burden of policing cannabis-related criminal behaviour, the government does not support any motion to legalise recreational cannabis use.

In her contribution Ms Patten referred to evidence and the experience of a number of states — I think it is four states in the US that have gone about legalising cannabis — and I think it is important to reflect on the

evidence that the government has in relation to these particular states. For example, in relation to the impact on driving, a study in Washington state showed that 49 per cent of current users aged 18 to 25 years reported driving within 3 hours of consuming cannabis on the previous 30 days, and between 2013 and 2015 the percentage of drivers suspected of driving under the influence and testing positive for tetrahydrocannabinol (THC) increased from 22.2 per cent to 32.7 per cent. The frequency of drivers in fatal crashes who tested positive for THC alone or in combination with alcohol and/or other drugs increased 111 per cent in 2014 from a previous four-year average.

In relation to the impact on emergency department (ED) presentations, Colorado data shows increased marijuana use after legalisation has been accompanied by an increase in the number of ED visits and hospitalisations related to acute marijuana intoxication. Emergency department visits nearly doubled after the legalisation of recreational marijuana — 22 per 100 000 emergency department visits in 2010 to 2013, compared to 38 per 100 000 emergency department visits from January to June of 2014. I understand the legalisation in Colorado happened about 2013; hence the impact on emergency department presentations in the state of Colorado.

Similarly in relation to health impacts, calls to poison control services following legalisation show that cannabis-related calls to the Washington Poison Centre increased from an annual average of 155 calls in 2011–13 to 246 in 2014, and the number of civilian calls to the Colorado poison control centre regarding marijuana exposure doubled compared with that during the year before legalisation — that is, 127 calls in 2013 compared to 221 calls in 2014.

Finally, a government-funded study in 2015 from the Healthy Kids Colorado Survey, which surveyed young people aged between 12 and 17 around the question of whether they had used marijuana in the previous month, found that in 2011–12 the figure for the state of Colorado was 10.5 per cent, in 2012–13 it was 11.2 per cent and in 2013–14, following legalisation of cannabis usage, it was 12.6 per cent, so there was in fact an increase in cannabis usage by young people between the ages of 12 and 17 following the legalisation in the state of Colorado.

The other point that I want to make is that in relation to our continued vigilance around the issue of synthetic drugs. I am pleased to inform members that our government through the Minister for Police is in the process of strengthening the laws around synthetic

drugs, including synthetic cannabis, recognising the harm that these substances cause to our community.

The final point I want to make before I conclude my remarks is just to make clear the distinction between recreational cannabis use and medical cannabis. There is certainly one thing that I agree with in Ms Patten's motion, and that is the reference to Victoria being the most progressive state in Australia, and certainly this is something that I am very proud of — that our state has taken an evidence-based approach to drug law reform. We have made a very clear distinction between recreational cannabis, which we regard as being harmful to our community, and medical cannabis, which can save lives in our community. Recreational cannabis use and cannabis that is used for medicinal purposes are two very different things.

The Andrews Labor government has taken the historic step of legalising access to locally manufactured medicinal cannabis products for use in exceptional circumstances, and this reform was in line with the Victorian Law Reform Commission report on medicinal cannabis tabled in Parliament on 6 October last year. The first cultivation trial is underway, and from as early as next year children with severe epilepsy will now be able to legally access life-saving treatment. Having met with young Cooper and his family in the northern part of my electorate, I know how profound this will be for him and for other children in his situation, and I am really looking forward to his family being able to have that legal certainty and that support for their child.

Access to medicinal cannabis will be highly regulated and monitored and only provided to those deemed eligible with severe medical conditions. It is the right thing to do, and it will save lives. But this motion is not about medicinal cannabis; it is a motion to legalise recreational cannabis, and it does ignore the known harms associated with cannabis use in a recreational sense. In many senses it contradicts the good work that our government is doing to protect the Victorian community when it comes to harm minimisation, and therefore for these reasons the government will not be supporting this motion.

Ms WOOLDRIDGE (Eastern Metropolitan) — Thank you very much, Acting President Patten. It is a good motion for you to be in the chair, although I suspect you are not allowed to interject from the chair as you may from your seat. Sit on your hands in relation to it.

In debating this motion today that Ms Patten has brought forward I want to acknowledge that this was

very much part of her platform and it is important to her. It is her right — as all of us in the house have — to bring forward the things that we stand for and the things that we campaign for, and hence we are debating it today. That being said, I have to say the coalition does not support this motion. We do not support the legalisation of cannabis. We believe there are other ways, and in government we worked actively on a number of them, to address the harms that are caused by cannabis use.

Certainly we do not support the legalisation of a drug which the evidence shows, in our view, does and can cause significant harm, particularly for young people in the community. I do not even like to use the term 'recreational'; it implies something fun and playful. Legalising personal use sends the wrong message that there is a safety about smoking and the use of cannabis. The evidence, I believe, shows that that is just not the case. I am very pleased that Ms Mikakos was able to update us with all the recent data in terms of the harms that it causes. I have to say the government with those statistics at their fingertips are well placed to provide that information, so I will not go through a lot of that again other than to say that the harms that are presented and the impact they have on the community, on our whole system and particularly on lives I think are important to lay out.

In having a look at the details of this bill it has been important to have a look at what has been happening overseas. I think it is fair to say that except for a small number of jurisdictions most of the reforms are reasonably recent. I also did some consultation with the alcohol and drug sector in relation to this motion and had a wide variety of feedback. I think the feedback that I have had has ranged from 'We do not support the decriminalisation in any way' to 'Yes, we would support decriminalisation for personal use', with quite a lot in between, including, 'We do not yet have the evidence base for the decriminalisation for personal use in other jurisdictions'. Given the harms that cannabis can cause and does cause, we would be better to have an evidence base before we move down the track ourselves.

I do want to thank a wide variety of people who gave me their input to put into this motion, as I say, with a wide variety of views. The feedback was interesting from some of the alcohol and drug treatment agencies in particular. For example, ReGen, formerly Moreland Hall and who have, I think, a very thoughtful approach to this, have said to me that while there are many potential benefits associated with cannabis legalisation, including quality control, removal of related organised criminal activity and criminal charges for people who

use the drug, as yet there is only limited evidence about individual, family and community impacts of such legislation, which goes to that point that we do not yet have a strong evidence base on the breadth of impact that this can have for so many. However, they will actually be publishing their own position statement on supporting decriminalisation shortly.

On the other hand, it was also interesting to hear from the team at Odyssey House, who basically said that the results are mixed. Their view was that there is a substantial amount of evidence to suggest that cannabis use, particularly frequent or heavy use, predicts depression later in life, and young women appear more likely to experience this effect than men. They identified that the research shows a strong association but not yet a causal link. They do not support the legalisation of cannabis; however, they do support the decriminalising of cannabis use and minor offences. So there are a variety of views in relation to that but still some concerns and an acknowledgement and recognition that the jury is still out.

The Australian Drug Foundation on the other hand were very clear that they do not support it at this stage and that without the evidence from other jurisdictions it is not sensible to think through what we should do — that we should have those guides of other jurisdictions in relation to it. I think it was very helpful. David Penington has been at the very forefront of many of these things over many years, and I actually expected quite a strong statement of support from David in relation to that, but he did draw to my attention and voiced his concern about a study done by George Patton and others in relation to it. I want to thank David for drawing my attention to that study, because in looking at it — and this is a 2014 study by Melbourne researchers, amongst others, from the Cannabis Cohorts Research Consortium — they actually acknowledged that the picture of cannabis and the health consequences were quite fractured. They addressed this by integrating the data from three large long-running longitudinal studies from Australia and New Zealand. Under the heading ‘Findings’, I quote:

We recorded clear and consistent associations and dose-response relations between the frequency of adolescent cannabis use and all adverse young adult outcomes. After covariate adjustment, compared with individuals who had never used cannabis, those who were daily users before age 17 ... had clear reductions in the odds of high school completion ... and degree attainment ... and substantially increased odds of later cannabis dependence ... use of other illicit drugs ... and suicide attempt.

These are very concerning key findings that show a very clear link between regular cannabis usage and its impact on outcomes for young adults. The study goes

on to say in the body of their research, and once again I quote:

The findings are particularly relevant as the movement to decriminalise or legalise cannabis gathers momentum in a number of countries ... Research suggests that such changes could lead to an increase in cannabis use mainly through a reduction in price. Although the effect of cannabis prices on the intensity and duration of cannabis use is unclear, evidence suggests that lower prices might lead to earlier onset of use. This hypothesis is concerning because the adolescent brain is vulnerable to the effects of cannabis and, as our findings suggest, cannabis use in adolescence is associated with increased risk of adverse developmental outcomes. In the rapidly changing political and legislative landscape, protection of adolescents from the potentially adverse effects of cannabis use is an important facet of cannabis legislative reforms.

Interestingly there is evidence in a range of different areas, but I thought that study by some very well respected local researchers was very useful in relation to this issue.

A bit more broadly, information provided to me by ReGen characterised the initial findings from US jurisdictions on cannabis law reform as having a variety of different impacts including increased population level consumption but potentially reduced harm amongst young people; reduced demand for illicit drugs such as cocaine and heroin and prescription medicines and an increased engagement with treatment; inappropriate storage of cannabis products leading to increased incidence of harm resulting from unplanned consumption, particularly amongst children; complications in implementing market regulation for a range of cannabis products, including edibles, across neighbouring jurisdictions with varying policies; and persistence of illicit markets.

Once again there are some findings in the early evidence from the US that are supportive in terms of the motion but also are not necessarily supportive, particularly in relation to this idea of the persistence of illicit markets. Legalising a product, even if it is just for personal use, does not necessarily mean that criminal activity goes away, and in fact it could, quite clearly from the early evidence in this study, persist.

I must say in relation to paragraph (2) of the motion, which ‘notes that prohibitions on drug paraphernalia, such as bongs, should be immediately abolished’, that I take this slightly personally, Ms Patten, because it was actually a promise I made in 2011 to ban the bong. From an opposition perspective we often spend a lot of time trying to find an issue that engages the public and attracts some media interest. Banning the bong was that issue over the course of about a three-and-a-half-year period. But I was and am still very much of the view

that a device used to consume an illegal substance should not be available. Clearly, if cannabis was to be legalised, then the delivery mechanism could be there, but I believe that we did the right thing and that it is the right thing to continue. A device that is clearly used to deliver an illegal substance should not be freely available on our streets. It has actually been quite good to see shops down Bourke Street and Swanston Street and other places around the city no longer having hundreds of bongs sitting in the window as young people walk by.

But just banning the bong was not the end of it; it was just the start of it, and there were a number of actions we took at that time, including a campaign we did with the Australian Drug Foundation, to raise awareness of the risks of cannabis to young people and their families. It was a campaign called 'Don't let your dreams go up in smoke' that was rolled out. As I said, this is not just about punitive law and order measures. Education is absolutely fundamental to helping young adults make positive decisions in relation to the use of drugs and alcohol, and we very much put that in place.

The other thing that is clear is the capacity of the diversion programs that are in place. It has been mentioned by a number of people in the debates we have had so far. One other thing that I was very proud of when in government was that we had Victoria's first whole-of-government alcohol and drug strategy, 'Reducing the alcohol and drug toll'. A huge amount of work went into that, and a fundamental part of it — and I know that we had a lot of debate internally at the time — was in relation to diversion programs and taking a health approach rather than a legal approach to the use of illicit drugs, particularly cannabis but other drugs as well, so that we could see a pathway for people who were making those choices to address that use rather than just have interactions with the police and the courts. The police obviously were very engaged in the implementation and expansion of and commitment to those diversion programs.

I think the clock may be incorrect because I probably had more time than 15 minutes, but I want to say in summary that the jury is very much still out in terms of other jurisdictions that have made the decision to legalise. Legalising cannabis would have a very detrimental effect in terms of the message it would send, particularly to young people but to all Victorians, in relation to the potential harm as a result of the use and particularly the regular use of cannabis. We have had some numbers on how regularly people use it. I have presented some evidence from some local researchers about the detrimental effect of regular use in terms of the development of young people,

educational attainment, quality of life and even significantly on their mental health.

It is for all of these reasons that the coalition will not be supporting this motion while acknowledging your position on it, Acting President Patten, and your need to debate on and engage in these issues. That is not to say, though, that we have not been pleased to support the medicinal cannabis legalisation and regulations. It was interesting in that exercise to see the detail that is going into creating safety around the use of medicinal cannabis — who gets access to it, how it is grown, how it is secured and all of those things. It is not that we cannot see the benefits of a controlled and regulated use of some cannabis products, but we see that it is in the medical environment that it is appropriate, not in general use for the broad population. On that note, I say that the coalition will not support the motion when it comes to that decision time.

Ms HARTLAND (Western Metropolitan) — I rise to speak on the motion put forth by Ms Patten. The current legal and law enforcement regime with regard to the possession, use and cultivation of cannabis for personal use is failing our community. The Greens here in Victoria and federally have led the debate when it comes to the urgent need for drug law reform. For example, across Australia we have led the charge when it comes to medical cannabis. As a result we are seeing groundbreaking reforms both here and in other jurisdictions around the country following the lead taken by other countries, including Uruguay and Spain.

The Greens led on this issue because of the ever-increasing weight of evidence, both here and abroad, that tells us the criminal and civil penalties for cannabis and other recreational drugs are ineffective. Worse still, this punitive approach actually increases harm and costs lives because it acts as a deterrent for users to seek medical care. This approach can also leave users with a criminal record that hangs over them for the rest of their lives, so neither the individual nor the community, nor our law enforcement institutions, are better off adhering to this approach. On the contrary, it comes at a huge social and financial cost with no identifiable benefit.

The so-called war on drugs has been waged in Australia for decades, and yet still today we have one of the highest rates of drug use in the world. Here in Victoria hundreds of people still die every year from drug overdoses. In response the Victorian Greens have renewed our calls for a dramatic increase in investment in harm minimisation, including campaigning for pill testing and drug health warning systems in Victoria.

Drug harm minimisation is an issue close to my heart because of the impact of drugs on my community in the western suburbs, which I represent. The failures of the current approach are more evident there than in any other part of Victoria. As far back as the 1990s I was an outspoken advocate for drug law reform, and I could see back then the inherent destructive failings of our current approach. At the time I lived very close to the Footscray railway station where people would buy heroin and then come into my street to inject. Often they would actually do that on my front verandah. At that time I knew very little about illicit drugs, but I became extremely concerned that I would come home one day to find someone dead on my verandah. While other people would criticise people who take drugs, my feeling was that this was someone's son or daughter, brother or sister or friend and that they deserved to live with some dignity.

It was because of those concerns that I became an advocate and a champion of safe injecting rooms, needle exchanges and the establishment of drug and alcohol support services in the western suburbs over the past 20 years. Since Health Works was established in Footscray, it has been an incredible asset for the community. People using drugs have a safe place to go to get health care, clean syringes and support to get their lives back on track in a non-judgemental environment. One of the other significant programs that has been run out of Health Works is the collection of syringe litter. The thing that frightens residents more than anything else is to have used syringes on the streets and in their back lanes.

The safety of this area has improved significantly, but we still need to do more to give comprehensive care. For years I have personally called for supervised injecting services to be set up at Health Works, and this is in my neighbourhood. I am not one of those people who says, 'Oh, let's set up this service, but it has to be 10 kilometres away'. I am more than happy to have it in my neighbourhood because it affects people in my community. There are obviously other areas of need, such as Richmond and St Kilda, and we need to look at innovative ways of dealing with this, not just with a fixed supervised injecting room but possibly looking at mobile services as well, which have been extremely successful in terms of delivering clean syringes.

I consider these to be life-saving services for people in desperate need. We have seen the evidence of the great success of these services in Kings Cross, and yet no other state government has had the vision or the political courage to put them in place. In this house of Parliament I have called for reform and questioned the government over its approach to drugs on countless

occasions, as have my Greens colleagues — especially in relation to the Yarra City Council area. I am concerned that the cause of reform when it comes to the legalisation of cannabis is actually not well advanced by this motion. In fact this motion put to the house carries with it a risk of setting the cause of drug law reform backwards. The motion may be well intended, but I believe it is ill conceived and ill considered.

Turning to the content of the motion, it opens with the statement that 'every member of this house and the other house has failed the Victorian people on the issue of drug law reform'. I do not believe the Greens members of Parliament have failed the community in any way, and in fact for years the Greens have been a lone voice courageously calling for drug law reform. Often that was used against us in elections by the media, and there have been memorable occasions when certain newspapers have come out and said, 'The Greens want to just line up your children on street corners and give them drugs'. They never actually bothered to read our policy, so this has been at some risk that we have been prepared to take a stand.

Now I move on to the substantive content of the motion. The case for reform when it comes to possession, use and cultivation in relation to personal use of cannabis by persons 18 and over is based on minimising harm to individuals and the community. It is not, as outlined in this motion, a revenue raising opportunity for the state. In fact we believe it is deeply problematic how this would work or how it would improve Victoria's bottom line by millions of dollars. The notion of imposing a tax on farmers who may choose to harvest cannabis is concerning, when over the past two decades, since the introduction of the GST, we have been doing away with this approach to taxation because the state has believed it was poorly conceived.

Further, we have already seen the harms of the Victorian government becoming addicted to the revenue from poker machines — and there is no pun intended in this. So we do need a considered approach to this issue. It is not helpful, I believe, at this stage to single out criminal syndicates such as the Australian-Italian mafia and outlaw motorcycle gangs as a primary reason to legalise cannabis. It was my understanding that those organisations are into a range of drugs, not just cannabis.

The case for the legalisation of cannabis rests first and foremost with harm minimisation — with protecting lives and community health and safety — rather than the current approach that overwhelmingly targets individuals. As parliamentarians we need to lead a sophisticated, carefully considered, evidence-based

debate that takes the community with us. Considering that tomorrow the first meeting of Parliamentarians for Drug Law Reform is to happen, I think this kind of motion would have been good coming out of that group.

As with all our policy priorities, there are principles that guide and determine the approach of the Greens when it comes to important legislative reform. By contrast this motion meets none of these criteria, and we fear it sets up a debate over drug law reform in a way that is guaranteed to fail. Unfortunately we believe that the motion looks more like an opportunistic stunt than a considered and meaningful contribution to this critically important issue. I believe it lets the cause down. While the Greens disagree with much of this motion, particularly where it seeks to insult members of Parliament, some of the core issues and principles behind it we believe are part of the need to rethink our approach to drugs and are the points the Greens believe must be discussed further in the Parliament and in the public arena.

Mr EIDEH (Western Metropolitan) — I rise to speak briefly on this motion. We on this side of the house are opposing this motion, introduced by you, Acting President Patten, on the legalisation of cannabis which calls on the government to immediately remove criminal sanctions for the possession, use and cultivation of marijuana for personal use by people 18 years and older. Our government will not be supporting the motion to legalise cannabis and does not have any plans to decriminalise cannabis for recreational use.

The motion introduced contradicts the known harms associated with cannabis. Our government knows the impact that recreational cannabis has on our community, from significant health and social impacts to the burden of policing cannabis-related criminal behaviour. This is why we on this side of the house do not support any motion to legalise recreational cannabis use. The government, through the Minister for Police, is currently strengthening the laws around synthetic drugs, including synthetic cannabis, recognising the harm that these substances cause to our community.

With respect to medicinal cannabis, the Andrews Labor government has decided to legalise access to locally manufactured medicinal cannabis products for use in exceptional circumstances — the key word here being ‘exceptional’. We know that medicinal cannabis in exceptional circumstances can have significant benefits. This is in line with the Victorian Law Reform Commission’s report *Medicinal Cannabis: Report August 2015*, tabled in Parliament on 6 October 2015.

Access to medicinal cannabis will be highly regulated and monitored and only provided to eligible persons experiencing severe medical conditions.

Recreational cannabis use can cause significant problems to individuals and in the community. In 2013–14 there were 2212 ambulance attendances relating to cannabis; this was an increase of 12 per cent on the previous year. Statistics from the Victorian Institute of Forensic Medicine show that in 2015, 18 per cent of all drivers killed on the road were impacted by cannabis. This is now higher than alcohol, which contributes to 17 per cent of all deaths on the road. A 2014 survey of Victorian secondary school students showed that cannabis was reported to be the most commonly used illicit substance, with 14 per cent of students ever having used cannabis. The proportion of students using cannabis in the past week, past month and lifetime increased with age.

We know that cannabis has a detrimental effect on mental health. Evidence suggests that using cannabis may trigger schizophrenia in those who are already at risk of developing the disorder, and they may experience psychosis earlier. Any use of cannabis can double the risk of schizophrenia in those who are vulnerable and bring on a first episode up to two and a half years earlier. These risk factors far outweigh any possible positive outlined by Ms Patten’s motion, which is why we on this side of the house are opposing this motion.

Mr PURCELL (Western Victoria) — I congratulate you, Acting President Patten, for putting this motion for us to discuss today. There are many conflicting views on legalising drugs such as cannabis, both within society and certainly within my own Vote 1 Local Jobs team. We have had a very good, long and robust debate about legalising drugs, and in particular cannabis. Some of us are anti the legalisation of certain drugs, including cannabis, simply because we have seen the consequences of its use within our community. There is a perception — possibly truth — that it is a precursor to more serious drug use. The culture of smoking and using cannabis can ruin lives and is linked to depression and suicide. But there is also an argument that compared to legal drugs, like alcohol, the detrimental effects on society as a whole are much smaller and that the money spent on enforcing cannabis laws in Victoria would be much better spent on preventative measures and educating our youth on all drugs, including alcohol.

I accept the argument put forward by Ms Patten that legalisation of the industry removes a huge revenue source from our crime groups and puts in place

legislation and controls over access to cannabis. It puts in place age limits like those that apply for cigarettes and alcohol, but it also controls production and distribution. However, questions not answered to my satisfaction include: how would the legalisation of cannabis work in practice? What resources will it actually free up for education into drug and alcohol use? What does it mean in terms of projected access to cannabis by young people? These questions have not been answered to my satisfaction to date.

While I do acknowledge there are potential positives to legalising cannabis, I personally cannot support the move to legalise cannabis at this stage. There is evidence supporting its link to mental health issues, and in all good conscience I cannot support the move to legalise something that will potentially ruin people's lives. If alcohol had never been introduced and was the topic of this motion, I certainly would not be able to support it either.

While we are against the legalisation of cannabis at this point in time, we do acknowledge there is a serious need for drug reform because the measures currently in place are simply not working. We are losing the war against drugs, and we need a proactive and innovative approach — a safer and more appropriate approach — to the drug culture that does exist. We are not ruling out that this may incorporate the legalisation of some non-addictive drugs at some point, with the appropriate control and measures.

Whatever happens with drug reform, it is critical that this is a well-researched, well-considered and absolutely thoroughly explored avenue of change. It is our children and grandchildren who will live with the consequences — good or bad — of relaxing our drug laws, and we have a responsibility as members of this Parliament to make sure any changes are in the best interests of the community. Given that currently there are something like 750 000 daily users of cannabis in Australia and that — I understand from road statistics — fatalities on our road network include more people with cannabis than alcohol in their systems, I think we need to consider this motion very seriously.

In closing I would like to say that while I cannot support this motion today, I do congratulate Ms Patten on raising this issue for the attention of the Parliament and creating a discussion around the issue of drugs in our community.

Dr CARLING-JENKINS (Western Metropolitan) — I rise today to make a very brief contribution on the motion put forward by you, Acting President Patten, regarding drug law reform and the

legalisation of cannabis. I will say from the beginning — and I am sure it is no surprise to anyone in the chamber — that I will not be supporting this motion.

The first point I wish to make is in regard to the opening paragraph of the motion. I simply cannot let this opening statement stand as fact. It is an insulting and gross exaggeration that fails utterly to comprehend the role of Parliament in governing for all Victorians and the good work of current and previous members and governments in promoting the common good.

My next point goes to the substance of the motion, which I think is based on the flawed belief that cannabis is harmless to citizens and that the legalisation of cannabis is beneficial for society as a whole. Dr Nora Volkow has been the director of the National Institute on Drug Abuse at the National Institutes of Health in the US for over a decade. Her research has been broad ranging and it is considered by many to be groundbreaking. Recently — earlier this year, in fact — she had this to say:

Decades of ill-informed and porous legal and illegal drug regulations have exacted a devastating public health toll from our society ... Current efforts to normalise cannabis use are being driven largely by a combination of grassroots activism, pharmacological ingenuity, and private profiteering, with a worrisome disregard for scientific evidence, gaps in our knowledge, or the possibility of unintended consequences.

If the normalisation of cannabis use is so misguided, this leads me to question what the facts are. What do we actually know about cannabis? I thank Ms Wooldridge and Ms Mikakos in particular for their earlier contributions in which they presented many of the facts around this argument. We have certainly heard the claim that this should be a facts-driven debate, so here are some of the facts that I have gathered in my brief research on this topic. The facts I will list today are all backed up by rigorous academic research; they actually draw on the research of over two dozen academics.

One fact is that cannabis is the most widely used illicit drug worldwide and that 1 in 10 regular users develops dependence. Another fact is that using cannabis regularly in adolescence has been associated with the use of other and stronger illicit drugs. It is also a fact that cannabis used during pregnancy is associated with severe fetal abnormalities, including low birth weight, fetal growth restriction, preterm birth and many other long-term disabilities and illnesses. In fact the list is remarkably similar to the effect of thalidomide on babies.

Another fact is that cannabis use has also been positively associated in epidemiological studies with several cancers, including aerodigestive cancers — which is cancer of the head and neck — cancers of the larynx and lungs, leukaemia and the list goes on. As Reece and Hulse observed:

Importantly these cannabis-related tumours in adults are often said to occur at much younger ages than those seen in non-users, and to be more highly aggressive.

There is also growing awareness or understanding within research that cannabis use can accelerate ageing. I do not know about you, but I would prefer not to accelerate my ageing. Furthermore, cannabis use affects fertility in both men and women. One literature review I came across was a review of over 5000 academic papers, and this found that cannabis was implicated in various psychiatric, respiratory, cardiovascular and bone pathologies. This article by Associate Professor Reece in 2009 also claimed, and I quote:

The reports of social disruption, disorganisation, and deprivation consequent on widespread heavy cannabis use from a number of communities around the world are of substantial concern. The features associated with chronic cannabis use imply that a clear public health cautionary message is warranted along the lines employed for other environmental intoxicants such as tobacco, which should be targeted strategically to young and otherwise vulnerable populations.

Certainly from this study there is no indication of the advantages of legalising cannabis, but the overwhelming disadvantage in terms of public health.

There has also been some evidence which I uncovered that establishes that second-hand smoke from cannabis is more harmful than second-hand smoke from tobacco, and then there was a study by Wang this year that found a number of paediatric concerns due to expanded cannabis use. He says this:

An 'unintended consequence' of marijuana legalisation is the impact on the paediatric population. From prenatal exposure to unintentional childhood exposures, through concerns of adolescence abuse and marijuana use for medicinal indications in children, marijuana exposure can affect paediatric patients at every stage in childhood. Regardless of the stage or reason of exposure, concerns exist about short-term and long-term consequences in a child's physical and mental health.

Another fact which has been brought up in the chamber today is about driving while under the influence of cannabis. This, according to the research, approximately doubles the risk of car accidents.

One final fact concerns the effect, again, on adolescence, which cannot be ignored. Regular use in adolescence approximately doubles the risk of early

school leaving. It also dramatically increases the incidence of cognitive impairment and of psychoses in adulthood.

I do not feel as though these facts need any commentary; they stand simply for themselves. They are backed up, as I said before, by extensive research and have been published as research articles in peer-reviewed journals. They are not mere opinion pieces, and authors consistently had no conflict of interest in conducting and writing up their research. I think this is a very important fact to note. Combining these overwhelmingly health-related facts with the fact that cannabis is both addictive and becoming increasingly potent, I really wonder why or how anyone in this place can consider the legalisation of this dangerous drug with its many and varied consequences — a drug which, in my opinion, is certainly not harmless.

My final point goes to the logic — or perhaps illogic — of arguments, presented in the last point of this motion, that due to potential revenue to be raised by the state we should support the legalisation of cannabis. By this logic should we also be legalising other criminal activity? I honestly do not even want to follow through this logic. Furthermore, the dollars from that potential and perhaps somewhat contested revenue can never equate to or make up for the social cost of legalising cannabis. We can never in this place allow social and law enforcement policy to be determined by revenue needs.

Cannabis is illegal and should remain illegal simply because it is harmful. If cannabis is legalised, there is every indication that consumption in this state will go up. This means that the social cost will also go up. Revenue should never be put above health. Revenue should never take precedence where the social harms which will ensue come at such a cost — economic, family and social costs. To use the argument that cannabis use is widespread and that this is why we should legalise it simply makes no sense, given the harms of this so-called recreational substance. So in summary I will be voting against this motion, and I have been encouraged by the contributions today, particularly from the government and the coalition, who have also decided not to support this motion.

Ms PATTEN (Northern Metropolitan) — I really appreciate the contributions of everyone today. As I said at the outset, this is a conversation that we have to have, and I hope that today has been the beginning of that conversation. I appreciate the statistics that Minister Mikakos was able to provide. And, no, the

government may not be ready to take a move in this direction now, but I do not give up hope.

The issues that the minister raised, and certainly Ms Wooldridge also raised, I do not think are arguments against decriminalisation or greater regulation. It is said that cannabis is causing health impacts and concerns; I have no doubt about that and I agree with that, but prohibition has not improved that. It has not made the drug safer. It has not made our roads safer. I do not think that it has actually stopped a single person from using marijuana — people will use cannabis — but what it has stopped us doing is educating, regulating and informing people about it.

I certainly appreciate Ms Wooldridge getting a wide range of responses. I did speak to a number of people who were very grateful that Ms Wooldridge had actually asked the community about this. As she mentioned, she did receive a wide range of responses. She raised Professor Patton's research here looking at the impact on the development of young people who use cannabis at varying levels. It is very interesting research. Again I do not think it is an argument to maintain prohibition; if anything, it is an argument to start regulating and educating.

While we may not agree on banning the bong, it has certainly become almost part of our lexicon in Victoria. In my area there are no bongs but there are hundreds of sheeshas and other forms of water pipes that are not necessarily bongs. I think it is the right thing, and I appreciate that Ms Wooldridge and I may not agree on this and I do think that from a harm minimisation approach a decriminalisation model would be the answer, but I am looking forward to this continued conversation.

As Ms Hartland most eloquently put it — and I know she has been a campaigner on a wide range of drug law reform issues, and certainly for a safe injecting room in Footscray and the west — drug prohibition has failed. Not only has it failed to stop drugs, it has failed our community. Our community is not healthier from drug prohibition. In fact drug prohibition has made drugs less safe. Drug prohibition has made our community less safe. I thank Ms Hartland for that contribution.

My colleague Mr Eideh also raised a number of his concerns. Again I would question his view that because we have these concerns about mental health and because we have concerns about health these are reasons why we should not decriminalise, regulate and control cannabis so we could better educate. I know that Mr Eideh and I on the Law Reform, Road and Community Safety Committee will be spending many

hours discussing drug policy over the coming months. I look forward to that.

I thank Mr Purcell. I did wonder when Mr Purcell was talking whether if this debate had been about alcohol he would be opposing it. I could not help thinking that in the 1920s we had this debate in this house and the arguments against prohibition of alcohol were the same arguments that I was presenting today — that prohibition just feeds the pockets of criminals; it does not enable us to ensure the safety of products or at least know what is in products. I am sure Al Capone, if he were here today, would maybe even be writing Mr Purcell a cheque and hoping that Vote 1 Local Jobs would be elected again.

But I appreciate everyone's contributions here. Dr Carling-Jenkins raised a number of issues about this not being a harmless product. I would be the first to agree with her. This is not harmless, but neither are a lot of things. That does not mean that we should prohibit them. Although it was a wake-up call about the acceleration of ageing, which she did mention about the use of cannabis. So I will bear that in mind.

Finally, I would like to thank Alexandra France, who was an intern in my office. She did a wonderful internship report called 'Towards drug policy reform'. I would commend it to anyone who has got an interest in this debate, which will be ongoing — this is not the last time we will be discussing drug policy in this house. I thank Alexandra for really doing a great job on that. I commend my motion to the house.

House divided on motion:

Ayes, 6

Barber, Mr (<i>Teller</i>)	Patten, Ms
Dunn, Ms	Pennicuik, Ms
Hartland, Ms	Springle, Ms (<i>Teller</i>)

Noes, 32

Atkinson, Mr	Mikakos, Ms
Bath, Ms	Morris, Mr
Bourman, Mr	Mulino, Mr
Carling-Jenkins, Dr	O'Donohue, Mr
Crozier, Ms	Ondarchie, Mr
Dalidakis, Mr	Peulich, Mrs
Dalla-Riva, Mr	Pulford, Ms
Davis, Mr	Purcell, Mr
Eideh, Mr	Ramsay, Mr
Elasmar, Mr	Rich-Phillips, Mr
Finn, Mr	Shing, Ms
Fitzherbert, Ms	Somyurek, Mr (<i>Teller</i>)
Herbert, Mr	Symes, Ms
Leane, Mr	Tierney, Ms
Lovell, Ms	Wooldridge, Ms
Melhem, Mr	Young, Mr (<i>Teller</i>)

Motion negatived.

STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

Minister for Public Transport

Mr MORRIS (Western Victoria) — I move:

That this house requests that the Legislative Assembly grant leave to the Minister for Public Transport, the Honourable Jacinta Allan, MP, to appear before the Legislative Council Standing Committee on the Economy and Infrastructure to give evidence and answer questions in relation to the committee's inquiry into ride-sourcing services.

I do thank fellow committee members for their support in facilitating me as the chair of this committee to move this motion. It is an important motion because at the moment the state of Victoria really is in a state of flux with regard to the taxi industry and ridesharing services more broadly.

I would like to also thank my fellow committee members, who have been very active in regard to the hearings we have already had with regard to this inquiry. I know Mr Leane, Mr Finn, Mr Eideh, Mr Elasmarr and others — and Mr Ondarchie, who might be about — have attended hearings both in Bendigo and in Melbourne, and we have heard some important evidence with regard to the future of ride sourcing here in Victoria.

The challenge has been that we have heard a lot of evidence from those who are involved in and directly affected by these changes that have been proposed by the government, whether it be Uber, whether it be GoCatch or other ride-sourcing services that either are operating or propose to operate here in the state of Victoria. We have also heard from what could be described as think tanks, I suppose, in the Grattan Institute and the Institute of Public Affairs, which was very enlightening advice. It was very, very enlightening evidence that we heard from those particular witnesses.

But we have also heard from disability advocates, and I think there are some important questions that the Minister for Public Transport could certainly help us with in regard to what impact the proposed deregulation of the taxi industry is going to have on people with disabilities and their ability to be transported across the length and breadth of Victoria to get to all of the manner of events and occasions that they need to travel to.

We certainly heard that there are some significant limitations with regard to the current regime that we see in the state of Victoria, but the multipurpose taxi program was certainly something that was spoken about as being a strength but something that will need

to change with the advent of the legalisation or the deregulation of the taxi industry here in Victoria.

The committee would certainly be very keen to hear answers from the minister with regard to how the multipurpose taxi program might be able to change to better suit the needs of those in our community who have mobility issues and have the capacity to use that program at this point but who wish to find out how that is going to be broadly rolled out across the state of Victoria.

We similarly have heard from tourism operators who detailed the challenges they face. Particularly in Bendigo we heard from tourism operators about the challenges that they face with regard to how their businesses are being impacted by the lack of transport options here in Victoria and how they may better meet their needs by ridesharing.

I also note that we have heard of course from representatives from the taxi industry, who have raised concern about the levels of compensation that have been proposed by the government and indeed the methodology by which that new tax, that new levy, is going to be collected and indeed the efficiency of the collection of that new tax.

An honourable member interjected.

Mr MORRIS — I think we did hear from the Premier that there would be no new taxes, so maybe the minister might like to answer why we have got another broken promise from this government. I believe it is important that the minister does come before our committee to answer these questions.

I also note that Ms Dunn has made a significant contribution to the committee as well. I apologise for not mentioning you earlier, Ms Dunn.

At this point we have a media release. Basically this is all we have from the government. This is from the Honourable Daniel Andrews, MP — I believe he is the Premier. This is all the detail that we have. We have a committee that is attempting to conduct an inquiry, and to this point we have maybe 1½ pages of text here that we are working to, trying to work out how it is that this significant proposed reform is going to impact on the state of Victoria. So who better to have come before our committee than the minister?

Some questions have been posed as a result of this particular media release. In here it details that \$378 million has been made available for assistance to licence-holders to help them transition to the new legislative framework. Well, what does that look like?

What is that going to look like? We have certainly heard from taxi operators who are very concerned about that level of assistance and how it is that that is going to help those who are going to be affected. There is also a \$75 million fairness fund to target those in the industry who are experiencing hardship. Well, again, there has been very little detail about how that is going to be able to help anybody in the industry at all without proper answers about how it is going to be rolled out.

This has probably been the most contentious part, which is the third dot point in this media release, and that is the \$2 per trip tax that is going to be imposed on every taxi, on every Uber and on every hire car. Further questions were raised in our committee hearings about what impact this is going to have on the wedding car hire industry. And what about limousines? Is it going to be imposed upon them? Is it going to be the likes of Uber themselves who are going to pay this? Is it going to be individual drivers? How is it that this new tax of \$2 is going to be implemented and placed upon each and every trip? How is it going to be collected? What is the efficiency of that collection of that tax going to look like? And how is it that that money is then going to be passed on to those who the government has said it is going to be passed on to? There are many, many questions, and who better to answer these questions than the minister herself?

We have also seen that there have been many questions raised about how it is that this transition is going to occur. We have heard that there are going to be two tranches of legislation: the first tranche to effectively deregulate the industry and the second tranche to implement the compensatory regime that this government intends to impose. We want to ask why. I am sure the committee will want to ask why it is that the government is proposing to do it in these two ways. Is it so the government can hope that one of these two bills does not get up? Is that why they are separating them? Because if you really wanted both to occur, you would expect that they would be directly connected, and therefore you would have them passed through as one tranche of legislation. Is it the government's way of trying to skip out on compensation by expecting that second tranche of legislation will not be passed.

These are important questions and questions that have certainly been raised by committee members, and they are ones we do not have answers to at this point. We have a lot of opinion and a lot of scuttlebutt, but we have a lot of questions that need to be answered, and I certainly believe that the minister is in the best place to respond to these questions.

I know precedent is probably going to be raised with regard to a minister coming to an upper house committee and providing evidence. This committee has actually done this before in requesting that ministers come before our inquiries. I do note by way of precedent that it was on 6 December 2007 that Mr Tony Robinson, who was at that time the Minister for Consumer Affairs — he was a minister in the Legislative Assembly — appeared before an upper house committee to answer questions about the Liquor Control Reform Amendment Bill 2007. I might say, if it is good enough for Mr Robinson, then I think it is good enough for Ms Allan too. I certainly hope we do get the answers to the questions that we ask by having the minister come before our inquiry into ride sourcing and find out exactly what the government does intend to do, because a media release that barely covers a page when you take out the header is not enough information for us to be holding an inquiry on, and I certainly believe that there are a lot more questions that need to be answered.

At this point I did want to just thank all of those who have come before the inquiry to this point. We have certainly had a lot of interesting evidence, and a lot of interesting questions have been posed about the impacts of this proposed deregulation of the taxi industry. I will come to a close, but I certainly do hope that fellow members in this house will support this motion so that Minister Jacinta Allan can come before our inquiry and answer these incredibly important questions.

Ms HARTLAND (Western Metropolitan) — I will be quite brief. The Greens do support the minister appearing before the committee, because we believe that that is the appropriate process, but I would like to remind Mr Morris that committees did not actually function during the term of the last government, under the Liberal-Nationals coalition, because there were 53 referrals that were rejected. The committees did not function in the way that they should. They were continuously blocked by the government, but we do — —

Honourable members interjecting.

Ms HARTLAND — Could I be allowed to finish? We do support the minister coming before the committee, but I would like to remind Mr Morris and others on the other side about history. Fifty-three motions were rejected by the government. The committees did not operate. They were not allowed to operate.

Ms TIERNEY (Western Victoria) — I rise to not support the motion in Mr Morris's name. Mr Morris is the chair of the committee outlined in the pink paper, and this is not the first time that Mr Morris has moved a motion in this house requesting that a minister attend a committee of this house. He knows, as a result of the previous debate, what the situation is, and since the last time he moved a motion along these lines, do you know what? The Westminster system is still here, Mr Morris, and therefore the answers you will receive today are the same that you got the last time we were here.

Given that this issue has been run fairly recently in the house, I do not intend to take up the time of this chamber, because in lots of ways it is a misuse of the chamber's time to go over the same debate that we have had time and time again.

That is not to say that we do not have a lot to say about transport and infrastructure in this state; we have got lots to say about it. We are very, very happy to have public debate and discussion on transport and infrastructure projects that are being undertaken by the Andrews Labor government. We are very proud of what is being done. Unlike the previous government, where they sat there and did nothing — nothing was done in terms of transport options or in terms of infrastructure — we invite you to actually have a reasonable, frank and genuine discussion with the government about what we are doing, because this is a government that is actually working, not sitting on its backside.

What I would like to do is to remind those opposite and put on the record once again what the basics are. Basic no. 1 is standing committees cannot compel a minister from another house to actually appear.

Honourable members interjecting.

Ms TIERNEY — You know that. You know that.

Mr Finn — We are not; we are asking.

Ms TIERNEY — That is right. You can ask, but you cannot compel.

Mr Finn — That's what we're doing: we're asking.

Ms TIERNEY — That is right, and you cannot compel. The same rules apply in the federal jurisdiction, and you know what *Odgers'* says. John Hatsell stated:

The leading principle ... between the two houses of Parliament is that ... they shall be, in every respect, totally independent of the other. From hence it is, that neither house

can claim, much less exercise, any authority over a member of the other.

Now, you know that. Hatsell also stated:

... the Lords have no right whatsoever, on any occasion, to summon, much less to compel the attendance of, a member of the House of Commons ...

... it is essential to the House of Commons, to keep itself entirely independent of any authority which the Lords might claim to exercise over the house itself or any of the members ...

of the house.

I think it is concerning that the interjections from those across the road are essentially trying to undermine what are the basic practices and principles of how the Westminster system operates here in this country and indeed overseas. But this should not come as any surprise, because unfortunately this committee could be doing a lot of work. As someone who has had experience of being on this committee, I say that it is politically motivated unfortunately to the nth degree, and most committee members, who are not members of the government, essentially go to public hearings wanting just that one line so they can roll out some highly politicised media release for the day. There is no genuine interaction whatsoever in that committee, and that definitely was my experience. In fact whilst this might be a waste of time in the chamber today, I can also put forward the view that most of the time that I was on the committee because it was so politically motivated it was also a waste of time.

We on this side are genuinely wanting to explore all the issues and all the work that is being done. We are happy for that, we are happy for scrutiny and we are happy for the accountability. Indeed it gives us an opportunity again to put on the record what an Andrews Labor government is doing and what you did not do for four years in this state. People know that, and people are happy to be reminded that we are a government of action, we are getting things done. Whilst you had that opportunity, you essentially wasted and squandered that time in government.

Ms Crozier interjected.

Ms TIERNEY — So, Ms Crozier, I think it would be of much more benefit in terms of the leadership that you have on the other side to encourage your backbenchers to put motions on the pink paper that actually provide a real opportunity for genuine discussions about the key issues that affect this state and the daily lives of Victorians. I call on all members of this house to reject this motion.

Mr FINN (Western Metropolitan) — That was an interesting contribution that we have just heard from Ms Tierney, who accused us of wasting the time of the house. She got up and spoke for 7 or 8 minutes, and the contribution that she made I would suggest very strongly was probably the greatest waste of time I have heard today, if not this year.

What this side of the house is seeking to do is to gain information. The reality is we know the government are transparent — we can see right through them; that is how transparent they are. I am on the committee, with Mr Morris and Mr Ondarchie and all those other members that were mentioned by Mr Morris and Mr Leane, and let me say how much we miss Ms Tierney, because her contribution on the committee was let us say sobering, to say the very least. It was sobering. We will leave it at that.

An honourable member interjected.

Mr FINN — But what we are attempting to do with this motion is obviously request the appearance of the minister at the committee. I am not sure what Ms Tierney was rabbiting on about, with compelling people and rabbiting on about the threat to the Westminster system. Does anybody know what she was talking about?

Mr Morris interjected.

Mr FINN — It might be a bit of that, Mr Morris. It could be due to a bit too much time with Peter Marshall, I think, because that seems to be the attitude coming from the other side. What we are doing in a polite and a civilised manner is to request —

Mr Morris interjected.

Mr FINN — We will give her a cup of tea and Tim Tams if you like. We are requesting that the minister appear before the committee so that we can fully evaluate the situation. The situation is with the ridesharing arrangements in Victoria — the Uber issue. This has been going on now for a very long time. It has been going on now for over two and a half years — throughout the course of this government — and I for one would like to know what has held the minister up. I would love to know why it has taken the government so long to actually make a decision, if indeed they have made a decision.

I would like to ask the minister a number of questions, and this is all part of finding out exactly what is going on and what is happening so that the government can make the best decision for the people of Victoria. What we are attempting to do on our committee is to assist

the government; that is what we are trying to do. We are trying to help the government to come to the best decision possible for the people of Victoria. I say that to you with full confidence that that is the truth, because as members of the committee, whether we be members of Dictator Dan's government, members of the opposition, Greens or whatever we might be, we are united.

There is, I think, a tripartisan approach, I think you would call it, or more than tripartisan — quadpartisan, because we have Mr Bourman on the committee, and he is a good man. We are attempting to establish what has happened and what will happen. We just want to know the facts so that we can make recommendations which will inevitably be in the best interests of Victorians. It is as simple as that. I do not know why the Labor Party would oppose this motion. I have no idea. I would have thought that members of the Labor Party would want it. I would have thought that members of the Labor Party would want to contribute to the deliberations of the committee. I really do not understand why they would try to shun a committee system which is just trying to get to the truth.

Mr Morris — Nobble.

Mr FINN — Nobble? Yes, there is a bit of nobbling going on, Mr Morris. There are no two ways about that. I do not know. I do not understand why the government would not want to assist the committee to assist them. It is a little bit befuddling, it has to be said. I think anybody listening to this debate today would be scratching their head, and they would be wondering why the government has made the decision that they do not want this house to have the ability to have a discussion with the minister. That is all we want — to have a discussion with the minister to hear her side of what is going on, because we have not heard her side. There are so many issues that we really need her input into, and she has unfortunately not been able to do that to date. What Mr Morris's motion, and I commend him on moving it, is about ensuring that the Standing Committee on the Economy and Infrastructure has a full and clear understanding of all points of view in these situations, so I do not understand.

The other thing I do not understand is the attitude of the government to this house. I have been in this place now for almost a decade, and time and time again we have heard members of the Labor Party say how much they respect this house and how much the changes back in 2003 rejuvenated this house and how much they made the house relevant. But here we have a situation where an upper house committee inquiring into a matter of great public interest — and great public importance, it

has to be said — is being basically beaten around the ears for wanting to speak to a minister of the Crown. That makes no sense to me. If the Labor Party respect this house, they will not have a problem with any of their ministers appearing before a committee. I would suggest very strongly to members of the government that they have a rethink and that they use a little bit of logic, go through their thought processes and come up with some of the answers to the questions that I have posed in the short time that I have had this afternoon, because I think, as I said earlier, a lot of people listening to this debate today would be stumped. They would be, quite frankly, confused beyond words as to exactly why the government takes the position that it does and why the government that says it respects the Westminster system — and we heard Ms Tierney going on about that at length — —

Mr Morris — Rabbiting on.

Mr FINN — She was — going on at length about the Westminster system and the importance of the Westminster system and not compelling people and all the rest. We are not talking about compelling anybody; we are just talking about a situation where grown adults can sit down around a table and have a discussion about the issue that is before the committee. I do not know why the Labor Party would have a problem with that. I do not understand why they would have a problem with that, but they clearly do. It might having something to do with the Premier, who does not like to talk to anybody about anything, particularly members of his own party, it has to be said. He is not keen on talking to anybody.

Mr Morris — Is he talking to Jane?

Mr FINN — I do not think he is talking to Jane Garrett, and I do not think he is talking to Fiona Richardson. I do not think is talking to Adem Somyurek either, just between you, me and the gatepost — —

The ACTING PRESIDENT (Mr Elasmár) — Order! Mr Finn, back to the motion, please!

Mr FINN — I am very much on the motion, Acting President. I am referring to, I suppose, the Premier making the government in his own image. That is what we have. We have a Premier who does not want to talk to people, we have a Premier who does not want to open up to the Parliament or to the community and now we have a government that is doing the same thing. We have a government that is doing the same thing, and I think that is very, very sad indeed. So I urge the government to have a rethink, I urge the government to

put the best interests of Victoria first and I urge the government to — well, I would not suggest they do a backflip, of course — —

Mr Morris — Do the right thing.

Mr FINN — Yes indeed, Mr Morris; you have hit the nail on the head there. I would ask them to do the right thing by Victoria and allow us to establish the facts by speaking to the minister — by being able to question the minister in a fair and balanced manner. In that situation, then, we will be able to reach a situation where we can make recommendations which will be helpful to the government and will be helpful to the people of this state. I say to Ms Tierney and Mr Leane and anybody over there with any influence in the government at all to have a rethink in the next 10 or 15 minutes and support this motion. We will then be able to put a polite and civilised request to the other place to allow Minister Allan to appear before the committee and to enlighten us in a way that perhaps we have not been enlightened to date. That is important.

I certainly urge the house to welcome the support of the Greens. Ms Hartland's contribution was interesting, because while she supports the motion, she did not actually support the motion. She got up and she said, 'I support the motion', and then she kicked the living suitcase out of the opposition for moving the motion. What that was about, anybody can help me there — perhaps we can ask Jacinta Allan if we get the chance, because it has got me stuffed, I have got to say that.

This motion is an important one, and I ask members of this house to put aside the partisan nature of politics on this occasion and do the right thing by the government, by the Parliament and indeed by the people of Victoria.

Mr LEANE (Eastern Metropolitan) — We were just having a conversation on this side of the chamber during Mr Finn's contribution, which, I have got to say, we were not following too closely. We were hoping that Mr Finn might get to a point where he was going to tell this side of the chamber about how many ministers in the previous government appeared before upper house committees or joint committees. We were busting our brains trying to remember whether there were any. I think in the end there were zero.

Ms Crozier interjected.

Mr LEANE — Ms Crozier asks: why did we not ask? In the last term of Parliament the upper house committees were actually decimated by the previous government. There would only be one reference to any one of the three committees at any time just to make sure — —

Ms Mikakos — Acting President, I just wish to draw your attention to the state of the house. I think Mr Leane needs a bigger audience.

Quorum formed.

Mr LEANE — As I was saying before my friend and colleague Ms Mikakos rightly pointed out that the chamber had collapsed, the previous government decimated the committee system. As I said, they would make sure that there was only one reference to one of the three committees at any time. The reason for that was so that the chamber would collapse in the evening on a Wednesday. That was the sole reason they would do that. The references they put up were complete rubbish, just time wasters, and now I am very interested in this new interest they have in democracy as far as the upper house committees are concerned.

Mr Morris has come in here and said that he has called on certain things from the government, but what I have to say to Mr Morris is: the role you currently hold in this committee ain't that important. You are not that important, because the committees in the upper house have been once again bastardised by the Liberal Party. As they bastardised the upper house committee system last term, they are doing it in this term. What they do is they go on references to help them. For example, Mr Davis pulls up references to help him with his shadow portfolio business because he is too lazy to actually do it himself. Other references get given to junior members of the opposition, like Mr Morris, for other people to do some fishing expeditions.

In this case, looking into the ridesharing issue, what I am actually interested in in this committee is what is actually the Liberal Party's position in this area. Where do the Liberal Party, the opposition, stand on taxi owners being compensated?

An honourable member interjected.

Mr LEANE — It is not for you to tell me what I should be interested in, but in this committee when I am sitting there for hours I am interested in what the Liberal Party's position is on compensation for taxidriviers. Their spokesperson, Mr Hodgett in the Legislative Assembly, was quoted in a lot of papers as saying that the government is just setting up a slush fund to buy votes from taxi owners. I take it from that that the opposition's position is that taxidriviers should not be compensated — zero compensation. I notice they seem to align themselves with Uber. That says the same thing — —

Ms Mikakos — Acting President, I wish to draw your attention to the state of the house.

Quorum formed.

Mr LEANE — Thank you again, Acting President. Where the opposition sits on compensation and where the opposition sits on whether licence-holders should be compensated in this reference seems to me to be on Uber's side. Uber said in the hearing that they are worried about taxpayers money. I do not know if Uber pay tax; I do not know that they have a right to say that. But I think the Liberal Party have aligned themselves with Uber. We look forward to where they go with it.

If we go back to the role that Mr Morris is playing in this reference, it is probably not that important. When the Victorian Taxi Association appeared before the committee I asked them how many investigations or committees they have fronted in the last few years. They said, 'This will be no. 6'. They were party to the Fels report. They were party to a number of investigations over the last few years, and they seriously questioned why this committee would be formed to go over evidence that has been given five times before. The same evidence has been given five times before, and basically we are doing this because the Liberal Party are on a fishing exercise that they hope will help them form their position.

The opposition have not taken a position yet on compensation. Their spokesperson says it is a slush fund. They say the fund to compensate taxi owners for hardship is a slush fund to buy votes, so obviously they do not support it, which is a shame. If any of them had spoken to licence-holders, they would have seen that their grief is real and they should be compensated. The level of compensation proposed at \$40 000 is actually higher than in New South Wales, and the government thinks it is realistic.

The minister might decide she has more important things to do than appear before what is a Liberal Party fishing exercise, which is what all committee references will be into the future, as they were in the last term when they were just dud references that could not hurt the government. The work has been done already. The minister has done the work. It is up to the minister to decide whether this committee is important enough for her to spend time in front of it. Or she may decide she has more pressing and important things to do in performing the role that she has been elected to do in representing Victorians on public transport. But that is up to the minister.

As far as the level crossing removals are concerned, unfortunately Liberal oppositions do not understand projects when they get done. They never did any. Now they are in a spin and they are all confused because a

party is fulfilling its election commitments. They cannot believe that, and they are being shown up for what they are. In the last term they did nothing; they froze. Honestly, if the opposition believe their guff that people do not like the level crossing removals, they are fooling themselves. But I say, 'Keep doing that'. Please keep doing that. I urge you to. Keep on that one, that is fantastic and we will be more than happy if you do. But as I said, the minister will decide whether she thinks it is important to appear before this committee or whether she has more important things to deal with.

I look forward to the opposition forming a position on this. It would be fantastic if you could tell us where you are at. What are you going to do with the legislation? What are you going to do with the compensation? There is going to be a point where you cannot pretend you are everything to everyone. There is going to be a point coming soon where you are with taxidrivers and you say, 'Oh, that's bad. We understand that you should be compensated'. Then you get other witnesses coming forward and you say, 'Oh, what do you think about this \$2 levy? That shouldn't be on, should it? That's really bad'. And then there is going to be a day when you are going to have to show your hand. I think I know what it is already. We look forward to that. If one good thing comes out of this committee, maybe it will be that we will find that out.

Mr MORRIS (Western Victoria) — I would just like to thank all those who have made a contribution to the debate on this particular motion. I do find some of the contributions that we have heard from those opposite quite interesting with regard to this motion. We had Ms Tierney apparently trying to uphold the Westminster system whilst her party is withholding a prospective member from coming into this house and representing his constituents in northern Victoria. Ms Tierney spoke about the importance of the committee system. We had Mr Leane come in and say that the committee system is not important at all, the work that it is doing is not important and these references are unimportant. I was pleased to hear that the Greens are going to be supporting this motion. I commend this motion to all in the house, because it is important that we hear exactly what the plan of the government is when they are planning to deregulate the taxi industry and ride sourcing. At that point I thank you, Acting President.

House divided on motion:

Ayes, 25

Atkinson, Mr
Barber, Mr
Bath, Ms

Morris, Mr
O'Donohue, Mr
Ondarchie, Mr

Bourman, Mr
Carling-Jenkins, Dr (*Teller*)
Crozier, Ms
Dalla-Riva, Mr
Davis, Mr
Dunn, Ms
Finn, Mr
Fitzherbert, Ms (*Teller*)
Hartland, Ms
Lovell, Ms

Patten, Ms
Pennicui, Ms
Peulich, Mrs
Purcell, Mr
Ramsay, Mr
Rich-Phillips, Mr
Springle, Ms
Wooldridge, Ms
Young, Mr

Noes, 13

Dalidakis, Mr
Eideh, Mr
Elasmar, Mr
Herbert, Mr
Leane, Mr
Melhem, Mr
Mikakos, Ms

Mulino, Mr (*Teller*)
Pulford, Ms
Shing, Ms
Somyurek, Mr
Symes, Ms (*Teller*)
Tierney, Ms

Motion agreed to.

Business interrupted pursuant to standing orders.

STATEMENTS ON REPORTS AND PAPERS

Victorian fire services review: report

Ms BATH (Eastern Victoria) — This afternoon I would like to speak on the *Report of the Victorian Fire Services Review: Drawing a line, building stronger services*. I think following the recent issues around the proposed enterprise bargaining agreement (EBA) negotiations it is timely to go back and look at this report again and identify some themes that were both evident in that review and are occurring now. The report highlights a problem with morale in the fire services which was described in the report as 'extremely unhealthy' and 'at its lowest ebb in decades'. It described the relationship between leadership and firefighters as 'like trench warfare', which I found highly emotive for a report. Unfortunately it seems — to use the report's terminology — this trench may have grown larger and morale may also have taken a further dip through these EBA negotiations.

The report highlights a number of areas in our fire services that need to be improved to ensure that — and this is the important thing — lives and property can be protected and that working conditions for firefighters are improved. There is a concern that the culture of bullying and harassment that has been identified in the report is continuing within the Parliament and in the system at the moment. Under the watch of the Premier, Daniel Andrews, we have had the resignation of a Minister for Emergency Services; we have had 10 members of the Country Fire Authority (CFA) board sacked; we have had the CEO, Lucinda Nolan, pushed out; and we have had the forced resignation of the chief

fire officer, Joe Buffone, all because they resisted backing this decision of the government in regard to the EBA. All of these people have stood strong in their belief that the proposed EBA in its current form would be divisive and destructive, yet they have been shut down and pushed out for trying to do the best job they could in supporting our emergency services.

I mentioned that the report spoke about morale in the fire services being at its lowest ebb, and I recall that in a recent committee hearing — this is from my memory — that Mr Buffone spoke about how the EBA negotiations had worsened the situation. He spoke about how there was a lot of hurt in the service and how this had an impact on both the career and volunteer firefighters. In terms of the organisation he also said that if the EBA was adopted, and if there was a high fire surge capacity time, whereas in the past normally CFA volunteers would go far and wide — go wherever they needed to go — the volunteers may choose not to go. This would be against their grain and against their DNA, but it just highlights the level of frustration.

I remember Ms Nolan, in her discussion around the EBA, saying that she had an alternative put to her, which was either to sign the EBA or to resign. She chose the latter. She described the proposed EBA as being divisive and destructive and said she was not going to stay and oversee the destruction of the CFA. The fire services review report states:

Significant change is required to create more harmonious fire services that work collaboratively with their key stakeholders to ensure their firefighters are as equipped and operationally ready as possible to meet the needs of the community.

I agree, but it needs to be done fairly, with proper consultation, and not forced.

The review makes it clear that the Victorian community remains well served by firefighters across the fire services, which I also believe is true; however, it states that the high level of response is being held together ‘by the goodwill and effectiveness of those on the front line’ and that ‘this is not sustainable’. It states that if this situation is left to continue, it would potentially pose a risk to the Victorian community. Unfortunately Daniel Andrews and his Labor government have allowed this to continue and have now aggravated this situation.

The review highlights the huge front line and the collective capacity of Victoria’s fire services and talks about ensuring that there is a culture of teamwork and collective respect of skills and knowledge between volunteer and paid staff alike. I think it is fair to say that CFA members do not feel like they are part of the team;

instead they feel that they are being treated with contempt and that their views are not as important as they should be to the state Labor government.

The ACTING PRESIDENT (Mr Finn) — Order! Ms Bath’s time has expired.

Auditor-General: *Enhancing Food and Fibre Productivity*

Mr ELASMAR (Northern Metropolitan) — I rise to speak on the Auditor-General’s report entitled *Enhancing Food and Fibre Productivity*. This report was formally tabled in August 2016. I was very impressed when I read in the report that this vital industry employs more than 190 000 personnel who, during 2014–15, contributed \$11.6 billion towards our Victorian economy. This industrious agricultural productivity equals an astounding 27 per cent of Australia’s total food and fibre exports. That is a lot of activity and a lot of money, which is no doubt why the Victorian government has identified food and fibre as one of its six priority sectors.

Generally research and development (R and D) funding has been a problem for private industry, although not across all industries. Most companies want the financial benefits of R and D without paying for ongoing research and development. The crucial purpose of research, development and extension (RD and E) in this sector is to lessen the impact of pest infestations, climate change, soil erosion, water shortages, and crop and livestock diseases. Without protective strategies in place for the future of our food sources, we would all of us be facing famine.

In the area of Victorian food technology, I recall that the Department of Agriculture and Rural Affairs established a company called Daratech in the 1990s. This company internationally marketed and sold food technology innovations and was paid handsomely for the efforts of our Victorian agricultural scientists. However, according to the report, in recent decades the rate of agricultural productivity growth in Australia has slackened off. This is attributed to not only the cycle of drought but also declining public investment in agricultural research, development and extension since the 1970s.

Nevertheless it is not all bad news. The report praises the approach of the Department of Economic Development, Jobs, Transport and Resources to agricultural RD and E because it demonstrates good practice. There is a clear understanding of the far-reaching benefits for all Victorians of practical safety measures. Several of the Auditor-General’s

recommendations have been agreed to by lead agencies in the area of food and fibre, and they are already in the process of implementation. In addition it appears that the department has a robust investment framework that enables evidence-based priority setting and investment decision-making. Together with strong development in RD and E collaboration nationally, it has also carried out many programs and industry-level evaluations of its RD and E activities.

There are a series of recommendations made in this report which are worthy of full implementation, not just because they will continue to build on the progress to date but also because they will strengthen existing approaches to agricultural RD and E. I am pleased to commend the report to the house.

Department of Treasury and Finance: budget papers 2016–17

Mr DAVIS (Southern Metropolitan) — Today I want to refer to the state budget papers and in particular the sections that deal with funding for local government. One of the things about our local governments is that they play a very important role in our local community, not only representing communities but also delivering key services for the state government and for those local communities specifically. I have a very strong and high opinion of local government and its important position.

It is with that in mind that I am increasingly concerned about the ongoing cuts by the state government and the ongoing attempts to force more responsibilities on local government without commensurate funding. The state government's plan, as revealed by the Minister for Local Government, Natalie Hutchins, on radio the other day, to embark on a program to force councils to amalgamate without community support is disgraceful. There was at no time in the lead-up to the state election a plan laid out by Labor to drive local council amalgamations. It is pretty clear that Daniel Andrews and his government have started a war with local government and local communities which will cost Victorians. Not only are they constantly wagging the finger at local government, but they are also slicing into their funding.

In the case of country Victoria, for example, \$40 million of funding has been cut out of country councils through the stripping of the country roads and bridges program. That is a huge hit of \$1 million a year to every country council year on year on year; that is a massive hit on them. Now the Andrews government comes along holding the whip to local government and saying, 'You're going to have to amalgamate. You're

going to have to get into amalgamations'. I have got to say these bizarre claims give the lie to Labor's nasty, secret plan.

I have got to say that I agree with local governments collaborating with each other and looking at some sensible sharing of certain back office services; I have no difficulty with any of those matters which defray costs and enable rates to be kept somewhat lower. But forced amalgamations are not the way to go at the moment, and the government is embarking on a program to force local councils to amalgamate without community support. This direction that Labor has laid out under the Minister for Local Government is a nasty, secret plan. It is something they were not up front with the community about before the state election, and I know why they were not up front — because it is a nasty, secret plan that is going to hit very hard.

The contrast between the state government and the councils is extreme. They have capped council rates at 2.5 per cent. That is not the CPI like they promised; the CPI is about 1 per cent. Parallel with that, the state government, wagging the finger at local government, has jacked up state taxes and charges by 20.7 per cent in the last two years, and indeed this year we will see land tax alone go up by 28 per cent. The take statewide will go up by 20 per cent, and that is off a background of a 1 per cent rise in the CPI. So the surge in land tax collections by the state government is 28 times the CPI. There is no doubt that many individual taxpayers are being hit very hard with the changes in valuations and the hit that has landed on many council ratepayers across the state.

Parallel with this, state government is not doing as it says, but saying, 'Do as I say, not as I do'. The government, I think, has shown itself to be a very poor leader and a very poor example setter in this regard. So why did Labor not mention that it wanted to force amalgamations before the election? Because it knew it was a stinker of a policy. It was not going to be popular with the community. Labor would not have been elected if it had gone to the election with a plan to force and embark upon a wide sweep of council amalgamations.

I hasten to add that my party, the Liberal Party, was involved in council amalgamations in a period of the 1990s. The state was on its knees. There needed to be broad reform and there was broad reform, and by and large people would not go back to where it was in the 1990s. Even the Victorian Local Governance Association recently had the Honourable Jeffrey Kennett speak to them, and there was a genuine and robust interchange. But I think the reality is Natalie

Hutchins and Daniel Andrews hate local government. They want to whack them, they want to force amalgamations and it is wrong.

Auditor-General: *Enhancing Food and Fibre Productivity*

Mr EIDEH (Western Metropolitan) — I rise to speak on the Auditor-General's recent report entitled *Enhancing Food and Fibre Productivity*. I thank the acting Auditor-General, Dr Peter Frost, and his audit team for preparing this report for the house. The Victorian food and fibre sector employs over 190 000 people. During 2014–15 the sector's exports were valued at \$11.6 billion — 27 per cent of Australia's total food and fibre exports. This significant past performance presents future growth opportunities, which is why the Victorian government has identified food and fibre as one of its six priority sectors. The past success and the focus of future priorities present strong growth opportunities in global markets.

Sustaining the sector's success into the future will be challenging. In recent decades the rate of agricultural productivity growth in Australia has slowed, mainly in response to drought but also because of declining public investment in agricultural research, development and extension (RDE) since the 1970s. The sector's future performance relies heavily on RDE. It can lead to the development and adoption of technologies, systems and practices that increase the value and volume of agricultural production and that lower input costs.

I note that agricultural RDE in Victoria forms part of the national primary industries research, development and extension framework, which promotes coordination and collaboration between commonwealth and state governments, rural research and development corporations, CSIRO, industry and universities. It is critical that state-funded agricultural RDE aligns with the state's nominated roles within this framework and utilises the wide range of skills and expertise available.

This report assessed the extent to which agricultural RDE is used to drive innovation, productivity and practice change. The audit focused on the Department of Economic Development, Jobs, Transport and Resources as the agency responsible for delivering state-funded agricultural RDE in Victoria. The report highlighted that there is sufficient evidence to conclude that it has contributed to productivity growth and practice change in Victoria's priority agricultural industries. The report also indicated that the department has well-designed models for setting RDE priorities and making investment decisions, for providing a route to

market for its research and development outputs and for monitoring, evaluation and reporting on its RDE activities.

The report outlined a number of recommendations to enhance the sector. The findings include research priorities and funding allocations; delivering research and development outputs to end users; and monitoring, evaluating and reporting on agricultural RDE. I hope that the recommendations made by the Auditor-General's report are implemented by the Department of Economic Development, Jobs, Transport and Resources for a solid future for the industry.

Country Fire Authority: report 2014–15

Mr MORRIS (Western Victoria) — I rise to speak on the Country Fire Authority (CFA) annual report 2014–15. In doing so I want to begin by again acknowledging the hard work that our CFA volunteers do, because it is important that they are recognised for placing their lives in danger to ensure that our communities are kept safe, both people and property, as we come into the 2016–17 fire season. I did want to make comment again on the inexplicable decision that the government has made to move the skycrane from Ballarat to Moorabbin, despite the fact that we have seen on the recent maps that have been released by the emergency management commissioner that western Victoria is going to be experiencing higher than average fire danger in the upcoming fire season. With the moving of the skycrane to Moorabbin, it appears that the skycrane will be able to fight fires on both Port Phillip Bay and golf courses along Melbourne's sand belt.

I did want to make reference also to something that has occurred over this government's first nearly two years, and that is the closure of the CFA Fiskville training site. CFA Fiskville has closed, and we have now seen upwards of 80 staff lose their jobs at Fiskville. The community in and around Ballan want to know what the government's plans are for the replacement facility for Fiskville. The former Minister for Emergency Services, Jane Garrett, made certain commitments to the Ballan community that the replacement facility for Fiskville would be placed in Ballan to ensure that the economic benefit that Fiskville did deliver to Ballan would not be lost by the local community. I have certainly heard from traders in Ballan that the closure of Fiskville has had a significantly detrimental effect on business in Ballan. They want to know whether or not the commitments that were made by the government, by the former Minister for Emergency Services, Jane Garrett, will be honoured and that the replacement

facility will indeed be built in Ballan to ensure that the economic benefit of that new facility will be delivered to the Ballan community.

I have certainly heard speculation that the new facility will not be located Ballan. Indeed the first red flag was highlighted in the budget, where the budget allocation for the replacement facility, which was a very meagre budget allocation, was listed as the new Central Highlands CFA training facility. The Central Highlands is a very, very large geographic area.

Mr Ramsay — Where in the Central Highlands?

Mr MORRIS — Where in the world in the Central Highlands is it going to be built? That is a very good question, Mr Ramsay. Where is it going to be? I have heard that Parwan, which is a new area that the Shire of Moorabool have been looking at developing, is a potential site for the new training facility. However, this is going to represent another broken promise by the Andrews government if this does indeed go ahead, because we have the commitment, and the people of Ballan expect that the government is going to keep its word that the new training facility will be located in Ballan.

We heard from the former minister that there were issues about trying to find an appropriate plot of land for the new facility and that compulsory acquisition may need to be looked into. If compulsory acquisition needs to be looked into, it needs to be looked into now so that time is not wasted and the acquisition of the land to support the Ballan community can happen now rather than not at all. It is not good enough for the government to throw their hands up in the air and say, ‘This is all too difficult. We’re not going to keep our commitment. We’re going to throw away our commitment to the Ballan community, we’re going to forget about them and we’re going to instead place this facility somewhere else’.

While I am talking about the CFA replacement facility, it is incredibly important that the new facility is commensurate with the size of CFA Fiskville, because we want to ensure that the new facility committed to being built by the government is going to meet the needs of CFA volunteers across the width and breadth of Victoria.

Country Fire Authority: report 2014–15

Mr RAMSAY (Western Victoria) — It gives me pleasure to be able to speak to the Country Fire Authority (CFA) annual report 2014–15. Before I refer to that I would like to acknowledge the very important

work that is happening right at this moment in relation to our volunteers out there helping, supporting and sandbagging our communities right across western Victoria while they are facing significant floods. Can I refer to the work that the volunteers of the State Emergency Service (SES) and the CFA are doing in relation to the Hamilton relief centre, which has been set up to take in some of those communities that have been flood bound around western Victoria, as well as the relief centre at Skipton, which is under threat as we speak. We have flooding in the Wimmera River, the Glenelg River and the Barwon River affecting the communities all along those catchment areas. What is really important right at this minute is that those communities get that support from our very important and worthwhile volunteers of the SES and CFA.

So it is very timely that I am to confirm that during the Napthine coalition government in fact we increased funding to the CFA budget over the term of the government — not the lies that the Minister for Emergency Services, James Merlino, in the other house was perpetuating through question time today, where he was suggesting that we actually decreased the budget. In fact it increased. The 2014–15 report clearly demonstrates that the budget increased to over \$503 million for the 2014–15 year, which was up from the previous year and up from the year before that. But guess what the 2015–16 year will show: an actual decrease in the CFA budget and also in the cash reserves that have taken place. So it is typical Labor: they draw down on the reserves, they reduce the budget and then they create an EBA that will add significant costs to the CFA; up to \$600 million has been suggested, which would take out the whole operating budget for the year with an increase in the number of additional firefighters and the costs associated with an EBA.

What I would like to also refer to is the disgraceful attempt to try and hide behind the EBA in relation to the veto. Mr Merlino in the other house in question time this morning said, ‘What veto? There’s no veto’. There are 21 clauses in the EBA, version 17.1, which has a consultative requirement to agree in relation to its clauses. Now, that is a power of veto. So Mr Merlino is living in some sort of nobby land when he suggests that in fact the EBA is only going to affect those integrated stations with career-based firefighters. That is absolute nonsense and is yet another smokescreen that Labor is trying to put up in relation to its treatment of the CFA volunteers.

So our volunteers are out there today in western Victoria supporting our communities that are slowly getting flooded out, where our river systems are rising

and having an impact on the infrastructure, where the houses are getting flooded. It is our volunteers out there, not our career firefighters, who are helping clean up and sandbag the homes and helping to save lives in floods that are becoming a natural disaster right across the Western District.

But I do want to refer back to the report, which talks about the volunteer emergency services equipment program (VESEP) funding, which has been really important to those brigades to enable them to buy new equipment. It is provided on a one-on-one basis, where both the CFA and the community of the CFA provide complementary funding to buy additional equipment and accessories for their fire brigade. It is very important.

I am pleased to see that in the era of the Baillieu and Napthine governments we actually increased that VESEP funding, and again it is demonstrated in this budget. But at the end of the day, sadly, what we have at the moment is Labor supporting the United Firefighters Union in an EBA that is creating a great divide between our career firefighters and our volunteers. We have a Supreme Court action here in Victoria. We have a fair work bill in the commonwealth about to go through the House of Representatives that will hopefully protect the important and — as Mr John Howard said in the party room on Tuesday — iconic volunteerism in the CFA, not seen anywhere else and not replicated anywhere else in the world. And here is the Labor Party trying to conquer and kill the most well branded, most well recognised volunteer firefighting force in the world.

Department of Treasury and Finance: budget papers 2016–17

Ms LOVELL (Northern Victoria) — I rise to speak on the state budget report, and the reason I have chosen this particular report to speak on today is the impact that the upcoming public holiday on grand final eve will have on the finances of our state, and indeed not just on the state, which will be up for additional wages for all of the public sector, but also on the private sector in Victoria. We know the regulatory impact statement for this public holiday said that for the private sector it is expected to cost between \$717 million and \$898 million annually, so it is almost a \$1 billion hit to business in the state of Victoria — a \$1 billion hit that businesses cannot afford.

The impact on the state budget of course is extensive because it means that there is double time for all of the public sector wages, whether that be nurses, whether that be paramedics or whether that be firefighters. But

of course we know that the reason this public holiday exists is that once again Premier Daniel Andrews has been beholden to the union movement, and this will give the Construction, Forestry, Mining and Energy Union a four-day weekend. So this is all payback to the unions for the assistance they gave the Premier and Labor at the last state election.

Mr Dalidakis — Don't blame the Premier; blame me.

Ms LOVELL — What is the impact it will actually have on small businesses in the state? And instead of saying, 'Blame me', and laughing about it, the Minister for Small Business, Innovation and Trade should actually take seriously the impact that this will have on small business in our state. I have been a small business operator. I grew up in small business. I know the impact that public holidays have on small businesses.

I surveyed the businesses in Shepparton following the last public holiday to ask them what they thought of Labor's grand final eve public holiday. Two hundred and five businesses responded to my survey — 205 businesses in Shepparton. More than 95 per cent of them said that they did not support this public holiday because it has a negative impact on their business. The people in the hospitality sector cannot charge double the price for a coffee just because it is a public holiday. Your local newsagents cannot charge you double the price for a *Herald Sun*, and they cannot charge you extra to have it delivered, but it costs them double the price.

It does cost families because it comes off their bottom line, but it is not only the cost to families if they have to employ people at double the wages; it is also the impost on families themselves, because what happens in small businesses is that it is the families — it is the mums, dads and kids in small business — who end up working on public holidays and not having family time —

Mrs Peulich — To make sure the business survives.

Ms LOVELL — just to make sure their businesses survive. So they pay their staff to have a day off, and they work even harder than they normally do. It takes a toll on the family, it takes a toll on their finances and Labor could not care less.

What did some of the businesses in Shepparton say about this? One said:

... we will lose money and business too.

And that is true, they lost business. It was a very quiet day, and they did lose money.

They continued:

And because of loss of business we will lose employees too.
And after that they will have all the holidays they want.

This is true. If you push an employer to the brink, they can no longer afford to employ people, and that is what the union movement in this state needs to know. The harder you push the more their businesses become unviable. This is what we have seen happen with the car industry in this state with the way that the union movement have treated that.

Another business said:

The loss alone is in excess of \$10 000 — do I need to say more?

A loss of \$10 000 in one day's trade is a massive hit on their budget bottom line.

Mr Dalidakis interjected.

Ms LOVELL — Another business said — and the minister should listen to this:

... why does Labor insist on making it impossible for small business to operate at our busiest times?

This is a Friday, the busiest trading day of the week, and Labor wants everyone to shut their doors. It does not make sense.

Another business said:

Small business will pay for this stupidity. Damned if we open and damned if we don't.

That is true. They are damned if they open with double wages, they are damned if they do not, because of loss of business. Labor does not care about small business.

Department of Premier and Cabinet: report 2014–15

Mrs PEULICH (South Eastern Metropolitan) — I wish to make a few remarks on the Department of Premier and Cabinet (DPC) annual report 2014–15 and in particular consider the state government's decision to actually centralise all of the integrity regimes in the DPC in order to coordinate and better integrate those integrity regimes. Can I say I have not seen too much evidence of that as yet. In actual fact what I have seen is probably more disaggregation, more fragmentation, than ever before.

One specific area that I would like to refer to is the operations of the inspectorate of local government. We saw recently of course a big mess created by the amendments to the Local Government Act 1989, the

intent being to improve governance. What we found out was that indeed the effect of some fairly ill-considered reforms was to cause the dismissal forever of 113 councillors for not having signed the code of conduct in a prescribed way within a prescribed period of time — a bureaucratic requirement.

The government was sensible enough, with a lot of pushing and prodding from behind the scenes, including working with their legal branch and the inspectorate, to bring in amendments to avert a local government sector meltdown, which would have left many local governments just on the eve of local council elections without elected councillors and without administrators and therefore unable to, for example, approve contracts or variations on contracts or operate. I have asked a number of questions in relation to the operations of the amendment and whether indeed it went far enough to protect elected councillors from this monumental stuff-up.

I did ask the minister a number questions, and he responded on 1 September 2016. The substance of my question asked on 29 August 2016 directly related to another section of the local government legislation — section 63(1)(b) of the Local Government Act 1989 — which remains following the amendment. It is a requirement that persons elected to council read the code of conduct and make a declaration that they will abide by the code of conduct. That still remains, and it remains unaddressed by the minister's response, which referred to the 2016 compliance audit conducted by the Local Government Investigations and Compliance Inspectorate. Something that was not specified was the manner in which this would be done in the legislation, but following the alert they were prompted to act.

In relation to council and councillor compliance, there is a different provision of the Local Government Act, being section 76C. Under 76C the amendment was made, but 63(1)(b) remains. It is clear that the provisions of 63(1)(b) and section 63(3) also require persons elected to be councillors to make a councillor code of conduct declaration in writing and 'witnessed by the chief executive officer'. While section 63 and section 76C use similar language in that they both require declarations to be made in writing and witnessed by the CEO, the recent compliance audit appears to only — —

Ms Tierney — On a point of order, Acting President, I would like to know what report Mrs Peulich is speaking on.

Mrs PEULICH — The Department of Premier and Cabinet, which is the home to the integrity machine, including the local government inspectorate.

Ms Tierney — That may be the case. However — —

The ACTING PRESIDENT (Mr Finn) — Order! Well, if that is the case, we have not got a problem. Thank you, Ms Tierney.

Ms Tierney — Is that right? So we are shutting down a point of order. Is that what we are doing?

The ACTING PRESIDENT (Mr Finn) — Order! My understanding is, Ms Tierney, that you wanted to know which report Mrs Peulich was speaking to. She has responded, and you have agreed, and that is appropriate.

Ms Tierney — That was my question. My further point of order, Acting President, is that it has very little to do with the annual report of the Department of Premier and Cabinet. I have had an opportunity to look at that today, and what Mrs Peulich is talking about has got very little to do with that report.

Mr Herbert — On the point of order, Acting President, I seek your clarification. Ms Tierney rose to make a point of order, and halfway through doing it, not through you, but across the chamber, there was a response given. And Ms Tierney never finished, and then you said that is the end of the point of order. I just want to make sure that we have procedures in this place so points of order are directed through the Chair.

The ACTING PRESIDENT (Mr Finn) — I understand Mrs Peulich did jump the gun — there are no two ways about that; she often does. I understand that, and I may have been wrong to accept her explanation, but her explanation was forthcoming. I will listen very closely to Mrs Peulich, and I ask that she continue.

Mrs PEULICH — It relates directly to the role of the inspectorate, and indeed while section 63 also outlines the method in which compliance needs to occur, the substantive question asked on 29 August 2016 related to compliance with section 63 of the Local Government Act 1989. So I would ask the inspectorate to consider whether indeed this particular section has been complied with and indeed whether the inspectorate has a role in clarifying how indeed it has been complied with, whether indeed it implies to councillors who are currently serving and whether three years down the track into the current term they are bound by the same provision. But the amendment has

not directly altered the 2016 changes to the act, and it was also not the subject of the recent compliance audit conducted by the municipal inspectorate. Therefore, I ask the minister responsible for the integrity regimes to consider how these integrity regimes can be better coordinated and to make inquiries of the inspectorate as to whether compliance under sections 63(1)(b) and 63(3) applies to the current councillors and whether they have been protected by the recent amendment.

Ombudsman: investigation into management of complex workers compensation claims and WorkSafe oversight

Ms CROZIER (Southern Metropolitan) — I am pleased to make a statement to the Victorian Ombudsman's report *Investigation into the management of complex workers compensation claims and WorkSafe oversight*, dated September 2016. I have been looking through this report this afternoon, and I take on board the comments in relation to what the Ombudsman has found and has looked at: various aspects relating to workers compensation schemes, unreasonable decision-making by agents, the effect of the financial rewards and penalties on agent decision-making, and WorkSafe's oversight.

I note that in the foreword — and I wanted to speak to a number of areas in this report — the report says:

We looked at cases from all five WorkSafe agents, involving both public and private sector workers — police and prison officers, nurses, teachers, truck drivers, farmers and many others, male and female, young and old ...

The report goes on and talks about a number of these cases. I am particularly interested in what is happening in the prison system and particularly interested in the youth justice system, because as we know the Andrews government has completely lost control of youth justice in this state. We have had some very serious riots, serious assaults and serious claims about clients attacking staff, staff leaving in droves and under-management. In particular I am referring to some serious concerns raised by WorkSafe Victoria in April this year. It goes to the point of some of the issues that have been highlighted in our youth justice centres, and I refer to the Melbourne Youth Justice Centre in Parkville. This week we have had three consecutive nights where these kids have been running in absolute chaos and causing mayhem throughout these justice centres. I think this is a terribly concerning situation. The minister has got no capacity to bring it under control.

An article in the *Herald Sun* this week quotes a WorkSafe report, and it is the WorkSafe report that I am also referring to. The article says:

The bedlam at Parkville came days after the *Herald Sun* revealed a WorkSafe report had exposed alarming risks to staff at another youth justice centre.

The article goes on to say there was a huge concern amongst staff about assaults, how they were increasing and the number of incidents in a period.

But I wanted to go to the report in relation to the WorkSafe report that I am referring to. There is a lot in this. I have had questions to the minister in relation to various aspects on the security and breaches of security that have occurred, but nevertheless there are some alarming notes that have been concluded. I just wanted to go to one area where the security emergency response team stated:

... five in training which delayed response. If one more client involved we were stuffed.

This is in the youth justice centres; this is in a WorkSafe report where the workers are seriously concerned about their safety. That is the language they are using in relation to their concerns. They are saying they have no capacity to control these inmates. There is an enormous degree of violence occurring. It is out of control. This report was back in April, after we had had riots last October, we had had riots in March and we had had review after review after review. And we have got another review of the incidents that occurred on Saturday night, Sunday and Monday, and still the minister cannot give us appropriate and proper answers to what is actually happening in relation to this chaos that is occurring throughout the youth justice system. It does demonstrate that the government has lost control. These situations are repeating themselves. These offenders who are in these prisons do not respect the disciplinary mechanisms that are going on, and they are putting themselves and the staff at risk. I think it is a terribly concerning matter, and I will have more to say on this issue.

LIVESTOCK DISEASE CONTROL AMENDMENT BILL 2016

Second reading

Debate resumed from 13 September; motion of Ms PULFORD (Minister for Agriculture).

Mr MORRIS (Western Victoria) — It is with pleasure that I do rise to make my contribution to the Livestock Disease Control Amendment Bill 2016. I just thought I might note that in accordance with section 28

of the Charter of Human Rights and Responsibilities Act 2006, there is a statement of compatibility with respect to the Livestock Disease Control Amendment Bill 2016, and it appears to be the opinion of the Minister for Agriculture that the Livestock Disease Control Amendment Bill 2016, as introduced into the Legislative Council, is compatible with the human rights protected by the charter. This opinion appears to be based upon the statement under the heading ‘Overview of the bill’:

The purpose of this bill is to make a number of miscellaneous amendments to the Livestock Disease Control Act 1994.

And under ‘Human rights issues’, the opinion of the Minister for Agriculture is:

The bill does not engage any human rights protected under the charter act. I therefore consider that this bill is compatible with the charter act.

I thought it was important to keep with the tradition that Mr Dalidakis started yesterday and ensure that the statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006 be read into *Hansard* for future reference, because we would not want that to occur into the future. An important precedent was set by Mr Dalidakis yesterday when he accidentally read the statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006 into *Hansard*.

The Livestock Disease Control Amendment Bill 2016 does mainly three things. The first of these three things is that it will make the Livestock Disease Control Act 1994 consistent with the Subordinate Legislation Act 1994 in relation to the publication of the relevant orders — indeed the full publication is required, rather than just giving notice of the making of a declaration. This amendment as proposed in this legislation will apply where there are declarations of unusual or different circumstances of death or disease in livestock and will directly relate to declarations of an infected area or indeed of a vehicle or a control area, and an importation order will also fall under this amendment. There also will be a need for the full publication, which is already a prevailing requirement under the Subordinate Legislation Act, but indeed this amendment to the Livestock Disease Control Act will remove any inconsistencies that may appear between those two pieces of legislation.

Secondly, this bill also replaces section 8A of the Livestock Disease Control Act and inserts a new subsection with common requirements for vendor or seller declarations for the transportation of a variety of livestock, including — but I believe not limited to —

cattle, sheep, goats and of course pigs. This will now be more clearly set out in this regulation, and I am reliably informed that the department did advise at the briefing that was made available for this particular piece of legislation that this will not in any significant way alter the current declaration requirements that are required of sellers of these particular livestock.

The third and last significant part of this piece of legislation is that it makes some alterations to section 41 of the Livestock Disease Control Act 1994 which relate to the prohibition of swill feeding. I certainly note that the minister in her second-reading speech noted that the former government agreed to recommendations made by the Animal Health Committee, a national forum for both state and territory veterinary officers, and the harmonisation of this swill feeding legislation.

Swill feeding is the feeding of pigs with material that comes from previously living mammals and the like, and it is significantly recognised as a risk factor for the introduction of several animal diseases, including but not limited to foot-and-mouth disease as well as classical swine fever and African swine fever, and with the potential that swill feeding could cause devastating impacts on Australia's livestock and other related industries. That is an important point, because there are upwards of 300 000 businesses here in the state of Victoria in the agricultural sector. Indeed the sector employs upwards of 200 000 Victorians.

Mr Barber — You wouldn't know one end of a sheep from another.

Mr MORRIS — I certainly would, Mr Barber. My heritage goes well back into the Wimmera. My father grew up on a farm, initially grain and then moving into turkeys. Indeed my grandfather was the first president of the Victorian Turkey Association. That is something that I am very proud of. Obviously in the Liberal Party we have roots in the agricultural sector, as exhibited by my recent heritage.

Mr Barber — You should be in charge of the party room, then, if you know about turkeys.

Mr MORRIS — No, we have very good leadership in our party room at the moment — exceptional leadership — and we have exceptional unity in our party room as well.

Ms Shing — John Howard!

Mr MORRIS — We were very fortunate to have a great former Prime Minister in John Howard in our party room yesterday, and he certainly had some pearls

of wisdom for us. He spoke about the poison that is oozing presently out of the government. He said that it does not bode well for this government, this poison that is oozing out of their party room. I do note that I saw Mr Jennings yesterday on the news. He looked like he was somewhat struck by the media when they asked him about poison coming out of his own government, and he did not dispute that fact. He did not dispute that there was poison coming out of the government that he is a member of — indeed he said that some good governments do have a lot of poison coming out of them, and then he scurried away. I was quite shocked by Mr Jennings's appearance on the news last night. But it was very pleasing to have — —

Ms Tierney — What does this have to do with the legislation?

Mr MORRIS — I was taking up an interjection, Ms Tierney, but I will go back — —

Ms Tierney — That is unparliamentary, Mr Morris.

Mr MORRIS — It is, and I thank you for your guidance. I do also note that the food and fibre industry in 2014–15 in Victoria provided some \$11.6 billion of economic activity, so therefore it is important that a piece of legislation like this does indeed protect the biosecurity of our livestock industry. I note that there was some significant interest in our biosecurity just a little while ago with a famous Hollywood actor in Johnny Depp when Pistol and Boo illegally entered Australia. I note that there was a bit of a fracas with Johnny Depp and Barnaby Joyce, the then relevant federal minister. I think some people thought — —

Ms Shing — Amber Heard is not reading this, Mr Morris. She is not interested. She is not available.

Mr MORRIS — I am not sure that is true, Ms Shing. I think it is incredibly important that we do take our biosecurity in Australia seriously, because the biosecurity of our nation is a significant matter. Obviously being an island nation we have the opportunity to exclude certain biosecurity impacts that are inflicted upon other countries. I note that when I watch *Border Security* and other such television programs there are some who come into Australia who do not quite understand the importance of biosecurity. But indeed, as I detailed earlier, that \$11.6 billion of economic activity in our food and fibre industry here in Victoria could be put at risk by a single disease that is not currently present here in Victoria coming in. Who knows what Pistol and Boo had and what they could have infected our livestock industry with. I am not sure of the transmission of communicable diseases between

dogs and other livestock, but it is certainly a risk I do not think we should be taking.

There has also been an announcement by the government with regard to livestock and with regard to e-tags on sheep — the electronic tagging of sheep. I do note that this may represent a broken promise from the government, because there was a commitment by the government not to introduce e-tags on sheep until there was a federal agreement on —

Ms Shing — Turkeys.

Mr MORRIS — Not on turkeys, no, we are talking about on sheep —

Mr Davis — And goats.

Mr MORRIS — And goats — sorry, Mr Davis, I had forgotten about goats there for a while. I can certainly understand and recognise the importance of understanding where our sheep and goats come from and indeed where they are going to, because that biosecurity I mentioned earlier is incredibly important in protecting the future security of our food and fibre industry. However, for this state Labor government to have effectively gone out on its own in introducing this new regime when previously having said that it would not introduce it without national consent is concerning, because I believe this represents another broken promise — another broken promise by this Labor government. It was only moments ago in this house that I was detailing the other broken promise, which was the \$2 levy on every taxi ride, Uber ride and the like. I do believe that we have an important role to play ensuring biosecurity and indeed that disease among livestock is controlled appropriately, and this is what this bill does indeed seek to do.

I was struck when I went back to have a look at this bill and note when it was first introduced. It was first introduced on 26 April 2016. I went back to have a look at what had happened back then, and I noted that there was one of the very first acknowledgements by Victoria Police of the Apex gang being involved in a carjacking, this particular carjacking occurring in Toorak. It was a significant period of time ago that this carjacking took place, which really does highlight the importance that this government places on this particular bill — the importance of ensuring the future biosecurity of livestock in this state, whether it be cattle, whether it be sheep, whether it be goats or whether it be pigs. The government has not shown that this is an order of priority for this government to ensure the future prosperity and safety of livestock in our great state of Victoria.

It is of course Western Victoria Region, my own electorate, that does have a significant portion of that \$11.6 billion.

Mr Davis interjected.

Mr MORRIS — That is a lot of sheep and goats, Mr Davis; you are right. It is \$11.6 billion of economic activity that is so incredibly important to the future prosperity of our state. We know that in the food and fibre industries we have a huge opportunity, a significant opportunity, to drive our economy, and I certainly implore the government to place a little more focus, a little more urgency, on these types of matters to ensure that into the future we are focusing on these important matters with more urgency than we have seen to this point. At that point I thank you, Acting President.

Mr Davis — Acting President, I just want to draw your attention to the state of the house and the number of members that are present.

Quorum formed.

Mr DAVIS (Southern Metropolitan) — I am pleased to rise and make a contribution to the Livestock Disease Control Amendment Bill 2016. This bill amends the Livestock Disease Control Act 1994. It amends provisions, according to the long title, enabling orders to be made, to provide further for vendor declarations when livestock are moved, to provide further for the feeding of certain materials to pigs and for other purposes.

I note that the bill is claimed to be compatible with the Charter of Human Rights and Responsibilities, and I note that last night in this chamber we saw a minister stand up and read the charter report rather than the second-reading speech. He clearly did not understand the distinction between the second-reading speech and the report with respect to the Charter of Human Rights and Responsibilities. But I note that the charter report on this bill claims that it is in accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 and the relevant statements of compatibility are indeed made.

I note that the second-reading speech makes a number of points. It indicates that the provisions of the Livestock Disease Control Act 1994 enable the minister or the secretary to make disease control orders and require a notice of the order to be published in the *Government Gazette*. These provisions, according to the second-reading speech, do not relieve the minister or secretary, as the case may be, from the requirement under the Subordinate Legislation Act 1994 to publish

in the *Government Gazette* in full. The bill makes statutory law revision amendments to those provisions which do not require publication of an order in the *Government Gazette* in full in order to address the inconsistency between the two important points.

Much has been made in the chamber during the debate, which I have listened to intently and with great interest, about the importance of ensuring that animal welfare is paramount in terms of the supply of animal products to humans ultimately, both within the state and also for purposes of export. There will be greater requirements in the way of declarations when cattle or prescribed livestock are moved. The provisions relating to that do make sense, and I think that the community does broadly support them.

Ms Shing interjected.

Mr DAVIS — Acting President, I have had the state of the house drawn to my attention, and I feel it my duty to report it to you.

Quorum formed.

Mr DAVIS — The further point I want to make is that obviously the minister has made some recent announcements about tagging of various animals, mainly sheep and goats — exclusively sheep and goats — and this has brought her a national media profile, but not necessarily for the right reasons. It appears that Victoria has gone out on a bit of a frolic without the full support of other jurisdictions and without the coordination that may be necessary for other jurisdictions. No doubt long term we will see a good outcome occur, but it does not appear that Victoria has been acting in a fully collaborative way in the steps that have been taking place in recent days.

I know that the minister has been determined to get as much press out of this as she can, but I am not sure that it has all been good press for the minister. I listened to a number of those radio interviews closely, and I must say that she struggled to explain why the Victorian government had gone out with this particular set of steps without having the collaboration of other jurisdictions more generally. But maybe in the committee stage she may wish to enlighten us on that point as to why she believes that the steps with the tagging of sheep and goats in the way that she has prescribed will actually meet the objectives that she has set and are going to be to the advantage of the state and of the industry.

Another point that has been made by many speakers in this debate is the importance of our livestock industry. Mr Ramsay made that point eloquently at considerable

length. He made the point about the need to ensure the very highest quality animals and to ensure that everything that can possibly be done to ensure high-quality animals is done in the very best way forward. If I can indicate the importance of these industries to Victoria, not only in terms of the supply of food and fibre in our own state but importantly — —

Honourable members interjecting.

Mr DAVIS — Do you want me to try and work that in? I am sure I can. As members like Ms Shing will realise, there is significant produce that is moved along the line between Caulfield and Dandenong. Indeed there are diesel locomotives that move along the line regularly. Having had that interjection made, I can easily make the point about the need to ensure that we listen to the community and make sure that the final outcomes are better. You only need to see the issues around diesel movements that occur statewide. New South Wales has undertaken a number of studies on the impact of diesel fumes and diesel from locomotives in particular.

Mr Melhem — What has that got to do with livestock?

Mr DAVIS — Well, the diesel fumes are quite a serious matter. The World Health Organisation, as those who were in the Parliament in the last period will remember, has made a number of decisions about safety levels.

Ms Shing interjected.

Mr DAVIS — Are you drawing my attention to the state of the house? Acting President, I note that the state of the house has been brought to my attention again, and I feel duty-bound thereby to bring it to your attention.

Quorum formed.

Mr DAVIS — Thank you, Acting President. I am pleased that there is a quorum present for these important discussions about the Livestock Disease Control Amendment Bill. Prior to the calling for a quorum I was making a point about the movement of diesel locomotives and the various freight carriages that they have attached to them and the risks that are associated with high railway lines. In some cases the government is proposing lines of up to 60-odd feet high. There have been no proper steps taken by Environment Protection Authority Victoria to look at the issues around that, and there have been no proper studies as to the impact of diesel fumes and their dispersal.

I know, for example, at one point along the line there is a new childcare centre that will be immediately adjacent to that line, and the diesel fumes are of concern to people who are intending to use that centre for their children. This is not a trivial matter. It is not a matter of no importance. Government members may make light of the concerns that many in the opposition have about sky rail and about the movement of diesel locomotives and their large trains of carriages along that line. But this is not a jocular point to those who are impacted.

It might be that government members more generally are prepared to dismiss the community in a range of ways. We have seen that across country Victoria, and this bill, the Livestock Disease Control Amendment Bill 2016, is an important bill for country Victoria. But I think it is important to put on record the treatment of country Victoria by this government.

Honourable members interjecting.

Mr DAVIS — No, no. I want to get very clearly on the public record my concerns about the treatment of country Victorians by the Andrews Labor government. It is clearly a very city-centric government. It is a government that is not listening to country Victoria, and that is typified by — —

Honourable members interjecting.

Mr DAVIS — Well, in the case of the Country Fire Authority (CFA) dispute, for example, these are very important issues to country communities, but the government and government members are routinely prepared to dismiss the concerns of the 60 000 CFA volunteers. We heard the minister in this chamber in response to a question I asked her prepared to not engage with her responsibilities in terms of an act that she administers and an authority that she administers. Her job is to coordinate services and to oversight services in a particular way.

Ms Shing interjected.

Mr DAVIS — Indeed you go and read the act. I will send you a copy, Ms Shing, and you can read that act. Let me make the point here that it was disappointing to hear the minister not prepared to take on those coordination roles and not prepared to even answer truthfully to the chamber as to whether she had received a briefing with respect to her broader coordination responsibilities in relation to the CFA and its impact on country communities, country businesses, country families and so forth.

What I should say about the issues in country Victoria at the moment is that the Premier obviously has not

been prepared to listen on a range of these issues, and that failure to listen is increasingly starting to be seen as a concern. Prior to the last election he went up to the family properties in the north-east of the state, and obviously there were tragic circumstances associated with that. But I think he has, whether intentionally or otherwise, left the community with a particular impression about his preparedness to engage with country Victoria, left the community with a — —

The ACTING PRESIDENT (Mr Finn) — Order! It being 6.15 p.m. and the half hour for government business having expired, I interrupt business.

Business interrupted pursuant to standing orders.

STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

Minister for Public Transport

The ACTING PRESIDENT (Mr Finn) — Order! I have a message that the President has received from the Speaker. It reads:

The Legislative Assembly has agreed to the following resolution:

That this house refuses to grant leave for the Minister for Public Transport, the Honourable Jacinta Allan, MP, to appear before the Legislative Council Standing Committee on the Economy and Infrastructure to give evidence and answer questions in relation to the committee's inquiry into ride-sourcing services.

Ordered that message be considered next day on motion of Mr DAVIS (Southern Metropolitan).

ADJOURNMENT

Mr HERBERT (Minister for Training and Skills) — I move:

That the house do now adjourn.

Shepparton BMX track

Ms LOVELL (Northern Victoria) — My adjournment matter is for the Minister for Sport, and it is regarding the Greater Shepparton City Council's application for a grant under the Victorian government's Community Sport Infrastructure Fund for the Greater Shepparton regional BMX track. My request of the minister is that he provides the funding requested by the council in its application to the fund in the minor facilities category funding round for its regional BMX track upgrade project. The council has made an application to the fund's grants program for

\$100 000 plus GST for the development of a junior development pump track.

The project has a number of identifiable aims, including to get kids into the sport through training, practising and non-racing social riding; greater accessibility to night-time activities, as no other facilities in northern Victoria have compliant lighting; developing and supporting innovative programs aimed specifically at attracting new participants to the sport, with particular focus on girls, multicultural and Indigenous and other targeted groups, to reduce disadvantage and promote increased health; the consideration of the creation of a northern Victoria night series; the hosting of state and national training camps as a BMX Victoria regional training centre of excellence academy; and future pathways development, with the opportunity for participants to progress their development.

The project would include an upgrade of power and main switchboard to the cycling precinct, the velodrome and BMX track; the installation of new 200-lux lighting and power outlets to meet BMX Australia standards and to upgrade precinct safety; the installation of a new 8-metre start hill to meet Union Cycliste Internationale standards; and reconfiguration of the first straight, final drainage, surfacing, line marking, landscaping and reinstatement.

The track in Greater Shepparton would be the first regional junior pumps track in Victoria and would present great opportunities for the region, particularly as we look to cement ourselves as a major regional sporting hub. A five-year project for major events creates an expectation for council to be able to negotiate contracts for more than 22 major events valued at almost \$20 million to the local economy, including the BMX Australia national championship package and other state and national events, and it would also create around 58 jobs. The total estimated cost of the project is around \$635 000, with council to be the major contributor.

My request of the minister is that he provides the funding requested by the Greater Shepparton City Council in its application to the Victorian government Community Sports Infrastructure Fund minor facilities funding round for its regional BMX track upgrade project.

Heatherdale railway station

Mr LEANE (Eastern Metropolitan) — My adjournment matter is directed to Jacinta Allan, the Minister for Public Transport, and the action I would seek is if she could please organise for the stakeholder

liaison group that has been involved in the Heatherdale and Blackburn roads level crossing removals to have a site visit, particularly at the Heatherdale Road end, where on the weekend during a weekend shutdown of the Belgrave-Lilydale train line the new Heatherdale station modules were put in place. That means that the station has very much come into fruition, given that these modules were prebuilt in a factory off site, at Kilsyth. That means, as I said, that the station is coming together quite quickly. The stakeholder liaison group would really appreciate if the minister, via the Level Crossing Removal Authority, could organise a site visit when appropriate.

The PRESIDENT — Order! Just before we continue, can I indicate that twice today I have noticed that members — two members — have wandered through the chamber from one end to the other without stopping in the chamber and with having no interest in participating in what was happening in the chamber at the time. This is not a thoroughfare. There are other opportunities to get around the building. I recall one occasion where I certainly pulled up former Minister Madden for doing the same thing. It is not appreciated. It is a discourtesy to all members that this place should be used as a laneway to get from one place to another.

BPW Automotive

Mr MORRIS (Western Victoria) — My adjournment matter this evening is for the attention of the Minister for Planning. I will begin with the action, just to make sure that we get there. The action I seek is: can the minister detail what can be done to assist the proprietors of BPW Automotive to ensure they can continue to operate at their current location in the Golden Plains shire. What has been drawn to my attention is that there is a local auto repair business in the Golden Plains shire that has been operating for over two years. It is at risk of closure due to an issue with land use at its current location. I am informed that the business was purchased two years ago from somebody else who had also operated an auto repair shop at the current location for a number of years prior.

I believe there is significant community support for the business to continue operating. Indeed I believe there is a petition with over 800 signatures, 300 of which are on a paper petition and 500 of which are online, so there is obviously quite significant community support for this business to continue. I certainly encourage the minister to do all that the minister can to ensure that this business, which is overwhelmingly supported by the community from what I understand is able to continue. I believe the shire is also working to see what can be done to support the business. I encourage the minister

to do all that can be done to ensure BPW Automotive can continue operation at its current location.

Family violence

Mr MELHEM (Western Metropolitan) — My adjournment matter tonight is for the Minister for Consumer Affairs, Gaming and Liquor Regulation, my good friend the Honourable Marlene Kairouz. The Andrews Labor government has recently announced \$1.75 million of funding to specially train 10 new full-time financial counsellors to help those in abusive relationships. The new counsellors will achieve this by negotiating with creditors and debt collectors, helping to protect assets from repossession and helping victims access financial hardship programs. Recruitment and training for these counsellors are already underway. They will soon be placed in agencies across Victoria. For my electorate of Western Metropolitan Region, these will be the Good Shepherd Youth and Family Service, Djerriwarrh Health Services, ISIS Primary Care and Anglicare Victoria. The action I seek is for the minister to arrange a joint visit to one or some of these agencies in order to hear the difference that will be made in the lives of women escaping family violence and economic abuse.

Wyndham police numbers

Mr FINN (Western Metropolitan) — I wish to raise a matter for the attention of the Minister for Police, and it concerns the diabolical situation with police numbers in the City of Wyndham. The house will recall that a couple of months ago the shadow Minister for Police, Edward O'Donohue, and I visited Point Cook and Werribee and had discussions with locals there about the very deep concerns that people have about their personal safety, particularly with the rash of home invasions and aggravated burglaries hitting the area and the fact that there are just not enough police to protect the people of Wyndham.

To make matters worse, the Police Association Victoria has made it known that 36 frontline police officers have been ripped out of Wyndham to man task forces. I fully understand the importance of task forces, and I understand they have had some degree of success in tracking down some gang members who have been involved in some particularly grievous crimes, but to rip out 36 frontline police officers from police stations in Wyndham that are already enormously undermanned does not seem to be either fair or right. The police numbers in Wyndham are at least 150 under what they should be.

It is interesting to note that Mr Ron Iddles, secretary to the police association, has said that Wyndham has the worst police-to-population ratio in Victoria; it has 49 response officers per 100 000 people, and the state average is 102 response officers per 100 000 people. You can see that Wyndham is really missing out in a very big way. People in Wyndham are genuinely afraid for their safety, particularly in places like Point Cook, where there has been a crime wave. It is unbelievably unfair for the government not to provide the police officers that are needed in Wyndham to provide that protection.

I ask the minister to take on board the fears of and the problems being faced by the people of Wyndham and ensure that enough police officers are on the ground to support and protect the people of Wyndham at this time.

Doctors in Secondary Schools

Ms TIERNEY (Western Victoria) — My adjournment matter is for the Minister for Education, James Merlino. It is in relation to the Doctors in Secondary Schools program that has been recently announced. As I understand it, this \$43.8 million program was definitely an election commitment that was made by us prior to coming to government.

The reason that we have undertaken this program is to provide students with an extra avenue to discuss sensitive issues with a medical professional. The unfortunate reality is that many kids do not have access to the best possible health care. With this program we believe they now have an avenue to discuss health issues that may not be available outside of the school. It is a well-known fact that people in rural and regional Victoria often find it more difficult to access services than those living in metropolitan areas, and access to a GP is one of these services.

The action I seek from the minister is for him to provide me with a detailed plan for how this program will be rolled out in my electorate. I would like to know how exactly schools become part of the program, which schools will be included in the program — I understand that an initial list has been provided, but I would like to know whether more will be included — what the expected time line on the rollout is, what the starting point for the program will be in each school and what monitoring and evaluation processes schools and the Department of Education and Training will deploy.

The PRESIDENT — Order! Thank you. The only concern that I have in terms of that adjournment matter is there seems to be more than one string to the bow. It is sort of multipart.

Ms Tierney — A detailed plan.

The PRESIDENT — Order! Okay; I will take it in that context.

Adjournment interrupted.

DISTINGUISHED VISITORS

The PRESIDENT — Order! Just before I call on Mr Ramsay, can I just draw the attention of the house to a visitor in the gallery in a former member of this house and Deputy President, Glenyys Romanes. Welcome.

ADJOURNMENT

Adjournment resumed.

Great Ocean Road tourism

Mr RAMSAY (Western Victoria) — This adjournment matter is for the Acting Minister for Tourism and Major Events, Mr Philip Dalidakis — in fact, where is Mr Dalidakis? The Great Ocean Road is Victoria's most valuable visitor economy asset and has a significance of \$782 million to Australia's economy through 3720 direct jobs and 6180 total jobs across Victoria. Great Ocean Road Regional Tourism Ltd has prepared a strategic master plan for the visitor economy of the region, which identifies that an increase of just 3.5 per cent in visitor spend per annum will deliver over 3000 jobs by 2025, including more than \$1500 jobs by 2020. This master plan calls for \$1 billion in public and private investment over the next decade to underpin and extend growth that will result in the visitor economy becoming the major economic driver of the region's future.

Great Ocean Road Regional Tourism has put together this comprehensive report with a strategy to improve the visitor experience with improved facilities while exploring different funding models to make them commercially viable, such as entrance fees, tolls, car parking and commercial activities. At present, visitor expenditure of \$1.2 billion represents \$1.32 billion of gross regional product and impacts 11 380 jobs. There is a fantastic opportunity for Victoria to capitalise on the visitation to this world-renowned tourist attraction with serious investment from governments and the private sector.

The state government should consider the implementation of the Shipwreck Coast master plan and the continued development and maintenance of the Great Ocean Road as high priorities. And I might just add, today the Great Ocean Road is actually closed between Lorne and Eastern Beach because of the land spill due to the flooding and heavy rain that we have just had. It is very dangerous out there, so be very careful on the Great Ocean Road.

A significant investment will stimulate and support private investment in new and improved accommodation, experiences and services to meet current and future demand. I call on the Acting Minister for Tourism and Major Events to thoroughly examine this strategic master plan and invest in Victoria's future by funding the listed priorities.

Domain railway station

Ms FITZHERBERT (Southern Metropolitan) — My adjournment matter is for the Minister for Planning. Many residents want a clear explanation from the Andrews government of the time line for the Domain station project for the remainder of 2016 and 2017, and that is the action that I am seeking from the minister this evening. We are currently part way through a fairly swift process in terms of the environment effects statement (EES) that began in late May of this year. It was released for public exhibition and comment on 25 May, and currently an advisory committee that has been appointed by the Minister for Planning is assessing the effects of the project with regard to the EES studies and investigations along with public submissions. Public hearings are being conducted at the moment, and a range of people and organisations are making submissions through this process.

According to the project website, in late 2016 or early 2017 the minister will make an assessment after the completion of the public hearings. The minister will consider the final environment effects statement submissions and the inquiry report and provide an assessment to the relevant statutory decision-makers. So this stage goes into early 2017, but at the same time we are told that work will start on the project also in early 2017. The public hearings commenced on 22 August, and they will run for up to six weeks. As specified in the terms of reference of the inquiry, it is going to submit its report within 30 business days of the last hearing day.

So the inquiry goes until the end of September plus about 30 business days, and that brings us to somewhere around the middle of November. Yet the initial works are scheduled to start in early 2017, and

this was reinforced by a works notification that went to residents around what will be the station that talks about saw-cutting asphalt, putting together some narrow trenches to expose underground utilities and disrupting roads and footpaths, which will be reinstated at the conclusion of investigations into underground services in the Domain precinct.

Residents have raised a broad range of concerns about the process for building this station and how it will impact on them, including blocked access to a building car park that is used by residents, blocked access to a commercial car park precinct that is within the defined construction zone, blocked access for emergency service vehicles and the impact on traffic with cars reduced to one lane only on St Kilda Road. This will go on for years. There are also concerns about property values and the capacity of owners to sell during the building process. Many residents tell me that they raise concerns but are told that these will be addressed when the contract is finalised, and they fear quite reasonably that by this time they will have little scope to challenge or affect the issues that concern them.

At the outset I said that many residents want a clear explanation from the Andrews government of the time line for this project, and that is the action that I am seeking from the minister tonight. In particular can the minister please outline when he expects to respond to the vast number of issues raised through the hearings, when any changes to the current plans will be made public and, most importantly, exactly when in early 2017 the government plans to start work on this project?

Level Crossing Removal Authority

Mr DAVIS (Southern Metropolitan) — Tonight my adjournment is for the attention of the Minister for Public Transport, and it relates to the ongoing issues about the behaviour of the Level Crossing Removal Authority (LXRA) with respect to level crossing removals. All of the community support level crossing removals, but the model that has been chosen by the government on the Caulfield–Dandenong line is problematic. It was not something that was raised before the election. The community consultation has been appalling, and now —

Mrs Peulich interjected.

Mr DAVIS — That is exactly right. And now, as Mrs Peulich points out, this process of poor consultation is beginning on the Frankston line. We know that VicRoads did a survey in April 2015. It surveyed 1600 people around the metropolitan area in a

number of key locations, and they overwhelmingly wanted trenches. They wanted rail down as the solution. Only 13 per cent were prepared to countenance a rail-over solution. That is significant, and it should have been a significant warning to the government.

On that Caulfield–Dandenong line the government has pushed forward against the community's wishes — against more than 10 000 signatures. Now indeed on the Frankston line a similar pattern is emerging. The government is now proposing to push forward with options that will not suit the community, and I note that the City of Bayside has put a media release out which indicates the council has been bypassed on level crossing removals. Again this is not proper consultation, not proper involvement, not proper formal land use planning and not proper incorporation.

The same is occurring in the City of Kingston, and I note that Kingston also made statements on 7 September indicating concerns about some of the models that are being adopted, encouraging community members to get very active on this and stating that the council had met with the transport minister to directly pass on the strong community views and real concerns around elevated rail and that they were disappointed that rail bridge options are still being considered.

Again the government and the LXRA, with its 'We'll do sky rail all over Melbourne' approach, are pushing forward, so what is needed here is for the minister to stop and to make the LXRA pause, undertake genuine community consultation, go back, come up with some solutions that prevent a travesty in terms of the outcomes and ensure that sky rail is not the option — perhaps even consider an up-and-down model, as is being proposed in part. So I want the minister to pause and ensure that proper consultation occurs with the community.

Southland railway station

Mrs PEULICH (South Eastern Metropolitan) — The matter that I wish to raise tonight is for the attention of the Minister for Public Transport. It is in relation to the Public Transport Victoria (PTV) statistics which were released yesterday. What those statistics show is that all of the lines in the South Eastern Metropolitan Region are delivering much less of the timetable than when we left government, that all South Eastern Metropolitan Region lines are delivering fewer services on time than when we left government and that there was certainly a significant decline in services and punctuality on the Frankston line in August.

The concerns that have been raised with me are in relation to the impact of the Southland railway station on the rest of the Frankston line services. The action I am asking of the minister is to investigate what impact it will have on the Frankston timetable and how many minutes it will add to the journey both to Frankston and from Frankston so that we can see whether we can minimise the impact of the new service when it comes online so that constituents in my electorate are actually benefiting from the investment rather than suffering further deterioration in public transport, in particular on trains.

I will not comment on the impact that sky rail is having, but certainly all of the indicators that were published on the PTV website yesterday indicate that there has been an overall deterioration across all of the South Eastern Metropolitan Region. That is certainly not what the government promised when it was elected, and we would like to see those services improve and not continue to deteriorate.

Responses

Mr HERBERT (Minister for Training and Skills) — I will refer matters to the relevant ministers. Ms Lovell's matter is for the Minister for Sport seeking funding for the Greater Shepparton BMX track. Mr Leane is seeking a site visit by the Level Crossing Removal Authority stakeholder liaison group to a project in his electorate. Mr Morris is seeking the Minister for Planning to detail actions which would allow BPW Automotive to continue its current operations in the Golden Plains shire. Mr Melhem is seeking from the Minister for Consumer Affairs, Gaming and Liquor Regulation a visit to financial counselling agencies in his electorate. Mr Finn is seeking — I will not say he is seeking to make Wyndham the 'police state' — greater police numbers in his electorate. Ms Tierney is seeking from the Minister for Education a detailed plan on how the Doctors in Secondary Schools program will be rolled out in her electorate.

Mr Ramsay is seeking from the Acting Minister for Tourism and Major Events funding for the Great Ocean Road master plan. I should point out that there was an excellent breakfast meeting across at the Windsor this morning which was highly attended by government members to meet with the tourism industry. Unfortunately there was only one person — —

Mr Ramsay — We did not get invited.

Mr HERBERT — Heidi Victoria from the other place got an invite, and she was there, but she was the only one from your side.

Ms Fitzherbert had an issue for the Minister for Planning regarding details and any changes to the time lines for the underground Domain station in the environment effects statement process.

Ms Fitzherbert — I would like to know the time line for the project from now until early 2017 and particularly the start date for the work.

Mr HERBERT — Ms Fitzherbert is seeking details of the time line from now until the start of the Domain underground project.

Mr Davis is seeking more consultations from the Level Crossing Removal Authority. Mrs Peulich also had a matter for the Minister for Public Transport seeking an investigation into the impact on train timetables of the new Southland station, particularly as it relates to the Frankston line. Those matters will be referred to the ministers.

I have written responses to adjournment debate matters raised by Mr Davis on 16 August, Mr O'Donohue on 16 August, Ms Symes on 17 August and Mr Ramsay on 30 August.

The ACTING PRESIDENT (Mr Finn) — Order! The house is now adjourned.

House adjourned 6.44 p.m.

