



Hansard

LEGISLATIVE ASSEMBLY

60th Parliament

Wednesday 14 August 2024

Office-holders of the Legislative Assembly

60th Parliament

Speaker

Maree Edwards

Deputy Speaker

Matt Fregon

Acting Speakers

Juliana Addison, Jordan Crugnale, Daniela De Martino, Paul Edbrooke,
Wayne Farnham, Paul Hamer, Lauren Kathage, Nathan Lambert, Alison Marchant,
Paul Mercurio, John Mullahy, Kim O’Keeffe, Meng Heang Tak, Jackson Taylor and Iwan Walters

Leader of the Parliamentary Labor Party and Premier

Jacinta Allan

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

Ben Carroll

Leader of the Parliamentary Liberal Party and Leader of the Opposition

John Pesutto

Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition

David Southwick

Leader of the Nationals

Danny O’Brien (from 26 November 2024)

Peter Walsh (to 26 November 2024)

Deputy Leader of the Nationals

Emma Kealy

Leader of the House

Mary-Anne Thomas

Manager of Opposition Business

James Newbury

Members of the Legislative Assembly
60th Parliament

Member	District	Party	Member	District	Party
Addison, Juliana	Wendouree	ALP	Lambert, Nathan	Preston	ALP
Allan, Jacinta	Bendigo East	ALP	Maas, Gary	Narre Warren South	ALP
Andrews, Daniel ¹	Mulgrave	ALP	McCurdy, Tim	Ovens Valley	Nat
Battin, Brad	Berwick	Lib	McGhie, Steve	Melton	ALP
Benham, Jade	Mildura	Nat	McLeish, Cindy	Eildon	Lib
Britnell, Roma	South-West Coast	Lib	Marchant, Alison	Bellarine	ALP
Brooks, Colin	Bundoora	ALP	Matthews-Ward, Kathleen	Broadmeadows	ALP
Bull, Josh	Sunbury	ALP	Mercurio, Paul	Hastings	ALP
Bull, Tim	Gippsland East	Nat	Mullahy, John	Glen Waverley	ALP
Cameron, Martin	Morwell	Nat	Newbury, James	Brighton	Lib
Carbines, Anthony	Ivanhoe	ALP	O'Brien, Danny	Gippsland South	Nat
Carroll, Ben	Niddrie	ALP	O'Brien, Michael	Malvern	Lib
Cheeseman, Darren ²	South Barwon	Ind	O'Keefe, Kim	Shepparton	Nat
Cianflone, Anthony	Pascoe Vale	ALP	Pallas, Tim	Werribee	ALP
Cleeland, Annabelle	Euroa	Nat	Pearson, Danny	Essendon	ALP
Connolly, Sarah	Laverton	ALP	Pesutto, John	Hawthorn	Lib
Couzens, Christine	Geelong	ALP	Read, Tim	Brunswick	Greens
Crewther, Chris	Mornington	Lib	Richards, Pauline	Cranbourne	ALP
Crugnale, Jordan	Bass	ALP	Richardson, Tim	Mordialloc	ALP
D'Ambrosio, Liliana	Mill Park	ALP	Riordan, Richard	Polwarth	Lib
De Martino, Daniela	Monbulk	ALP	Rowswell, Brad	Sandringham	Lib
de Vietri, Gabrielle	Richmond	Greens	Sandell, Ellen	Melbourne	Greens
Dimopoulos, Steve	Oakleigh	ALP	Settle, Michaela	Eureka	ALP
Edbrooke, Paul	Frankston	ALP	Smith, Ryan ⁷	Warrandyte	Lib
Edwards, Maree	Bendigo West	ALP	Southwick, David	Caulfield	Lib
Farnham, Wayne	Narracan	Lib	Spence, Ros	Kalkallo	ALP
Foster, Eden ³	Mulgrave	ALP	Staikos, Nick	Bentleigh	ALP
Fowles, Will ⁴	Ringwood	Ind	Suleyman, Natalie	St Albans	ALP
Fregon, Matt	Ashwood	ALP	Tak, Meng Heang	Clarinda	ALP
George, Ella	Lara	ALP	Taylor, Jackson	Bayswater	ALP
Grigorovitch, Luba	Kororoit	ALP	Taylor, Nina	Albert Park	ALP
Groth, Sam	Nepean	Lib	Theophanous, Kat	Northcote	ALP
Guy, Matthew	Bulleen	Lib	Thomas, Mary-Anne	Macedon	ALP
Halfpenny, Bronwyn	Thomastown	ALP	Tilley, Bill	Benambra	Lib
Hall, Katie	Footscray	ALP	Vallence, Bridget	Evelyn	Lib
Hamer, Paul	Box Hill	ALP	Vulin, Emma	Pakenham	ALP
Haylett, Martha	Ripon	ALP	Walsh, Peter	Murray Plains	Nat
Hibbins, Sam ^{5,6}	Prahran	Ind	Walters, Iwan	Greenvale	ALP
Hilakari, Mathew	Point Cook	ALP	Ward, Vicki	Eltham	ALP
Hodgett, David	Croydon	Lib	Wells, Kim	Rowville	Lib
Horne, Melissa	Williamstown	ALP	Werner, Nicole ⁸	Warrandyte	Lib
Hutchins, Natalie	Sydenham	ALP	Wight, Dylan	Tarneit	ALP
Kathage, Lauren	Yan Yean	ALP	Williams, Gabrielle	Dandenong	ALP
Kealy, Emma	Lowan	Nat	Wilson, Belinda	Narre Warren North	ALP
Kilkenny, Sonya	Carrum	ALP	Wilson, Jess	Kew	Lib

¹ Resigned 27 September 2023

² ALP until 29 April 2024

³ Sworn in 6 February 2024

⁴ ALP until 5 August 2023

⁵ Greens until 1 November 2024

⁶ Resigned 23 November 2024

⁷ Resigned 7 July 2023

⁸ Sworn in 3 October 2023

Party abbreviations

ALP – Australian Labor Party, Greens – Australian Greens,
Ind – Independent, Lib – Liberal Party of Australia, Nat – National Party of Australia

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Wednesday 14 August 2024

The SPEAKER (Maree Edwards) took the chair at 9:32 am, read the prayer and made an acknowledgement of country.

Business of the house**Orders of the day**

The SPEAKER (09:33): General business, order of the day 4, will be removed from the notice paper unless the member wishing their matter to remain advises the Clerk in writing before 2 pm today.

Notices of motion

Notice given.

Petitions**Kororoit electorate public transport**

Luba GRIGOROVITCH (Kororoit) presented a petition bearing 4794 signatures:

Issue:

We the petitioners from Mt Atkinson and Deanside with a growing population over 12,000 residents in the City of Melton, the fastest growing municipality in Australia; are in a dire need for any form of public transportation. Every morning we fight traffic driving on already congested roads to drop our kids at school and to travel to our nearest train stations at Caroline Springs or Rockbank. Parking at these stations is limited and train services are infrequent. The only available alternative is driving on the Western Freeway in peak hour traffic which takes even longer. Development of the proposed Mt Atkinson Train Station, along with the integration of planned bus routes and other local infrastructure improvements, would give us easy access to the Melbourne CBD, Melton and other major centres for employment and education.

Action:

The petitioners therefore request that the Legislative Assembly calls on the Government to review our urgent transport needs and immediately start the planning and delivery of the Mt Atkinson train station.

Ordered that petition be considered tomorrow.

Timboon and District Healthcare Service

Richard RIORDAN (Polwarth) presented a petition bearing 534 signatures:

Issue:

This petition of residents in Victoria draws to the attention of the Legislative Assembly to the proposal by the State Government to withdraw self-governance or to amalgamate the Timboon District Health Care Service. Timboon District Health Care Service provides a range of bespoke local services that includes primary, acute, and aged care services that are vital to the welfare of everyone that resides in and visits Timboon.

Action:

The Timboon Community therefore request that the Legislative Assembly calls on the Government to continue its support of the Timboon District Health Care Service with adequate funding and local governance.

Ordered that petition be considered tomorrow.

*Committees***Public Accounts and Estimates Committee**

Report on the Appointment of a Person to Conduct the Financial Audit of the Victorian Auditor-General's Office

Sarah CONNOLLY (Laverton) (09:35): I have the honour to present to the house a report from the Public Accounts and Estimates Committee on the appointment of a person to conduct the financial audit of the Victorian Auditor-General's Office.

Ordered to be published.

*Documents***Documents**

Incorporated list as follows:

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT – The Clerk tabled:

Auditor-General – Building a Capable and High-performing Public Service Workforce – Ordered to be published

Statutory Rules under the following Acts:

Rail Safety National Law Application Act 2013 – SR 73

Social Services Regulation Act 2021 – SR 72

Victorian Environmental Assessment Council Act 2001 – Notice of amendment to the Victorian Environmental Assessment Council assessment of the values of state forests in the Central Highlands under s 26C.

*Bills***State Sporting Legislation Amendment Bill 2024**

Council's agreement

The SPEAKER (09:36): I have received a message from the Legislative Council agreeing to the State Sporting Legislation Amendment Bill 2024 without amendment.

*Motions***Government performance**

John PESUTTO (Hawthorn – Leader of the Opposition) (09:37): I move, by leave:

That this house condemns the Premier for her mismanagement and failed leadership; for allowing \$40 billion in infrastructure blowouts; for crippling businesses with punitive taxes; for neglecting essential services such as health, education and community safety; and for driving Victoria's debt to \$188 billion, all while breaking promises to vulnerable communities across this state.

Leave refused.

Peter WALSH (Murray Plains) (09:37): I move, by leave:

That this house condemns the Premier for mismanaging Victoria's money by prioritising the \$216 billion Suburban Rail Loop over health care, slashing hospital budgets by up to 30 per cent and forcing amalgamations that jeopardise essential services across Victoria.

Leave refused.

David SOUTHWICK (Caulfield) (09:38): I move, by leave:

That this house condemns the Premier for mismanaging Victoria's finances, driving state debt to an estimated \$188 billion by 2027–28 and burdening Victorians with the highest debt per capita in the nation in the midst of a cost-of-living crisis.

Leave refused.

Emma KEALY (Lowan) (09:38): I move, by leave:

That this house condemns the Premier for imposing a mental health levy to cover Labor's \$40 billion CFMEU cost blowouts instead of delivering mental health wellbeing hubs, for betraying vulnerable Victorians by ignoring commitments from the mental health royal commission and for underfunding our mental health system.

Leave refused.

Matthew GUY (Bulleen) (09:39): I move, by leave:

That this house condemns the Premier for recklessly mismanaging the \$14 billion Metro Tunnel project, driving it nearly \$11 billion over its original budget and leaving Victorian taxpayers to foot the bill for yet another disastrous blowout caused by Labor's incompetence, financial negligence and financial vandalism.

Leave refused.

Jess WILSON (Kew) (09:39): I move, by leave:

That this house condemns the Premier for mismanaging Victoria's finances, breaking Labor's election promise by shelving 29 promised school upgrades across the state, leaving students and communities in limbo while Victoria's debt soars to a staggering \$187.8 billion by 2028.

Leave refused.

Brad ROWSWELL (Sandringham) (09:40): I move, by leave:

That this house condemns the Premier for mismanaging Victoria's economy, imposing punitive taxes and creating a hostile environment for businesses, thereby forcing 3085 Victorian businesses to flee interstate in the two years to March 2024, undermining the state's future growth, prosperity and competitiveness.

Leave refused.

Danny O'BRIEN (Gippsland South) (09:40): I move, by leave:

That this house condemns the Premier for mismanaging Victoria's roads, slashing resurfacing funding to a mere \$37.6 million, down from \$201.4 million, leaving motorists to navigate dangerous pothole-ridden roads and highways, with road conditions now surpassing driver behaviour as the top safety concern for Victorians in an RACV survey.

Leave refused.

James NEWBURY (Brighton) (09:41): I move, by leave:

That this house condemns the Premier for mismanaging the housing sector, leaving her housing statement in tatters as Labor's crippling property taxes and charges now account for almost half of the cost of a new home, making home ownership an unattainable dream for countless Victorians.

Leave refused.

Brad BATTIN (Berwick) (09:41): I move, by leave:

That this house condemns the Premier for mismanaging community safety by cutting \$10 million from crime prevention programs while allowing \$40 billion in CFMEU-driven cost blowouts, leaving Victorians vulnerable to rising crime.

Leave refused.

Brad BATTIN: I move, by leave:

That this house condemns the Premier for mismanaging police resourcing, leaving almost 1000 frontline positions vacant and contributing to a 146 per cent increase in residential aggravated burglaries since 2014, while \$40 billion in CFMEU-driven cost blowouts continue unchecked.

Leave refused.

Michael O'BRIEN (Malvern) (09:43): I move, by leave:

That this house condemns the Premier for mismanaging the justice system by cutting \$58 million from Victoria's courts, exacerbating backlogs and denying justice to countless Victorians, while allowing \$40 billion in cost blowouts on infrastructure projects.

Leave refused.

Roma BRITNELL (South-West Coast) (09:43): I move, by leave:

That this house condemns the Premier for mismanaging the state's health system by cutting 40,000 planned surgeries a year, leaving over 60,000 Victorians in pain on waitlists, while \$40 billion in CFMEU-driven cost blowouts continue to go unchecked.

Leave refused.

Cindy McLEISH (Eildon) (09:44): I move, by leave:

That this house condemns the Premier for mismanaging women's safety by failing to implement the Victorian law commission's 45 recommendations on stalking, while \$40 billion in CFMEU-driven cost blowouts divert funds from critical community safety initiatives.

Leave refused.

David HODGETT (Croydon) (09:44): I move, by leave:

That this house condemns the Premier for voting to keep bikies, thugs and organised criminals on building sites and for making Victorians pay for the \$40 billion in CFMEU cost blowouts.

Leave refused.

Bridget VALLENCE (Evelyn) (09:44): I move, by leave:

That this house condemns the Premier for overseeing Breakthrough Victoria breaking apart after a string of resignations and failed investments in companies that cut jobs or operate offshore, creating only 10 per cent of the jobs she promised and making it a jobs for Labor mates scheme.

Leave refused.

Richard RIORDAN (Polwarth) (09:45): I move, by leave:

That this house condemns the Premier for abandoning her promise to deliver 80,000 homes annually, with ABS data showing only 55,653 homes were built last year, proving the housing strategy is a sham, is in tatters, and Victorian families are paying the price.

Leave refused.

Sam GROTH (Nepean) (09:45): I move, by leave:

That this house condemns the Premier for slashing tourism and visitor economy funding by nearly \$400 million and abandoning the Commonwealth Games, forcing Victorians to pay the price for the \$40 billion in CFMEU cost blowouts she allowed to happen.

Leave refused.

Tim McCURDY (Ovens Valley) (09:46): I move, by leave:

That this house condemns the Premier for ignoring criminals in the tobacco industry despite more than 70 firebombings in the past 18 months. Instead of tackling the CFMEU's \$40 billion blowouts and youth crime crisis, Victorians have a Premier without a plan.

Leave refused.

Tim BULL (Gippsland East) (09:46): I move, by leave:

That this house condemns the Premier for slashing funding to our veterans by nearly 40 per cent, all to pay for Labor's \$40 billion in CFMEU cost blowouts.

Leave refused.

Nicole WERNER (Warrandyte) (09:47): I move, by leave:

That this house condemns the Premier for mismanaging Victorians' money, shamelessly slashing youth crime prevention in Warrandyte and across Victoria while squandering \$40 billion on CFMEU-driven cost blowouts on major projects.

Leave refused.

Martin CAMERON (Morwell) (09:47): I move, by leave:

That this house condemns the Premier for mismanaging Victoria's money, shamelessly slashing the FRV site in Moe in the electorate of Morwell while squandering \$40 billion on CFMEU-driven cost blowouts.

Leave refused.

Annabelle CLEELAND (Euroa) (09:48): I move, by leave:

That this house condemns the Premier for mismanaging Victorians' money, shamelessly slashing nearly \$14 million in redevelopment funding for Broadford Primary School while squandering \$40 billion on CFMEU-driven cost blowouts on major projects.

Leave refused.

Jade BENHAM (Mildura) (09:48): I move, by leave:

That this house condemns the Premier for mismanaging Victoria's money, shamelessly depriving Mildura West Primary School of funding to complete their 2018 master plan and fix the school buildings that are being held together by chipboard, meanwhile squandering \$40 billion on CFMEU-driven cost blowouts on major projects.

Leave refused.

Wayne FARNHAM (Narracan) (09:48): I move, by leave:

That this house condemns the Premier for mismanaging Victoria's money, shamelessly delaying the delivery of stage 2 of the Wonthaggi Hospital in the seat of Bass while squandering \$40 billion on CFMEU-driven cost blowouts on major projects.

Leave refused.

Chris CREWTER (Mornington) (09:49): I move, by leave:

That this house condemns the Premier for mismanaging Victorians' money, shamelessly depriving funding to tackle homelessness in Mornington, with the peninsula now facing the fourth-highest level of homelessness in the state, while squandering \$40 billion on CFMEU-driven cost blowouts on major projects.

Leave refused.

Roma BRITNELL (South-West Coast) (09:49): I move, by leave:

That this house condemns the Premier for mismanaging Victorians' money and shamelessly not funding and building the Lookout drug and alcohol rehabilitation centre in Warmambool yet squandering \$40 billion on CFMEU-driven cost blowouts on projects in Melbourne.

Leave refused.

Cindy McLEISH (Eildon) (09:50): I move, by leave:

That this house condemns the Premier for mismanaging Victoria's money, shamelessly slashing the Yan Yean Road duplication while squandering \$40 billion on CFMEU-driven cost blowouts on major projects.

Leave refused.

Annabelle CLEELAND (Euroa) (09:50): I move, by leave:

That this house condemns the Premier for mismanaging Victorians' money, shamelessly unable to deliver all of our regional childcare centres while squandering \$40 billion on CFMEU-driven cost blowouts on major projects because she cannot manage money and our children are paying the price.

Leave refused.

Jess WILSON (Kew) (09:50): I move, by leave:

That this house condemns the Labor government for Victoria's year-on-year declining NAPLAN results, including one in three Victorian students failing to meet proficiency standards in literacy and numeracy and Victorian outcomes falling behind other states, resulting in students not being equipped with the skills they need for their future.

Leave refused.

Members statements

Paris Olympics

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (09:51): I am pleased to acknowledge to the house the marvellous achievements of our Australians at the Paris Olympics, bringing home a total of 18 gold medals, 13 won by female athletes. It is our best Olympics by number of gold medals and is an outstanding result for our athletes on the world stage.

I particularly want to pay tribute to Werribee athletes Amy Cashin, Bailey Lewis, Anastasia Kusmawan, Marissa Williamson Pohlman and Thomas Hodges. Amy competed in her second Olympics in the 3000-metre steeplechase event and should be proud of improving her overall result. Bailey debuted in taekwondo in the men's 58-kilogram event and reached the quarterfinal round, an amazing result. Anastasia was part of Australia's artistic swimming team and said it is the 'perfect combination' of her favourite sports of swimming and gymnastics. Marissa we claim as a local as she attended Manor Lakes College for part of her educational years. Marissa was on the cusp of an AFLW career but switched to boxing and competed in the women's 66-kilogram event. Thomas is a former student at Heathdale Christian College and is part of the men's beach volleyball team, winning one of their group games against the host nation at the Eiffel Tower Stadium. Our athletes have demonstrated such determination and resilience, and I know I join with all Australians in congratulating them.

Cost of living

David SOUTHWICK (Caulfield) (09:53): Right now Victorians are facing a cost-of-living crisis and all Victorians are paying the price. Fuel is up, utilities are up, rent is up and taxes are the highest in the nation. We know from the MYOB small business survey that many small businesses are paying a lot more and feeling the pinch more in the cost of living than they did last year.

In my electorate we heard from the likes of Gary from Burger Bliss in Glen Huntly. He needs to sell 100 more burgers per week just to make the same profit as he did last year. Perry from the

Mediterranean Greek Tavern in Elsternwick needs to fill up his restaurant three times more to make the same profit he did last year. Tom from Common Room Co in Caulfield North has seen costs skyrocket, but he knows he cannot put the prices up because customers just cannot afford it. Jennifer from the local charity Pet Medical Crisis says aged pensioners and disability support recipients are forced to choose between giving up their pets or skipping meals and missing rent because they just do not have money to afford the bills. Shlomo from C Care, who literally knows what it is like to put food on the table for those who cannot afford it, is now providing over 2000 meals a week to local families doing it tough, 10 times as many as when he first started. This is a cost-of-living crisis in Victoria. Victorians are paying the price, and they are doing it because Labor cannot manage money.

Macedon Ranges sports precinct

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (09:54): I rise today to celebrate a big win for my constituents. On 28 June I was delighted to join with the Minister for Community Sport Ros Spence in my electorate to officially open stage 1 of the Macedon Ranges regional sports precinct. The Allan Labor government is proud to have invested \$14.8 million into the project, with funding matched by the Macedon Ranges shire and contributions from Melbourne Water and AFL Victoria. The total budget for stage 1 was over \$29 million. With a three-court stadium with spectator seating catering for a multitude of sports, a full-size football and cricket oval with a multifunction pavilion and change rooms, outdoor recreation areas and wetlands and stunning landscaping with views to Mount Macedon, this state-of-the-art precinct is truly extraordinary.

For the largest capital works project ever undertaken in the Macedon Ranges shire I extend my warm congratulations to the architects and the builders and everyone that was associated with delivering this extraordinary asset. With stage 2 now funded by the Albanese Labor government off the back of the sustained hard work of the member for McEwen Rob Mitchell, the big, bold dream of local parents and community activists Tamara Collins, Megan Condron and Allan Spencer Stewart is now a reality. Tamara, Megan and Allan, it has been a real pleasure to work with each of you, thank you – a dream made possible by Labor governments at a state and federal level.

Energy policy

Emma KEALY (Lowan) (09:56): The 10-year gas monopoly under Labor is pushing up gas prices, and people in western Victoria are paying the price. We have seen –

Lily D'Ambrosio interjected.

Emma KEALY: Oh, here we go. We have got the Minister for Energy and Resources, who has actually come to the table, questioning: is there a gas monopoly? We know that there is a gas monopoly. I have written to the minister on how many occasions about the gas monopoly. She will not address it, and now she does not even know about it. This is the level of ignorance we have got from Labor. Under Labor we have seen a 435 per cent increase in gas prices for people in western Victoria, and because of the gas monopoly they are unable to shop around for better prices, they are unable to get a pay-on-time discount or a discount for having an e-bill. There is no ability to shop around at all, and these people are paying the price. I therefore call on the minister who is at the table, who pleads ignorance about this issue – which is complete and utter nonsense – to listen to the people of Victoria, to help take the pressure off cost of living in western Victoria and to make sure that they are no longer paying the price for this inept government.

Childcare services

Emma KEALY (Lowan) (09:57): The critical inequity in accessing child care in rural and regional Victoria continues to expand under a Labor government, and people are paying the price in my electorate, where childcare deserts are absolutely everywhere and getting worse. Labor has failed to train enough early years workers to fill our vacancies, so we have got a 90-place centre vacant in

Horsham and we have got centres being built in Stawell and Murtoa which will not be able to be filled. Labor are incompetent.

Nepalese Association of Victoria

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (09:57): I rise today to speak about the Nepalese Association of Victoria and its excellence awards, which I was pleased to attend just last month. This biennial and noteworthy occasion is a chance for Nepali community members to gather and honour those who give back to the community through their time, skills and sheer kindness. I am fortunate to know many members and leaders of the Nepalese Association of Victoria and have done so for a number of years. The association was one of the first community organisations to be registered in Australia for the Nepali people by people of Nepalese descent. Through the years the organisation has done an outstanding job in advocating for and supporting the growth and needs of Nepalese Victorians. Congratulations to the newly elected NAV executive committee and all the award nominees and winners.

Teeyan Da Mela

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (09:58): I would also like to bring to light some of the beautiful celebrations of women that have been taking place in my local community. Every year many multicultural communities host a variety of Teeyan or Teej events in and around the electorate. The focus of these festivals is to celebrate women and girls and the attributes that they bring. Earlier this month I was warmly invited to Teeyan Da Mela by the Multicultural Festival Group. The festival was full of infectious cheer, bright colours and magnificent performance, with about 600 women and girls in attendance. I look forward to attending many more of these Teej celebrations as the year progresses, and I congratulate them all.

Bridget Murphy

Cindy McLEISH (Eildon) (09:59): Healesville local Bridget Murphy and her horse Macey are competing in the para-equestrian dressage in their first Paralympic Games come September. This is such a great effort. Bridget is an experienced rider, having joined pony club as a kid, being a member of adult riders and starting para-dressage in 2018. I have watched Bridget as she has coached younger riders, and she is truly an inspiration. It is always exciting to see a local representing Australia, and I know Bridget and Macey have been training hard in preparation for the world stage. The Yarra Valley and Australia will be cheering you both on. Well done to Bridget.

Kangaroo Ground-St Andrews Road, Panton Hill

Cindy McLEISH (Eildon) (09:59): I have another road in need of repair. The Kangaroo Ground-St Andrews Road from Panton Hill to Kangaroo Ground is in a very ordinary state, being full of potholes and broken surfaces. Each week new potholes open up. The minister needs to outline the plans to fix the road and let us know when it will be done. It needs to be done properly; we need more than paint markers around the dodgy spots. For a relatively short stretch of road, less than 7 kilometres, it can be dangerous for drivers, particularly at night or while raining, with bends and with animals regularly crossing. It is worse now with endless potholes to cross and crumbling surfaces to watch out for. Just 12 months ago there was a fatality in Kangaroo Ground, and we do not want a repeat of that. The roads across my electorate are falling apart and are in constant need of repair. The nearby Eltham-Yarra Glen Road has been ignored, and patch-up jobs rather than – *(Time expired)*

Vietnam Veterans Day

Colin BROOKS (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (10:00): This Sunday is Vietnam Veterans Day, and I want to commend the Diamond Valley Vietnam Veterans association for the memorial service they held last Saturday at

Greensborough War Memorial. I was really pleased to see such a strong community turnout for the service, which included young and old and representatives from local councils, as well as my colleagues the member for Eltham and federal member Kate Thwaites. So many contributed to making Saturday possible, but particular recognition ought firstly to go to Bob Elworthy AM, the president of the association, who also conducted the service. Added thanks also to Alan Comben, who did a power of work to help organise; to Dal Crocker, the president of Greensborough RSL; and to Peter Blackman, a past president of the association. Peter was one of the very first national servicemen called up and deployed and was a radio operator during the battle of Long Tan on 18 August 1966.

A fantastic element of the morning was just how involved some of the local schools were with the commemorations. Playing throughout the day were the talented musicians from Viewbank College, and a beautiful address was also given by Max, the vice-captain of Parade College, Bundoora. It was very heartening to see such a strong reception from so many in the community who came to stop and give thanks to those locals who gave so much in the Vietnam War and remember those who did not return.

Housing

David HODGETT (Croydon) (10:01): Today I want to share Tammy's story. Tammy has lived in my electorate in a rental property for over 10 years while working in health care. Through no fault of her own she is now facing homelessness, with only a week to try and find another rental property to call home. Her landlord is selling her home as they are unable to afford the new land tax bill. The housing crisis has meant there are not any rental properties available for Tammy. Either they are snapped up quickly or she is priced out of the market due to the ever increasing rental prices.

Tammy's situation, sadly, is not unique. There are a concerning number of people reaching out to my office with similar stories. The land tax increases are adding to the housing crisis, fuelling the rent increases or forcing people to sell, which in turn creates further homelessness. Where are families and people like Tammy meant to go? They earn a wage and pay their taxes but are struggling to put a roof over their heads due to factors outside of their control. They are the overlooked or forgotten group of people who do not qualify for rent assistance or public housing. The government needs to do more to help families and people like Tammy. We need to be encouraging growth within the rental sector. The land tax increases are the final straw for many landlords who simply can no longer afford to have rental properties available.

Charlie Desira

Natalie SULEYMAN (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (10:03): Today I rise to honour the remarkable life of St Albans local Charlie Desira OAM, who passed away recently. Charlie dedicated himself to establishing the food bank for refugees and families in the west at Holy Eucharist Catholic church. For over 24 years he volunteered so many hours leading the Holy Eucharist Loaves and Fishes food bank. Every Friday Charlie and his dedicated volunteers would deliver parcels of food to hundreds of families, providing hope and a sense of community. During the pandemic he distributed many, many parcels of food to the vulnerable, and he also delivered Christmas hampers each year. I would like to pass on my deep condolences to Charlie's family, his friends and the broader community. Charlie will be greatly missed. I miss him for his friendship and of course the contribution that he made to St Albans and the west.

Sarah Carter

Natalie SULEYMAN (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (10:04): On another matter, I would also like to pay my condolences and pass on my thoughts and prayers for the passing of Maribyrnong councillor and former mayor Sarah Carter. Sarah's sad passing has deeply impacted our community and of course the west. She was a great advocate and champion for the west, and she will be really missed. I know that there are many that will miss Sarah.

Paris Olympics

Martin CAMERON (Morwell) (10:04): I rise to talk Olympic Games and in particular Olympic basketball dreams, with 21-year-old Traralgon girl Jade Melbourne and her bronze medal win with the Opals at the Paris Olympics. Jade's basketball journey began with St Michael's, Traralgon T-Birds and Latrobe City Energy; she moved to Canberra, Seattle and currently Washington; and of course there are the Opals. With mum and dad Brett and Sharyn cheering from Paris and supporting with a blow-up kangaroo – good work, Brett – and sisters Sophie and Ava leading the charge at the Crown Hotel in Traralgon with a massive home-town support crew joining them, Jade not only made every local proud but won the hearts of every Australian with her relentless pressure and incredible ball-handling skills while also being named the FIBA Rising Star of the Olympics.

With the local Gippsland Regional Indoor Sports Stadium having courts and backboards named after people who have represented Australia at both junior and senior levels in basketball, could it be that there is a new name to be added, and could it possibly be the Jade Melbourne indoor sports stadium? Many astute judges both locally and internationally say Jade will captain the Opals into the future. I have no doubt this will happen. I am sure the bronze medal has more than paid back the countless hours of driving to training and tournaments that mum and dad have done for you to reach your dream. Congratulations, Jade. You will forever be part of Australian Olympic history.

Eltham Chinese senior citizens

Vicki WARD (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (10:06): You get to do a lot of different things in this job, and this includes doing tai chi with a huge fan with the Eltham Chinese senior citizens. I celebrated August birthdays with this fabulous, inclusive and friendly group as well as the \$4200 they will receive from the Allan Labor government for their upcoming festival. Thank you to Veronica and this wonderful group for the support and friendship they give each other. There was so much joy in the room, and I cannot wait to be a part of their festival, showing off my newly found tai chi skills.

Slovenian Association Melbourne

Vicki WARD (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (10:06): We have a hidden gem in Research, and it is the wonderful Slovenian social and sporting association. This complex, with unique Slovenian-influenced architecture and amazing views of the surrounding valley, has been home to Slovenian celebrations and culture for 70 years. They are the oldest Slovenian association in Australia. Thank you to Paul, Frances and Steve for the work you do at the association, including your work in successfully receiving \$3650 from the Allan Labor government to support your upcoming birthday celebrations.

Catholic Ladies' College

Vicki WARD (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (10:07): I challenge our press gallery to meet with the talented and clever future radio interviewers from the Catholic Ladies' College. Selina and Alissa from CLC's social justice team interviewed me about a range of issues, including the importance of mentors, climate change and women in leadership. They also wanted to know about my time as a student at CLC, when I did disclose – no surprise to this place – that I was a bit of a chatterbox who also managed to have my detention for a day in year 12 for disobediently wearing my PE uniform to and from school too often. I am glad CLC's uniform now includes trousers – much warmer. It was a great interview, and I cannot wait to see what Selina and Alissa get up to next.

Age of criminal responsibility

Ellen SANDELL (Melbourne) (10:07): Yesterday we saw the Victorian Labor Premier make a shameful decision that will see more kids end up in Victoria's prisons, a decision that also abandons a promise to Victoria's First Nations communities, elders and leaders. The Victorian Labor government

had promised to raise the age of criminal responsibility to 14. This would mean that 12- and 13-year-olds could not be charged and locked up in our prisons and instead would be put on an alternative pathway to keep them out of the criminal justice system. But yesterday Labor bowed to pressure from the right-wing tabloid media and from a scare campaign from the police and the Liberal Party, and I think it is absolutely disgraceful that this is how things are being run in this state.

What is worse, this abandons a promise to our First Nations communities, who have been crying out for this to keep First Nations kids out of our prisons. Victoria was supposed to be a progressive beacon. It is supposed to be a place that leads the way for other states to follow, and that was what was supposed to happen with Raise the Age. The Victorian Labor Premier has abandoned that in a knee-jerk reaction because she is too scared of a headline in the *Herald Sun* rather than doing the right thing by Victorian kids and by our First Nations community. This was a Yoorook Justice Commission recommendation. It has been a recommendation of royal commissions, and yet the Labor government is going back on all of that.

Melbourne Vixens

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (10:09): Well, how good are the Vixens? I was delighted to be over in Adelaide with my good friend the Minister for Prevention of Family Violence as well as the Minister for Community Sport. It was an absolute cracker of a game. They did not quite get there, but jeez they just played such an amazing game. I am not a huge fan of Adelaide, I have got to say. But I have got to say it is a town that did a good job in terms of hosting a great event. We did not quite get the result we wanted, but the Vixens will be there next year as well.

Rita Grima

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (10:09): A big shout-out to Rita Grima, who is the principal at St Columba's in Essendon. Rita was awarded the Catholic Secondary Principals Australia meritorious service award for 15 years as the principal. Rita is a fantastic principal in my community and does an amazing job.

Rotary Club of Flemington Kensington

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (10:10): I was really pleased to attend an event with Rotary on Saturday, a donations-in-kind event, which is a really great way that Rotarians come together to get medical goods and equipment which would otherwise be destined for landfill to be able to reuse them and provide them to emerging economies.

Sarah Carter

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (10:10): Finally, I want to join my colleagues on this side of the house to acknowledge the tremendous life of Sarah Carter. I got to know Sarah very well across a number of journeys but in particular with the floods. What was really apparent with Sarah was that at a time of crisis when her community needed her, she was there, she stood up, she showed up and she showed kindness, care and compassion. Vale, Sarah Carter.

Government performance

Brad BATTIN (Berwick) (10:10): My community do not need me to stand here and tell them that the state is broke, because they are seeing it every single day through Casey and Cardinia, whether they drive on the roads and see potholes that are so ridiculously big now that you could actually use them for training for the 50-metre swimming for the Olympics – they are so deep that you could use them for diving here in our state, and this is not just regional roads anymore, this is on roads through Casey and Cardinia, where people are getting their tyres damaged – or if they travel on the Monash

Freeway and see that nearly every sign that has an exit sign to go off is now covered in graffiti. There is no funding to clean that off, and the worst thing is that we have got no police to police it. We have got a thousand vacancies across the state. The government, pretending they are going to build the Clyde North police station, do not have the resources to fill the vacancies already left at Narre Warren and Cranbourne, meaning crime is continuing to be out of control.

You can go past the Casey Hospital almost any time of the day or night now and there are 15 to 20 ambulances ramped waiting to drop patients off. We have seen reports recently where those paramedics are now being used as nurses and doctors, effectively, to treat those patients while they are waiting in the back of vehicles, taking them to the toilet and bringing them back to the vehicles. It is getting out of hand here in our state.

The free kinder program is basically gone throughout Casey and Cardinia because this state cannot afford it. School maintenance is out of control, and schools are falling down around people's ears. Crime continues to increase. We need to get the budget back under control, and the way we do that is by ensuring that we have a fair tax system where people pay and we ensure the delivery of projects in an affordable manner.

Sydenham electorate community organisations

Natalie HUTCHINS (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (10:12): Over the last few months in my electoral office I have met with some wonderful community organisations, and I want to highlight their outstanding work. Local resident Anbu Mohan, through Ondru, runs programs to empower communities by telling their stories through art and inspiring social change. I am really excited to be soon displaying some of their pieces of art in my electoral office window.

A huge thanks to Annette Vickery and her team at Western Region Centre Against Sexual Assault for providing vital counselling, advocacy and education services across the west.

I also had the pleasure of meeting with Elizabeth Ingham and Mona Malouf from the Alcohol and Drug Foundation, who are fostering a positive culture of change and community sports through their Good Sports program.

Additionally, Reclink have been a great support to constituents in my electorate with their weekly Afrobeat dance classes for Sydenham youth, which is just one example of the great work that they are doing to improve young people's physical and mental wellbeing while fostering social inclusion.

Finally, in my meeting with LeadWest with Cr Sophie Ramsey from Melton City Council, Cr Peter Maynard from Wyndham and Hillary Hastings we discussed the need for strong advocacy for addressing the growing needs of the west, particularly improving transport connectivity. I look forward to future partnerships and continuing to support these fantastic organisations.

South Barwon electorate infrastructure

Darren CHEESEMAN (South Barwon) (10:13): It is with some pleasure that I rise this morning to make my statement. South Barwon has been Australia's fastest growing regional growth corridor for more than the last decade. This is of course creating many thousands of jobs for local Geelong people as they go about building those homes for those new families. At the 2014, 2018 and 2022 elections Labor had a strong plan to make the investments required to ensure that that community that is currently being built has the facilities that it needs for many generations to come. That is why we have been investing in the rail and road projects that the local community need. That is why we have been making the investments to build new schools, to invest in established schools and to build the sporting infrastructure that those communities richly deserve. This strong plan will ensure that the South Barwon community is a great place to raise a family, to live, to get a job and to make one's own way. I am proud to be a part of that journey, and I look forward over the next two years to continuing to work to ensure that this community continues to be a great place to live.

Krishna Janmashtami

Ros SPENCE (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (10:15): It was an absolute joy to attend an early Janmashtami celebration at the Kali Mata Mandir temple in Craigieburn over the weekend, with thousands of people coming along and joining in over the evening. This wonderful event celebrates the birth of the god Krishna and is a time that holds great significance to the Hindu community, instilling devotees with a deep understanding of divine love, compassion and wisdom and bringing blessings, protection and spiritual growth. Whilst there it was also great to hear the musical talents of the very special guests, performers Vraj Bhav, who have made their first appearance in Australia for these significant festivities. With hundreds of millions of online followers, our local residents of Indian descent were thrilled to have these stars at their temple. To see and hear local residents joining in the performance was wonderful. With the temple full wall to wall, a massive screen was set up in the street outside for the overflow of people overjoyed to share in this special evening.

I am incredibly proud to represent a community that is so diverse, that celebrates its cultural diversity and that shares its diversity with the broader community. This makes us collectively stronger. Congratulations, Bhawna and all at Kali Mata Mandir, on your continued journey to grow with our community. Your presence is highly valued, and I thank you for creating such a special place for so many. I look forward to visiting you again soon.

Geelong electorate schools

Chris COUZENS (Geelong) (10:16): Last week I had the pleasure of again visiting Catholic primary schools in my electorate to announce the exciting news that they will receive funding under the Building Fund for Non-Government Schools, Catholic education sector. I was met by principal Luke Sheehan and school captains Avery and Eamon at St Patrick's Primary School for a tour. St Patrick's will see the construction of a two-storey building which will include admin spaces, office amenities, staff preparation areas and nine general learning areas and associated spaces.

At Holy Spirit primary school I was met by principal Rachel Holdsworth and school captains Poppy and Jagger, who talked about how important this funding is to their school. They will see the construction of a two-storey multipurpose learning building which includes three general learning areas, a specialist learning multipurpose hall, staff and student amenities and offices. I will also be visiting St Mary MacKillop Primary School in Bannockburn in the coming weeks to discuss the construction of four general learning areas and a visual arts building, which will complete stage 4 of their master plan.

The Allan Labor government is ensuring that every Victorian student can learn in the best facilities. The building fund helps schools upgrade and expand their facilities, ensuring families have the best learning environments for their children. Non-government schools are an important part of Victoria's education system, with more than one-third of Victorian students studying at Catholic or independent schools.

Tecoma Primary School

Daniela DE MARTINO (Monbulk) (10:18): Congratulations, Tecoma Primary School, for being recognised as the ResourceSmart Community Leadership School of the Year. I am incredibly proud of Tecoma Primary for their dedication to environmental stewardship. Well done to all involved.

Monbulk electorate early childhood education

Daniela DE MARTINO (Monbulk) (10:18): Visits to our local kindergartens always brighten my day. Over the past few months I have had the great pleasure of visiting Cockatoo Kindergarten, Gembrook Preschool, Belgrave Preschool, The Patch Kindergarten, Kallista Kindergarten and Len Jeffrey Memorial Preschool and opening the Dandenong Ranges Steiner School kindergarten's

repurposed staff and community room, a new three-year-old room care of the Allan government's Building Blocks improvement grant, ready for our littlest learners to commence next year.

Puffing Billy

Daniela DE MARTINO (Monbulk) (10:18): It was also pure joy to join the Minister for Tourism, Sport and Major Events the other week to officially declare that having legs dangling off the sills of Puffing Billy all the way along the line to Gembrook is now back on track. Victoria is the only place in the world where you can enjoy this unique experience. If you have not been already, do not wait any longer. You can even bring your doggy on special services. If you are lucky enough to secure a ticket, try to book a place on their train of lights.

Belgrave Lantern Festival

Daniela DE MARTINO (Monbulk) (10:19): The days are getting longer now, but I want to give a shout-out to the roaring success of the Belgrave Lantern Festival back in June on the weekend of the winter solstice. This annual event is beloved by all who attend. It brings light and delight to all of us when the days are at their shortest and coldest. I was proud to carry a lantern, a lightbulb representing the SEC, and it shone beautifully amongst all the others. There are some great lantern makers in the hills.

Bella

Daniela DE MARTINO (Monbulk) (10:19): Finally, I would like to wish my daughter Bella a very happy 16th birthday today.

Hallam Secondary College

Belinda WILSON (Narre Warren North) (10:19): Last week I had the pleasure of taking the Premier to Hallam Secondary College, where principal Simon Sherlock along with Max and Nanjera showed us around their wonderful school. They are very excited about the Allan Labor government's \$24.2 million commitment that will see them have new classrooms, a new gym and a new admin area. I really look forward to turning the sod on this incredible construction later on this year.

Fleetwood Primary School community hub

Belinda WILSON (Narre Warren North) (10:20): I also had the pleasure of dropping in to see principal Tobin at Fleetwood Primary School and to see their new community hub. This hub is a fantastic example of how schools can extend their support beyond the classroom. It serves as a vibrant community space where local residents can come together to learn, connect and access essential services. The hub offers a variety of programs, including English classes, a playgroup for all young kids, food relief and also a variety of other workshops. Jen is doing an outstanding job, and it was really heartfelt to witness this positive impact she is making within our community.

Endeavour Hills Senior Football Club

Belinda WILSON (Narre Warren North) (10:20): On Sunday I headed down to Barry Simon Reserve, where I was joined by the member for Cranbourne to cheer on Endeavour Hills women's football team as they faced her Casey Thunder in the final. The Endeavour Hills girls, who have had an absolutely incredible season, won the game and will be playing in the grand final in two weeks, which I am really looking forward to seeing. A huge shout-out to Rex and Fran at the club, who do incredible community work.

Vietnam Veterans Day

Juliana ADDISON (Wendouree) (10:21): On 18 August we commemorate Vietnam Veterans Day on the anniversary of the Battle of Long Tan in 1966. On Sunday I joined with the Ballarat sub-branch of the Vietnam Veterans Association of Australia to honour all those who bravely and proudly served

our nation during the Vietnam War. I want to thank the Ballarat sub-branch for the great advocacy work they do remembering the dead and fighting for the living.

Statements on parliamentary committee reports

Public Accounts and Estimates Committee

Gambling and Liquor Regulation in Victoria: A Follow up of Three Auditor-General Reports

Mathew HILAKARI (Point Cook) (10:21): I rise to speak on the Public Accounts and Estimates Committee inquiry report *Gambling and Liquor Regulation in Victoria: A Follow up of Three Auditor-General Reports*. Firstly, I would just like to say where the process is up to on this report, which is that we have received a response from government. I would like to thank the minister who is at the table, the Minister for Casino, Gaming and Liquor Regulation, for their response, because this really significant and important report has had 30 recommendations supported in full. I want to speak to a few of those that have been supported by the government and then will be acted upon.

The first one that I want to speak to is the community benefits scheme. This is a really important recommendation that was made by the committee, and it goes to the heart of an 8.33 per cent tax break which is given to clubs and other gaming organisations with the proviso that they spend this money on the community and to the community benefit. I had forgotten just how angry I was at how poorly this investment has been made by those clubs.

I will just run you through one of the clubs that I pulled off the website this morning. This club legitimately, I think, claimed about \$70,000 of community benefits, but then they went on to claim \$2.25 million more in what they say are community benefits. And what do they say these community benefits are? They say it is the salaries and wages of their staff. That is not a community benefit – the salaries and the wages. They say that the payment of superannuation, something that is required by law, is a community benefit. They say that their WorkCover fees are a community benefit. They say the accounting and auditing fees that they have for their own organisation are a community benefit. They say some accountant is providing benefits to the community broadly by making sure the books are correctly done at this club. They say that their advertising and promotions to make sure more people come and gamble at their venue are a community benefit. They say their bank charges are a community benefit. The fees that they pay to their banks are meant to be a community benefit. They say their subscriptions and their insurance are community benefits. Their light, heating and power and their security at their venue are supposedly a community benefit. Their local council rates of course are a community benefit, which requires the taxpayer to give them a tax break at their gambling venue. This is taxpayer money that would have otherwise been in the coffers of the state if not for their quite outrageous claims. They claim the telephone, the rent, their cleaning, the repairs and maintenance, their pest control and the removal of rubbish are community benefits. Really? They put a line item in here which I thought was a really cute one. It is about half a million dollars worth of their \$2.25 million that they have claimed called 'Bistro COGS'. For those in the know, that is cost of goods sold. So when they purchase a steak and they sell you that steak, when they purchase lettuce and sell you that lettuce on a plate and they take the profits, they say that is a community benefit. There is the Sky channel of course to show the races on the TVs in their clubs, and some clubs even claim the cost of the TVs; of course they do.

None of these are community benefits. They are for the private benefit of the club in the normal course of running their business. That is why it is so important that we review the community benefit scheme. I would say it should be scrapped, it should be gone, but at minimum they should be able to demonstrate genuine community benefits. I am talking about sponsoring local football teams. They do this at about a 5 per cent rate across the state at the moment; it should be 100 per cent of the funds going to local community organisations and to returned service personnel, some of whom we spoke about earlier this morning. I am so pleased that that has been supported by government and that we will be acting on reviewing that.

I also want to talk a little bit about the Libraries After Dark program, because many people said to this inquiry the reason they went to the pokies was because they did not have a safe, warm place to go to. So the Libraries After Dark program and Department of Health and other associated services have been supported.

Finally, I just want to mention one of the recommendations around advocating to the Commonwealth government about implementing advertising bans. It is pertinent at the moment with an incredible report by the now deceased Peta Murphy that should be taken up by the federal government. They should consider it properly and appropriately and support our community, who should be rid of the scourge of gambling.

Electoral Matters Committee

Inquiry into the Conduct of the 2022 Victorian State Election

Wayne FARNHAM (Narracan) (10:26): I am pleased to rise today on the Electoral Matters Committee inquiry into the conduct of the 2022 state election. I will be referring to the dissenting report today, but before I start I would like to thank all my colleagues on the committee, the chair and all the other committee members, and the secretariat for the enormous amount of work that they put into producing this report and in fact for their advice and knowledge throughout the committee.

I was lucky enough to come onto this committee a little bit late, but I was pleased I actually got on there. I got in there right at the time when the Angry Victorians Party came in and gave their public testimony about their experiences with the state election in 2022. I am going to be referring to this today and a lot of their comments. I think we can all remember when the angry party were on *A Current Affair* and the dealings with Mr Glenn Druery or, as they like to call him, the preference whisperer. I think most Victorians were probably shocked to hear on *A Current Affair* that our voting system can be manipulated in such a way where you can get less than 2 per cent of the vote but you can end up as a member of Parliament. The Angry Victorians Party, the two gentlemen who came in there, gave us a very good insight into the background of how Mr Druery works. I will not go through the whole testimony, but basically you had to pay a \$5000 deposit to engage with his services and then, if you got into Parliament, you had to pay him an extra \$50,000.

At no point in time do I think any person in the Victorian public thinks that passes the pub test – it really does not. I cannot see your average person out on the street – no, actually, I will go further than that and say most people in here would not think that passes the pub test. Hence there is a second push now to abolish group voting tickets. It was recommended in 2018 and it has been recommended again in this report that we need to change the system of the upper house and the voting in the upper house.

What got me curious in their testimony before us is that it got me thinking. How can you engage with someone, how can you promise someone \$50,000, if you are not elected yet? That is one thing. But how can you pay that out of your office budget? That is the question that really came to mind for me. Our office budgets are used for our electorates – our communication, all those things that we know they are meant to be for. So how, legally or morally, could someone pay \$50,000 out of their office budget to a consultant that has not done consultancy? But that is a promise you are making before you are elected.

None of this, not one part of this, passes the pub test, and that is why we need to get rid of group voting tickets – so the Victorian public have faith in our electoral system. At the moment, you do not blame them for thinking all politicians stink when reports like this come out. It should go further than this. There should be an inquiry into any upper house member that has used Glenn Druery, and if their office budgets have been used to pay him then that should go to IBAC, and that is what this dissenting report says. I think everybody would agree. Everyone out in the general public would agree that none of that is aboveboard. You cannot use your electorate office budget to pay a consultant that does not produce a report or does not do any consultancy work. It is fraud. As far as I am concerned, it is fraudulent to do that.

The government really has to take notice of this committee this time, and we have to reform the upper house voting. There has been a referral today into the make-up of what the upper house will be, and that needs to be looked at as well. That has been brought up in the report. But in the referral, it actually goes on a bit and says ‘and for voting systems’. We do not need to look at the voting systems. The committee has just said to get rid of group voting tickets; the dissenting report says to get rid of group voting tickets. So we do not need to look at the second part of that referral. We need to look at how the upper house is made up. But this time in the 2026 election let us have upper house reform and get rid of group voting.

Electoral Matters Committee

Inquiry into the Conduct of the 2022 Victorian State Election

Sarah CONNOLLY (Laverton) (10:31): I too rise to speak on the Electoral Matters Committee’s report on the inquiry into the conduct of the 2022 Victorian state election. I will not tell a lie in this place: I have been looking forward to this report for quite a while, as it is always fun to revisit an election, especially an election where our government was actually voted back in by the Victorian people, overwhelmingly so. Despite everything that was thrown at us by those opposite – I would say doing their job during the election – our government once again prevailed.

A member interjected.

Sarah CONNOLLY: You are very welcome. We prevailed, and our vision for the future of this wonderful state was again given the thumbs up by Victorians. As everyone in this place knows, after every election our Electoral Matters Committee go ahead and they hold an inquiry into how our elections are run and managed, and they take on feedback and, most importantly, recommendations about how we can improve these laws to ensure that when we go to the next election, our laws and by extension our democracy are as strong as ever. That is really important.

There is a lot in this report, and I imagine in the other place they will be talking about the recommendations that discuss the upper house voting system, but for me today I want to focus my contribution on the report’s discussion of campaigners, of candidates and, really importantly, our volunteers. I will not mince my words when I say that compared to the 2018 election when I was first elected the 2022 election was a little bit different. To put it bluntly, it was pretty nasty out there on the ground, and this report reflects that. The majority of this nastiness, I am very sad to say, came from campaigners and volunteers on the voting booths, especially during pre-poll. Some of the behaviour that I witnessed during those two weeks was really, really disappointing. In past elections, both state and federal, I found that when you were out on the hustings during pre-poll the environment between volunteers from all parties was mostly quite amicable. In 2018 the Liberal candidate who ran against me was a great fellow, and we spent quite a bit of time listening to music together – we had a boom box there going on. But I do have to say that in the 2022 election things were quite different. Unfortunately not everyone agreed with the sentiment of being amicable that time around.

The report makes a number of suggestions around registering volunteers with the Victorian Electoral Commission and, in addition to this, a potential cap on the number of volunteers at any polling station to a maximum of three. It also recommends that there be an enforceable code of conduct for how volunteers and campaigners conduct themselves at these polling stations, with it suggested that the VEC have the power to remove these volunteers from the stations if absolutely necessary. We like to think that does not actually happen, but I think in the 2022 election we did see that indeed it happens and far more often than we would like. It is really sad that this even has to be considered, quite frankly, but from what I experienced during pre-poll in 2022, these recommendations have been considered for a very good reason.

From my own experience there was one day at one of my electorate’s pre-poll stations in Sunshine, which was located at a little scout hall on normally a really quiet suburban backstreet, and I recall that there were two candidates that had more than a dozen volunteers onsite at any one time. I am sure that

any reasonable person would agree this was absolute overkill. There was one party in particular which indulged in this kind of behaviour, and I will not do them the honour of naming them here today; they would probably wear it as a badge of honour. But we all know on this side of the house who they are.

I remember there was this one elderly voter who was walking to the polling station from across the road. Their campaigners did what they had been doing at other polling stations across the west; they swarmed around him as he proceeded to try and walk to the polling booth, and he fell over. He broke his leg. An ambulance had to be called. He was screaming in the middle of the road. He was actually lying in the middle of the road for quite a while because he could not be moved he was in such pain. Luckily, our wonderful paramedics turned up and took good care of him. That should never have happened to him, and if some of the recommendations in this report are accepted and implemented, that will not happen to anyone the future. Remember, not everyone is able to just easily walk to the polling booth. There are elderly and there are disabled people. This man was those two things, and he deserved better. I commend the report to the house.

Public Accounts and Estimates Committee

Report on the 2021–22 and 2022–23 Financial and Performance Outcomes

Danny O'BRIEN (Gippsland South) (10:37): I am pleased to follow the chair of the Public Accounts and Estimates Committee. I cannot believe she did not speak on one of her own reports, but I will. I will be speaking on the *Report on the 2021–22 and 2022–23 Financial and Performance Outcomes*. While it is directly relevant to those two financial years, I want to speak more broadly about the concerning trend that I have seen over, sadly, 10 years on the Public Accounts and Estimates Committee –

A member: You're a veteran!

Danny O'BRIEN: I should be getting long service leave, shouldn't I – the concerning trend that I have seen of public servants refusing to provide information to the Parliament that should be provided to the Parliament and the people of Victoria. The most recent example I will reference here concerns Mr Puglielli in the other place, who in the most recent hearings asked a question of the Department of Jobs, Skills, Industry and Regions, specifically how much money had been committed to the operation of a particular trade and investment office overseas. The response came in the hearings: 'I do not have that figure at hand at the moment; we will take it on notice.' The answer given on notice was:

The 2024–25 State Budget provided \$7.3 million over 2 years to maintain trade and investment facilities and services, including the Victorian Government Trade and Investment ... Network of 23 offices ...

It did not answer the question that was asked, so the committee, led by Mr Puglielli, quite rightly said, 'No, we should write back. We asked a specific question,' and it did that. The department secretary Mr Tim Ada came back with – I kid you not – the exact same words as had previously been provided in the question on notice. That I was completely appalled by, as was Mr Puglielli of course. There was some discussion in the committee – and I will not go into that of course – and the committee wrote back again and said, 'Mr Secretary, you either tell us this information or you tell us why you can't provide this information,' because there was no explanation as to why it could not be disaggregated. And lo and behold, surprise, surprise, yesterday we actually got a response that does give us the information that was asked for – that the office in question has an annual budget of up to approximately \$428,000.

I raise this because it is absolutely unconscionable that public servants when asked a question by members of Parliament in the budget estimates process cannot provide a straight answer, and we have seen this time and time again throughout the process. It is one thing for a department to say, 'I'm sorry, that figure is not available; it's not disaggregated in that way,' but to say, 'I'll take it on notice,' and then not go ahead and do so or to simply provide a generic answer – and this has happened before.

This has been a bit of a hobby horse of mine. The government loudly proclaimed its commitment to bringing the Foo Fighters to Geelong two years ago, which is relevant to the committee report that I am referring to, and I asked at the time:

Secretary ... Can you tell me how much money the government provided to put on the Foo Fighters concert at Geelong ...

Mr Phemister, the then secretary, said:

I can certainly get that for you, Mr O'Brien, if I have it at hand.

He then went further and said:

... no, sorry. I will have to take that question on notice ...

But what happened? They took it on notice but did not provide an answer. Indeed, in responding for the third time after refusing to give us an answer the second time, the department said:

The entity responsible for the Always Live event is Always Live Limited.

It:

... is an independently operated company limited by guarantee. It enters into contracts directly with promoters ... The Department of Jobs, Precincts and Regions –

at the time –

... does not hold information about those arrangements.

Yet we had a media release from the minister at the time that referred to the Foo Fighters concert as:

... part of the Labor Government's ALWAYS LIVE program.

Indeed just this morning the Premier has put out a press release, again announcing:

The Allan Labor Government is bringing ALWAYS LIVE back for 2024 ...

Yet when we ask the department how much money was given by ALWAYS LIVE to Foo Fighters or any of the others – Billy Joel and many others that have been through – the government will not tell us. We can have a debate as to whether that spending was good value for taxpayers, but we cannot have a debate if the government hides behind these bureaucrats who refuse to give Parliament the information that we and the Victorian people deserve to see.

Electoral Matters Committee

Inquiry into the Conduct of the 2022 Victorian State Election

Gary MAAS (Narre Warren South) (10:42): It sounds like the member for Gippsland South has been waiting *Everlong* for that response.

Members interjecting.

Gary MAAS: Okay. Thank you. The committee report that I would like to speak to was tabled at the end of last month and is in relation to the conduct of the 2022 Victorian state election. At the outset I would like to commend the committee chair, the committee and the secretariat on producing such a comprehensive report. The 2022 election in terms of my personal experiences of going through that election campaign formed a part of a submission that I made to this inquiry, and it was in relation particularly to the safety of candidates and their campaign teams during particularly that pre-poll period. I would like to say, though, that I do believe that the Victorian Electoral Commission (VEC) and VicPol did a tremendous job in administering and enforcing some rules around the election, but as we know, there is always room for improvement in these matters.

The report itself covers many areas that the committee looked to. Looking at election timelines was one area, and we all know that the changing nature of work has altered the traditional weekly spread

of hours that constituents are now working, so therefore the expansion of pre-poll before election day has really enfranchised people to vote, especially those with work, faith or family commitments on election day. It is a great principle, and it is one that should be continued and adhered to as it expands the opportunity for participation in our democratic system of government. Expanding that, however, should not mean that any candidate's safety should be compromised, and it was really terrific to see that the report went into that. The report also looked into equipping the Victorian Electoral Commission with the staff that it needs, it looked at managing poor behaviour by candidates and campaigners, it looked at reforming the upper house voting system and indeed it made many recommendations and findings into those areas.

As I said at the outset, my submission to the inquiry was more in relation to how to manage the poor behaviour from particular candidates and campaigners. I was very happy to see that there were findings and indeed recommendations made by the committee to that end. Recommendation 10 from the report is that the government work with the VEC, political parties and other stakeholders to develop a legally enforceable election period code of conduct for candidates and campaigners. It also found that to effectively manage poor behaviour by candidates and campaigners the VEC or another suitable body needs to have powers to enforce electoral rules. These should include the ability to use a range of graduated responses to manage poor behaviour. It is also necessary for the behaviour of candidates and campaigners to be monitored to identify breaches of the rules.

Something that I am also very happy was picked up by the committee was this notion of registering campaigners before pre-poll is to take place. It should not be overly cumbersome for campaigners to register, but what it does mean is that if people are registered they are not anonymous. It means that there is an accountability mechanism for those people in the way they go about doing campaigning for the candidate that they are there supporting. As I said, it should be a quick process. I commend the report.

Economy and Infrastructure Committee

Inquiry into the Impact of Road Safety Behaviours on Vulnerable Road Users

Jess WILSON (Kew) (10:47): I rise to make a contribution on the Economy and Infrastructure Committee's inquiry into the impact of road safety behaviours on vulnerable road users. The final report of this inquiry was tabled in May earlier this year following six public hearings and over 300 submissions. As members of the committee we did hear some very disturbing evidence pointing to a deterioration of safety right across Victorian roads and in terms of safety standards following the COVID-19 pandemic. Much of the evidence we heard did suggest that Victorian drivers' behaviour worsened during and after the pandemic in terms of increased aggression, impatience, risk-taking and inattention. Most concerningly from the perspective of many of us on the committee was the amount of rule breaking that we saw post pandemic.

The report makes a number of high-priority recommendations, and I want to highlight several of these and their importance to the safety of the community in the electorate of Kew today. Recommendation 6 calls on the government to review the flexibility of speed zoning guidelines with the aim of reducing speeds around schools and activity centres. Hundreds of local residents have petitioned the Minister for Roads and Road Safety, who I am pleased is here at the table today, to reduce the speed limit at the Village Balwyn North shops, which is currently 60 kilometres an hour in a busy commercial hub close to several local primary schools and a large Greek Orthodox parish that sees many residents, particularly elderly residents, access that strip of road and cross that road. We have had local traders, local police, the council and schools all joining the campaign to reduce the speed limit to make the Village Balwyn North safer.

I am pleased to say that the minister has engaged on this issue and recently wrote to advise that in August – so at the moment – the government is looking at reducing speed limits and is particularly looking at the North Balwyn shops to see whether that can be reduced to a 40-kilometre speed zone. I really do urge the minister to consider the voices of the local community and of the local traders, who

are doing it tough at the moment and are looking at how they can ensure that foot traffic remains active and that the local shoppers, traders and school students are safe when they do attend the Village North Balwyn. I urge the minister to put in place measures to reduce that speed zone to 40 kilometres an hour as soon as possible.

Recommendation 27 calls on the government to review the location of pedestrian crossings to ensure links to public transport stops, activity centres and schools are safe for people to travel across those roads and they can access those important public transport and commercial activity centres. I have written to the minister on behalf of local families to ask for the installation of a pedestrian crossing on Barkers Road in Kew. The stretch of road – Deputy Speaker, you may know it – is between Auburn Road and Glenferrie Road, on which there are a number of schools, kindergartens and cafes, and we see hundreds and hundreds of people cross that strip of road every day without a single pedestrian crossing between those major intersections. We have put out a petition, which has received over a thousand signatures from the local community, calling on the minister to put in place a pedestrian crossing.

Juliana Addison: On a point of order, Deputy Speaker, I have been listening very carefully and had a lovely tour of the member for Kew's electorate, but I am wondering what it has got to do with the committee report.

The DEPUTY SPEAKER: The point of order is?

Juliana Addison: I wonder about the relevance to the committee report.

The DEPUTY SPEAKER: The member was speaking on road safety, which is in regard to the committee report. There is no point of order.

Jess WILSON: It being recommendation 27 in fact. I thank the member for Wendouree for her interruption, but the people of Kew are calling on the minister to install a pedestrian crossing. It is not a big ask when we have schools, kindergartens and cafes on that strip of road to look for people to be able to cross more safely to ensure that they can get to school and can cross and get to a local cafe in a safe and timely way.

Unfortunately, we have actually seen very recently a near miss at that strip of road when we saw a car crash into a local cafe and just very closely miss a young mum with her pram and two children. So it is very important that the minister takes into account the views of the local community, that we install this pedestrian crossing and, most importantly, that we implement the very important recommendations of this committee report in the electorate of Kew and right across Victoria.

Bills

Roads and Road Safety Legislation Amendment Bill 2024

Statement of compatibility

Melissa HORNE (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (10:53): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Roads and Road Safety Legislation Amendment Bill 2024:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the **Charter**), I make this statement of compatibility with respect to the Roads and Road Safety Legislation Amendment Bill 2024 (the **Bill**).

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

Overview of the Bill

The Bill amends the *Road Safety Act 1986* (the **Act**) to:

- Enforce the no-truck zone offence currently in s 65BA(1) of the Act through the use of a new type of camera (**no-truck zone camera**) and adding the offence to the operator onus scheme in Part 6AA of the Act;
- Amend the registration number rights scheme to introduce age limits for the holders of such rights, clarify the scope of the scheme and allow for the imposition of fees for the transfer of registration number rights;
- Amend terminology relating to accessible parking to be more inclusive;
- Provide for the refunding of penalty reminder notice fees, collection fees and enforcement warrant fees, where an extension of time has been granted to deal with an infringement notice;
- Clarify that transport safety infringements may be subject to the *Children, Youth and Families Act 2005*; and
- Provide for digital driver licences and learner permits.

The Bill also makes consequential amendments to the *Road Safety Camera Commission Act 2011* and amends the *Marine (Drug, Alcohol and Pollution Control) Act 1988* to provide for the refund of infringement penalties and related fees in respect of alcohol related offences committed while in charge of a vessel.

Finally, the Bill also makes amendments to the *Melbourne City Link Act 1995*, the *eastlink Project Act 2004*, the *West Gate Tunnel (Truck Bans and Traffic Management) Act 2019* and the *North East Link Act 2020* to effect the refund of various fees where an extension of time has been granted to deal with an infringement notice.

Human rights issues

The following rights are relevant to the Bill:

- Right to equality (s 8);
- Right to privacy (s 13); and
- Right to be presumed innocent (s 25(1)).

Right to equality

Section 8(3) of the Charter relevantly provides that every person is entitled to equal protection of the law without discrimination and has the right to equal and effective protection against discrimination. The purpose of this component of the right to equality is to ensure that all laws and policies are applied equally, and do not have a discriminatory effect.

‘Discrimination’ under the Charter is defined by reference to the definition in the *Equal Opportunity Act 2010* (**EO Act**) on the basis of an attribute in section 6 of that Act. Direct discrimination occurs where a person treats, or proposes to treat, a person with an attribute unfavourably because of that attribute. Indirect discrimination occurs where a person imposes, or proposes to impose, a requirement, condition or practice that has, or is likely to have, the effect of disadvantaging persons with a protected attribute, but only where that requirement, condition or practice is not reasonable.

Registration number rights

Division 2 of Part 2 of the Bill pertains to registration number rights (as described in s 5AD of the Act) and seeks to introduce an age limitation (to be prescribed by regulation) for the holders of these rights. Clause 12 of the Bill inserts into s 5AC(2) of the Act the requirement for a person to have attained the prescribed age before registration number rights can be sold to them. Clause 14 amends s 5AD(2)(d) of the Act to provide that registration number rights may be transferred only to persons who have attained the prescribed age.

The introduction of an age limitation to the ownership of registration number rights engages the right to equality, in relation to the protection from age discrimination. The amendments constitute direct discrimination against persons who are under the prescribed age, in respect of ownership of registration number rights, and therefore limit the right to equality.

I am of the view, however, that this limit on the right to equality is demonstrably justifiable under s 7(2) of the Charter, in the context of the importance of the purpose of the limitation, its nature and extent, the relationship between the limitation and its purpose, and the availability of any less restrictive means to achieve the purpose that the limitation aims to achieve. While the exact prescribed age will be set by future regulation, the policy intention of these amendments is to mirror the age restriction on eligibility to be the registered operator of a vehicle and so prevent a person who is under the prescribed age from buying or inheriting

registration number rights, when they are not yet able to register a vehicle in their name. This age restriction seeks to ensure consistency between the legal and financial obligations of registered operators of vehicles, such as being responsible for the vehicle and any fees, charges and penalties associated with its use, and ownership of registration number rights, and this ultimately protects road users by ensuring that only those persons who are of sufficient age are able to register vehicles and obtain registration number rights.

The age restriction will achieve its purpose by preventing young people from obtaining registration number rights when they are not yet able to register a vehicle in their name. Further, the restriction is temporary; a person may purchase or inherit registration number rights once they attain the prescribed age. While I note that the prescribed age (and any resulting interference with rights) will be determined by the content of future regulations, these will be subject to the requirement for the Minister to prepare a human rights certificate justifying any resulting limitation on the equality right. In my view, there is no less restrictive alternative to the imposition of an age restriction in order to prevent persons who have not attained the prescribed age from obtaining registration number rights when they are not yet able to register a vehicle in their name.

As such, in my view, the age restriction provision is reasonable and justifiable on the basis that it prevents ownership of registration number rights by persons who have not attained the prescribed age and who are not yet able to register a vehicle. I therefore consider that Division 2 of Part 2 of the Bill is compatible with the Charter.

Promotion of equality rights

The amendment to the language regarding accessible parking in clauses 18 to 20 of the Bill promotes the right to equality under s 8 of the Charter by ensuring terminology in the Act is inclusive with regard to persons living with a disability.

Right to privacy

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

Digital driver licences and learner permits

Clause 26 inserts new s 18BA into the Act, which provides that the Secretary to the Department of Transport and Planning may make a copy of a digital driver licence or learner permit in order to check its validity. Clause 40 of the Bill inserts new s 90K(fa) into the Act, which allows the Secretary or a relevant person to use or disclose relevant information, which may include identifying information disclosed as part of an application for a driver licence or vehicle registration, for the purpose of verifying the authenticity of a digital driver licence.

As these amendments concern the use and disclosure of identifying information, they engage the right to privacy. I am of the view that the right is not limited, as any interference is pursuant to a properly circumscribed law, and is not arbitrary, in that the application of the provision will be consistent, predictable and proportionate to the legitimate aim of monitoring that all Victorian vehicle drivers have the appropriate driver licence or learner permit. These powers constitute the minimum necessary steps to verify authenticity of digital driver licences and learner permits, maintain the integrity of the digital driver licencing system and safeguard against fraud.

Further, in relation to making a copy of a digital licence or learner permit, property rights are protected by new s 18BA(2) in clause 26, which provides that the Secretary must not confiscate the electronic device on which the digital licence or permit is displayed, unless authorised by another law.

No-truck zone cameras

Division 1 of Part 2 of the Bill introduces the use of no-truck zone cameras to detect the use of heavy vehicles in declared no-truck zones. Clause 3 inserts a new definition of no-truck zone camera into the Act, while clauses 5 to 8 create evidentiary presumptions where information relevant to a no-truck zone offence is obtained from a no-truck zone camera. These cameras will be trained on a no-truck zone and take photographs and produce messages when heavy vehicles drive in that zone. Accordingly, they may interfere with the right to privacy, which generally protects against surveillance and the collection of information about a person's movements.

I am of the view, however, that the right to privacy will not be limited by the use of no-truck zone cameras, as their use will be pursuant to a properly circumscribed law and would not be arbitrary. A person has a reduced expectation of privacy in relation to the use of optical devices in a public area such as a road, and particularly in relation to their engagement in a regulated activity posing risks to public safety such as the use of heavy vehicles. The cameras are necessary for the proper enforcement of the no-truck zone scheme, which

serves a variety of important public interest purposes, including safer roads and upholding the amenity of residential areas. Any information collected by the cameras will be subject to existing information sharing restrictions as provided by the Act and the *Privacy and Data Protection Act 2014*.

Accordingly, the no-truck zone camera provisions of the Bill are compatible with the right to privacy under the Charter.

Right to be presumed innocent

Section 25(1) of the Charter provides that a person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law. The right is relevant where a statutory provision shifts the burden of proof onto an accused in a criminal proceeding, so that the accused is required to prove matters to establish, or raise evidence to suggest, that they are not guilty of an offence.

Reasonable excuse defence

Digital driver licences and learner permits

Clause 33 of the Bill expands the offences in s 59 of the Act for failure to produce a driver licence or learner permit to the failure to produce or display for inspection a digital driver licence or learner permit. These offences have a 'reasonable excuse' exception which may engage the right to be presumed innocent.

By expanding the scope of offences which contain a 'reasonable excuse' exception, these amendments increase the circumstances in which an evidential burden is placed on the accused, in that they require the accused to raise evidence of a reasonable excuse for failing to produce the digital driver licence or learner permit. However, the amendments do not transfer the legal burden of proof. Once the accused has pointed to evidence of a reasonable excuse, which will ordinarily be peculiarly within their knowledge, the burden shifts back to the prosecution to prove the essential elements of the offence. Accordingly, I do not consider that an evidential onus of this kind limits the right to be presumed innocent, and that clause 33 is compatible with the right to be presumed innocent under the Charter.

Evidentiary presumptions

A number of clauses in the Bill contain a presumption that in the absence of evidence to the contrary, certain evidence amounts to proof of certain facts. The presumptions are relevant to the right to be presumed innocent because they require that, in proceedings for a relevant offence, a person bears an onus of proof to provide evidence of certain matters.

Driving heavy vehicle in a no-truck zone

Clause 5 of the Bill introduces new s 66A into the Act, which provides that the no-truck zone offence in s 65BA(1) that is detected by a prescribed no-truck zone camera or by a prescribed process is an operator onus offence for the purposes of Part 6AA of the Act. Accordingly, the registered operator of a heavy vehicle will be presumed to be responsible for no-truck zone offences committed using the heavy vehicle, unless they provide evidence that someone else was responsible for the vehicle at that time or explain why they are not able to do so (for example because the heavy vehicle had been stolen).

This clause is relevant to the presumption of innocence in s 25(1) of the Charter because it requires that an accused person bears a burden to adduce (or point to) evidence of certain matters. However, it does not limit the right to be presumed innocent as it only places an evidential (rather than a legal) burden upon an accused. Once the accused has adduced (or pointed to) some evidence that they were not responsible for the offence, the onus shifts to the prosecution to prove that they were responsible beyond a reasonable doubt. Courts have generally taken the approach that an evidential onus on an accused does not limit the presumption of innocence.

Even if the clause is considered to limit the right in section 25(1) of the Charter, any such limit is, in my view, reasonable and justified. The clause is necessary to ensure the effective administration of a regulatory scheme designed to protect the public from safety and amenity risks arising from the use of heavy vehicles in residential areas. The use of no-truck zone cameras will support enhanced enforcement of the no-truck zone offence in section s 65BA(1) of the Act, which otherwise depends upon roadside observation by police or authorised officers of the National Heavy Vehicle Regulator. In addition, the nature of any limitation is minimal, as the relevant offence is a regulatory offence enforced by way of fines, not imprisonment.

Clause 6 of the Bill inserts new s 80E into the Act, which provides that for proceedings relating to a no-truck zone offence, evidence that a heavy vehicle was in a no-truck zone on a relevant occasion as indicated or determined by a prescribed no-truck zone camera when used in the prescribed manner, or an image or message produced by a prescribed no-truck zone camera when used in the prescribed manner, is in the absence of evidence to the contrary, proof of that fact.

Clause 7 inserts new s 83B into the Act, which provides that a certificate containing prescribed information from an authorised person certifying certain information obtained from a no-truck zone camera is admissible

in evidence in any proceeding, and that in the absence of evidence to the contrary the certificate is proof of the matters stated in it.

Clause 8 inserts a general evidentiary provision into s 84 of the Act that in any proceeding for a no-truck zone offence, an image or message produced by a prescribed no-truck zone camera used to detect an offence when used in a prescribed manner, or an image or message produced by a prescribed process, will in the absence of evidence to the contrary be proof of certain facts such as date, time or location of the alleged offence, or the registration number or general identification mark of the vehicle involved in the offence.

These provisions are relevant to the presumption of innocence as they deem a fact to be proved in the absence of contrary evidence, and thus reduce the prosecution's burden to prove an accused's guilt.

However, I do not consider that these clauses limit the right as again they only place an evidential burden on an accused to raise contrary evidence. Once a person has adduced some evidence to the contrary of the assumed fact, the burden of proof shifts to the prosecution to prove the elements of the offence. As previously noted, courts have generally taken the approach that an evidential onus on an accused does not limit the presumption of innocence.

I do not consider there are any less restrictive means reasonably available to achieve the legislative purpose, as it would be impractical to require prosecutors to establish the veracity of no-truck zone camera evidence in relation to every infringement in which the accused elects to have the matter heard in court. These provisions regarding the information produced by no-truck zone cameras are necessary to ensure the effective enforcement of the no-truck zone scheme. They relate to establishing issues that are probabilistically likely to be the case, such as the correct functioning of the cameras and associated technology, which would otherwise require the marshalling of highly technical evidence that would be difficult, lengthy and costly for a prosecution.

I am therefore of the view that these evidentiary presumption provisions are compatible with the right to be presumed innocent under s 25(1) of the Charter.

Hon Melissa Horne MP
Minister for Roads and Road Safety

Second reading

Melissa HORNE (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (10:53):
I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

The roads and road safety legislation amendment bill 2024 makes important changes to deliver on the government's commitment to remove trucks from inner west streets following the opening of the west gate tunnel, facilitates the modernisation of driver licences and learner permits, makes improvements to the custom plates business, and improves the clarity and operation of various transport legislation.

Removing trucks from the inner west

With the west gate tunnel due to open in 2025, thousands of motorists will benefit from a more connected Melbourne every day. However, the tunnel isn't only about saving time, it is about improving liveability, amenity and health outcomes for residents of the inner west. That is why, as part of the delivery of the west gate tunnel project, the government committed to introducing 24-hour truck bans in the inner west.

The government has also committed \$10.2 million in the 2024–25 budget to provide 24/7 camera enforcement for truck bans in the inner west of Melbourne. This bill facilitates the use of cameras as a tool to detect non-compliant trucks and enables enforcement by the department of transport and planning and the national heavy vehicle regulator.

With 24-hour no-truck zones in place in the inner west, an estimated 9,000 trucks will be removed from local streets each day. This means cleaner air, reduced noise and improved health outcomes for local families.

The enforcement of existing truck curfews is reliant upon authorised officers catching drivers breaking the rules red-handed. This enforcement approach is resource intensive and proving to be ineffective, and it will not be sustainable once 24-hour bans come into operation. The bill will introduce a range of measures to

support compliance and enforcement of 24-hour truck bans, including by enabling the use of no-truck zone cameras to detect potential offences 24 hours a day, 365 days a year.

The amendments to the *road safety act 1986* in part 2 of the bill will enable the use of images captured by the new cameras as evidence. The bill provides that images from prescribed no-truck zone cameras can evidence the fact that a heavy vehicle was in a no-truck zone. The bill also provides that evidence from these cameras is, without prejudice to any other mode of proof and in the absence of evidence to the contrary, proof of the relevant fact on the relevant occasion.

The cameras will use a vehicle recognition system to detect non-compliance. The system distinguishes trucks from cars and delivers photographic evidence of potential non-compliance. Details of heavy vehicles detected in a no-truck zone will be provided to the national heavy vehicle regulator for investigation and, if warranted, enforcement action.

Under the offence the government has already delivered, there are exceptions for trucks with origins and destinations within the no-truck zone area to ensure that local businesses and households can continue to receive and supply goods. Officers of the national heavy vehicle regulator will investigate whether a driver of a heavy vehicle had a legitimate reason to drive through a no-truck zone before taking enforcement action.

The bill will also provide the ability for enforcement officers to issue traffic infringement notices to any driver or operator of a heavy vehicle who unlawfully enters a no-truck zone. If an offence is detected and verified, then an infringement notice can be issued to the registered operator of the vehicle. The bill also prescribes the no-truck zone offence as an operator onus offence under the *road safety act 1986*, meaning that the registered operator of the vehicle will be liable for the offence unless they nominate the driver of the vehicle at the time of the offence or provide a reason why they are not able to do so.

Supporting the rollout of digital driver licences

In May 2023, this government made a commitment to Victorian drivers that they would have the option to carry their driver licence on their mobile phones by 2024. After a successful trial last year, where more than 15,000 Ballarat residents opted to download a digital licence onto their mobile device, a statewide rollout has already begun. So far, more than 900,000 Victorian drivers have signed up for a digital licence.

This bill provides clarity and certainty for drivers, the community and law enforcement, putting beyond doubt that digital driver licences and learner permits are valid documents under the *road safety act 1986*. This means that drivers will be able to feel comfortable getting in their cars with just their mobile phone for identification, and not have to worry about whether they have their licence card because they left their wallets, purses or other items at home.

The bill further supports the use of digital driver licences by making it clear that if drivers are asked to produce their driver licence to a police officer, they may show their digital licence on their mobile device. Digital licences are updated in real time, so any changes to a person's licence status or a change of address will show immediately. This means that, unlike physical licence cards, drivers will not have to return their digital licence if their licence is suspended as the status of the licence will be clearly visible on a digital device.

To protect the rights of Victorians, mobile phones and other electronic devices used to display digital driver licences will not be able to be confiscated, retained or destroyed for any reason under the *road safety act 1986*. However, this does not prevent police or other authorities from seizing personal property under other laws.

Delivering better custom plates services

In 2022, the joint venture operator, a consortium of aware super, Australian retirement trust and Macquarie asset management, entered a 40-year partnership with government and commenced operations of the former VicRoads registration and licensing business. The joint venture partnership, which generated 7.9 billion dollars upfront for the state, will deliver upgraded customer service systems and better custom plates services for Victorians.

This bill delivers on the government's commitment to ensure that Victorians are provided better custom plates services. It will enable the joint venture operator to implement new custom plates business models which will help to support its delivery of the VicRoads modernisation process.

The amendments in the bill will allow registration number rights to be sold subject to either an upfront fee or to an ongoing periodical charge, or both. To support the future introduction of ongoing periodical charges, the bill provides that certain rights may be suspended under the regulations if a periodical charge is not paid. The bill will also enable contracts of sale of registration number rights to provide that a fee is payable upon transfer to another person.

Being an owner of registration number rights comes with legal responsibilities. An owner of registration number rights is responsible for the use of the combination and any number plates on which it is displayed. With the future introduction of periodical charges, owners will be subject to ongoing financial obligations.

Therefore, the bill introduces a minimum age for persons to whom registration number rights may be sold or transferred. The minimum age, which will be prescribed by the regulations at 16 years of age, is the age at which a person may register a vehicle in their name.

Improving the clarity and operation of transport legislation

The bill also makes a range of minor amendments to the *Eastlink project act 2004*, the *marine (drug, alcohol and pollution control) act 1988*, the *Melbourne city link act 1995*, the *north east link act 2020* and the *west gate tunnel (truck bans and traffic management) act 2019*, to improve the administration of infringement processes by clarifying that all fines and associated costs are to be refunded if a person has been granted an extension of time to deal with an infringement notice.

The bill also modernises the language used in relation to the accessible parking permit scheme contained in the *road safety act 1986*. The act has fallen out of step with current best practice in relation to accessibility and inclusion. The use of the term ‘accessibility’ is preferred, as it helps reinforce the message that the transport network should be accessible for all Victorians.

I commend the bill to the house.

Danny O’BRIEN (Gippsland South) (10:53): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 28 August.

Health Legislation Amendment (Regulatory Reform) Bill 2024

Statement of compatibility

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (10:54): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Health Legislation Amendment (Regulatory Reform) Bill 2024:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the **Charter**), I make this statement of compatibility with respect to the Health Legislation (Regulatory Reform) Bill 2024 (the **Bill**).

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

Overview of the Bill

The Bill has two main purposes – firstly, to amend seven Acts to provide a modern, streamlined, best practice set of compliance and enforcement tools to enable the Department of Health’s Health Regulator to apply a graduated, proportionate and risk-based approach to health regulation in Victoria and to better minimise and prevent the risk of harm to health or safety in Victoria. Secondly, the Bill will amend the *Assisted Reproductive Treatment Act 2008* (**ART Act**) to transfer some of the powers and functions of the Victorian Assisted Reproductive Treatment Authority (**VARTA**) to the Secretary of the Department of Health and remove other functions from the ART Act. VARTA will then cease as a statutory authority.

The Bill will amend legislation (the **relevant health legislation**) in order to implement a baseline compliance and enforcement regulatory toolkit (**regulatory toolkit**) across various health regulation schemes in Victoria. The regulatory toolkit will comprise powers to:

- issue improvement and prohibition notices;
- accept enforceable undertakings;
- issue infringement notices for prescribed offences; and
- issue information or document production notices.

These powers will be conferred on the Secretary of the Department of Health, and in some cases, authorised officers (**Health Regulator**). These powers, where appropriate and necessary, will be accompanied by additional supporting amendments, including offences for non-compliance or providing false or misleading information, external review rights and service of document provisions. These ensure the powers will operate as intended.

The following legislation will be amended to provide for or amend components of the full regulatory toolkit for the Health Regulator:

- Clause 74 amends the ART Act which regulates the use of assisted reproductive treatment (and artificial insemination other than self-insemination) in Victoria;
- Clause 89 amends the *Drugs, Poisons and Controlled Substances Act 1981* (**DPCS Act**) which regulates the obtaining, possession, use, administration, prescription, sale, supply or manufacture of medicines and poisons;
- Clause 93 amends the *Health Services Act 1988* which regulates private hospitals and day procedure centres and establishes the minimum requirements for the safety and quality of patient care in these health service establishments; and
- Clause 101 amends the *Non-Emergency Patient Transport and First Aid Services Act 2003* (**NPTFAS Act**) which regulates non-emergency patient transport service providers and commercial first aid services providers to promote safe and appropriate services.

Together, these clauses will be referred to as the **full regulatory toolkit clauses**.

The following legislation will be amended to introduce certain elements of the regulatory toolkit:

- Clause 104 amends the *Public Health and Wellbeing Act 2008* (**PHW Act**) to introduce enforceable undertakings and information or document production notices for the regulation of pest control operators, cooling towers and water delivery systems;
- Clause 108 amends the *Radiation Act 2005* to introduce enforceable undertakings and information or document production notices in the regulation of radiation practices and the use of radiation sources; and
- Clause 110 amends the *Safe Drinking Water Act 2003* to introduce the issuing of infringement notices in the regulation of the supply of drinking water.

The ART Act will also be further amended to:

- Transfer VARTA's regulatory powers and functions to the Secretary;
- Establish the Donor Conception Registrar, who will have responsibility for managing the Central Register and Voluntary Register (the **Donor Registers**);
- Transfer VARTA's donor registry functions to the Donor Conception Registrar;
- Remove mandatory requirements relating to counselling that apply before information on the Donor Registers may be accessed or a contact preference lodged;
- Require the Donor Conception Registrar to provide explanatory materials to persons who are currently required to undertake, or be offered, counselling before information on the Donor Registers may be accessed or a contact preference lodged;
- Require a person applying for information from the Donor Registers to provide a 'statement of reasons' for applying, which is provided by the Donor Conception Registrar to a person whose consent is required before information can be disclosed;
- Remove provisions regarding donor-linking services;
- Replace the requirement for pre-approval by VARTA of the movement of donor gametes or embryos formed using donor gametes (**donor formed embryos**) into and out of Victoria with a certification process regulated by the Secretary;
- Provide for regulation making powers to prohibit, or place conditions or requirements on, the movement of donor gametes and donor formed embryos into and out of Victoria in certain circumstances; and
- Broaden the power to impose conditions on the registration of assisted reproductive treatment providers (**ART providers**).

Consequential amendments will also be required to the *Human Tissue Act 1982* and the *Births, Deaths and Marriages Act 2004* (**BDM Act**).

Human rights issues

Abolition of VARTA

The amendments to the ART Act will abolish VARTA and transfer some of its functions and powers to the new Donor Conception Registrar and to the Secretary. Other functions currently performed by VARTA will be removed from the Act. The Bill provides for VARTA's property, rights, liabilities and staff to transfer to

the Secretary. The Bill does not alter the content of these property rights, liabilities or other interests, and both the Secretary and the Donor Conception Registrar (once established) will be subject to the obligations under the Charter for public authorities.

Among the transfer of VARTA's powers to the Secretary include powers of entry on to the premises of ART providers, and the seizure of documents under s 119 of the ART Act. The Bill will not materially alter the content of existing interferences with the rights to privacy or property, which I consider to be appropriately prescribed and compatible with the Charter.

The Bill will also remove the legislative requirement for VARTA to provide public education about treatment procedures and the best interests of children born as a result, and the requirements that counselling be offered or undertaken before disclosure of information from the registers or lodgement of a contact preference. Current requirements relating to minors will remain in the Act – where a minor applies to access information from the registers, or is eligible to lodge a contact preference, and they do not have the consent of their parent or guardian, then before the information is disclosed or preference lodged they must have received counselling by a suitably qualified practitioner, who must have confirmed the minor is sufficiently mature. As the removal of these services do not constitute any direct interference with Charter rights nor are relevant to any of the State's positive obligations to protect rights, I am of the view that these amendments do not engage the Charter.

Additionally, the Bill will remove the requirement for the provision of donor-linking services; the facilitation of contact between donors and donor conceived persons; from the ART Act. While this service promoted the right to the protection of families and children (s 17), privacy (s 13) and freedom of expression (s 15), by assisting donor conceived persons to potentially make contact with their donor or other genetic relatives, the repeal of the donor-linking provisions of the ART Act does not interfere with these rights for the purpose of the Charter. Donor conceived persons, their parents, and donors themselves will still be able to access relevant information from the Donor Registers, which will be managed by the new Donor Conception Registrar, and may use this information to make contact with their donors or donor conceived children. I am therefore satisfied that the repeal of the donor-linking provisions does not limit rights under the Charter.

Regulatory toolkit

The establishment of the regulatory toolkit by the Bill in the relevant health legislation, including the ART Act, is intended to improve health outcomes in Victoria by preventing and minimising the risk of harm to health or safety. The new regulatory tools will replace VARTA's oversight of ART providers with a greater range of compliance and enforcement mechanisms, that may instead be utilised by the Secretary or their delegates.

The following rights are relevant to the Bill:

- Right to freedom from forced work (s 11)
- Privacy and reputation (s 13)
- Freedom of expression (s 15)
- Fair hearing (s 24)
- Presumption of innocence (s 25(1))
- Protection from self-incrimination (s 25(2)(k))
- Right not to be tried or punished more than once (s 26)

Right to freedom from forced work

Section 11 of the Charter provides that a person must not be held in slavery or servitude, or made to perform forced or compulsory labour. 'Forced or compulsory labour' does not relevantly include any work or service that forms part of normal civil obligations.

The full regulatory toolkit clauses of the Bill amend the relevant health legislation to give the Health Regulator the power to issue improvement and prohibition notices, and to accept enforceable undertakings. Clauses 104 and 108 amend the PHW Act and Radiation Act respectively, to give the Health Regulator the power to accept enforceable undertakings.

Improvement Notices

The improvement notices require a regulated person who the Health Regulator reasonably believes has contravened, is contravening or is likely to contravene a provision of the relevant legislation or regulations or a condition of a permission, to take specific action, within a specified timeframe, to rectify the contravention, or to cease the contravention, or to prevent a likely contravention from occurring, or to address the matters or

activities that caused the contravention. It is an offence to then contravene an improvement notice without reasonable excuse.

Prohibition Notices

Prohibition notices allow the Health Regulator to prohibit a regulated person from engaging in a specified activity if the Health Regulator reasonably believes the regulated person has contravened, is contravening or is likely to contravene the relevant legislation or regulations or a condition of a permission, and prohibiting the conduct or activity is necessary to prevent or minimise the risk of harm to health or safety. Additionally, the Health Regulator may require the person subject to the prohibition notice to take any specified action the Health Regulator reasonably believes is necessary to prevent or minimise the risk of harm to health or safety, or to rectify or cease the contravention, or prevent a likely contravention from occurring or to address the matters or activities that caused the contravention.

Enforceable undertakings

The Health Regulator will have the power to accept enforceable undertakings given by a regulated person relating to a contravention or alleged contravention of the relevant legislation or regulations. The regulated person undertakes to take certain action, or refrain from taking certain action, in order to comply with the relevant legislation or regulations. In turn, no criminal proceeding may be commenced against the person for the contravention or alleged contravention of the relevant legislation or regulations if the enforceable undertaking is complied with, and while it is in force.

Analysis

The compulsion to undertake an activity or to 'do' something as required by an improvement notice, or as may be required in a prohibition notice or enforceable undertaking, may interfere with the right to freedom from forced work, specifically the prohibition on compulsory labour in s 11(2) of the Charter. I am of the view, however, that the right is not engaged, as any required work or action would fall within the scope of the exception to the prohibition in s 11(3) of the Charter, namely work or service that 'forms part of normal civil obligations.' The improvement and prohibition notices and enforceable undertakings can only be given to regulated persons or entities (or those acting on their behalf) who are engaging in a regulated activity and have voluntarily assumed associated responsibilities and obligations. Additionally, the required action or work serves a protective or remedial purpose, being to stop, mitigate or remedy conduct that poses health or safety risks.

If the exception in s 11(3) does not in fact apply, and the right is engaged, I am of the view that any limit on the right is reasonable and proportionate to the legitimate aims of protecting health or safety in Victoria. Any limitation of rights will also be mitigated by various safeguards, including review of an improvement or prohibition notice by VCAT, while enforceable undertakings may only be enforced by the Health Regulator obtaining an order from the Magistrates' Court.

Accordingly, I am satisfied these provisions are compatible with the Charter.

Right to privacy and reputation

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

Section 13(b) of the Charter provides that a person has the right not to have their reputation unlawfully attacked. An 'attack' on reputation will be lawful if it is permitted by an appropriately circumscribed law.

Information or document production notices

The full regulatory toolkit clauses and clauses 104 and 108 of the Bill, amend the relevant health legislation to empower the Health Regulator to issue a notice for the production of information or documents, which may include health or personal information. An offence for contravention of an information or document production notice has been included in the Bill, as has an offence for providing false or misleading information.

The information or document production notice provisions may interfere with the right to privacy, given they can compel the production of information or documents that may contain personal or sensitive information. However, in my view, any resulting interference will be lawful and not arbitrary, for the following reasons.

First, any interference in a person's private sphere will be limited by the scope of the powers, which only require production of information or documents relevant to monitoring compliance with the relevant health legislation and whether a person has committed a relevant offence. To issue an information or document production notice in the first place, the Health Regulator must first reasonably believe the information or document is in the person's knowledge, possession or control and the information is, or the document contains

information that is, necessary for monitoring a regulated person's compliance with the relevant Act or regulations or determining whether an offence has been committed. This threshold limits the personal or health information that would be disclosed.

Secondly, the information or document production notice serves the important purpose of ensuring compliance with legislation that protects health or safety. Safeguards are also included in the Bill including that certain required matters are to be included in a notice, a right of review of an information or document production notice by the Victorian Civil and Administrative Tribunal (VCAT), and a reasonable excuse defence in the offence provisions.

Finally, the production of information and documents under the changes to the relevant health legislation will also be subject to the privacy principles in the *Privacy and Data Protection Act 2014* and *Health Records Act 2001* in relation to how personal and health information is collected, handled and disclosed. These requirements impose additional safeguards to ensure that personal and health information collected through a document the subject of an information or document production notice is dealt with appropriately.

I therefore consider that the production of information and documents provisions in the Bill are compatible with the right to privacy.

Publication or display of improvement or prohibition notices, enforceable undertakings or the failure to comply with enforceable undertakings

The full regulatory toolkit clauses of the Bill include provisions allowing the Health Regulator to require a person, to whom an improvement notice or prohibition notice is given, to display a copy of the notice in a specified manner. These clauses, and clauses 104 and 108 of the Bill relating to enforceable undertakings, also contain a provision allowing the Health Regulator to publish details of an enforceable undertaking on the Department's Internet site. Further, if the Health Regulator obtains an order from the Magistrates' Court for the enforcement of an enforceable undertaking, and a person is found in contempt of court for contravening such an order, the Health Regulator may publicise this contravention on the Department's Internet site.

The display or publication of a person's contravention of a provision of an Act, regulations or a permission or an enforceable undertaking may interfere with the right to privacy (including the right not to have one's reputation unlawfully attacked under s 13(b) of the Charter). However, I do not consider that this right would be limited, as the publication of information that might constitute an 'attack on reputation' is pursuant to properly circumscribed law, and in the case of enforceable undertakings, follows appropriate judicial oversight of the person's non-compliance with the enforceable undertaking. Further, the legislation aims to protect Victorian health or safety – including protecting the safety of those undertaking assisted reproductive treatment, and regulating health services, medicines and poisons – and the publication of non-compliance with relevant court orders is necessary and proportionate to fulfil this important purpose.

Improvement and prohibition notices and enforceable undertakings

The improvement and prohibition notices and enforceable undertaking powers may also interfere with the right to privacy, as they may compel a person to 'do' something. I am of the view, however, that the right to privacy is not limited, as the requirements to undertake a specified activity will largely fall outside of a person's private sphere and therefore the scope of the right. Where prohibition notices or enforceable undertakings prevent a person from working and forming relationships at work, such that the privacy right may be interfered with, the interference is minimal, and is not arbitrary, as it is in accordance with a law that is proportionate to the legitimate purpose of minimising the risk of harm to health or safety.

Statement of reasons before release of information by the Donor Conception Registrar

Clause 16 of the Bill amends s 56(3) of the ART Act to require applicants for information on the Central Register to include a written statement of reasons with their application. This application will be made to the Donor Conception Registrar, who must in turn provide the applicant with prescribed explanatory material. Clause 54 then inserts new s 67AA into the ART Act, which provides that an applicant's statement of reasons must be given to a person who needs to consent to the release of information on the Central Register. Clause 62 of the Bill then amends s 72 of the ART Act to require that a person who needs to consent to disclosure of information from the Voluntary Register must also be given the applicant's statement of reasons, in addition to prescribed explanatory material. So, if for example, a parent of a donor conceived person applies for information from the Central Register regarding a donor, they must provide a statement of reasons with their application, which will then be provided to the donor by the Donor Conception Registrar, before they may then consent to the release of the information.

The requirement for the disclosure of a statement of reasons to another person, such as a donor, engages the right to privacy. However, I do not consider that the right is limited, as any interference with privacy is not arbitrary, as it would be pursuant to a properly circumscribed law that is proportionate to its purpose of enabling the safe disclosure of information to people involved in donor conception treatment, and allowing

people to identify and make contact with their genetic relatives. The Donor Conception Registrar will be responsible for receiving and then disclosing the statement of reasons, so will act as an intermediary between the two parties and will have a role in safeguarding privacy. Further, a person will only be required to provide the statement of reasons if they voluntarily decide to seek information from the Donor Registers, and the information will be subject to the confidentiality protections set out in sections 66A and 66C of the ART Act.

Accordingly, I am of the view that clause 16 of the Bill is compatible with the right to privacy.

Certification requirement for the movement of donor gametes and donor formed embryos into and out of Victoria

Clause 6 of the Bill amends s 36 of the ART Act to permit a person to bring donor gametes or donor formed embryos into or take them out of Victoria if they provide a certification to the Secretary that attests certain requirements have been complied with. These matters include that the relevant donor has given consent for the movement, storage and use of their gametes or the donor formed embryos, that the donor has received counselling, and that the donor has provided information required to be kept on the Donor Registers. Although the process of certification does not require any personal or health information to be disclosed, clause 6 also inserts a new section 36D into the ART Act which requires the certifying person to keep a written record of the matters certified by that person under section 36. New section 36D(2), which requires the certifying person to keep written records of the prescribed matters for a prescribed period after the certification is made is an offence provision. It is likely that the certifying person will be required to keep records of the personal and health information of donors of gametes in order to comply with section 36D. This may constitute an interference with the right to privacy.

I am of the view, however, that the privacy right will not be limited, as any interference will be pursuant to a properly circumscribed law, and will be proportionate to the legitimate purpose of regulating the use, and maintaining the safety of, donor material used in assisted reproductive treatment.

Right to freedom of expression

Section 15(2) of the Charter provides that every person has the right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds. However, section 15(3) provides that special duties and responsibilities attach to this right, which may be subject to lawful restrictions reasonably necessary to respect the rights and reputations of others, or for the protection of national security, public order, public health or public morality.

Offence to provide false or misleading information

The full regulatory toolkit clauses, and clauses 104 and 108 regarding information or document production notices, include provisions making it an offence to provide false or misleading information.

These offence provisions might be considered to amount to an interference with freedom of expression, in particular, the right to impart ideas. However, this right is qualified in that it may be subject to restrictions that protect public order, health and safety or the rights of others. In this case, the Bill aims to protect the health or safety of Victorians by strengthening compliance and enforcement mechanisms of various regulated health related areas such as assisted reproductive treatment. The offence provision supports the power of the Health Regulator to require regulated persons to provide information or documents that relate to potential contraventions of the relevant health legislation. The information or documents need to be true and accurate in order for the Health Regulator to monitor compliance with the legislation, and ultimately protect the health or safety of Victorians.

Accordingly, I am of the view that the offence provisions for the information or document production notices in the Bill fall within the qualification of the right, such that the right to freedom of expression is not limited.

Fair hearing

Section 24(1) of the Charter relevantly provides that a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The concept of a 'civil proceeding' is not limited to judicial decision-makers, but may encompass the decision-making procedures of many types of tribunals, boards and other administrative decision-makers with the power to determine private rights and interests. The right may be limited if a person faces a procedural barrier to bringing their case before a court, or where procedural fairness is not provided. However, the entire decision-making process, including reviews and appeals, must be examined in order to determine whether the right is limited.

Improvement, prohibition and information or document production notices and enforceable undertakings

While the improvement and prohibition notices, production of information and documents notices and enforceable undertakings mechanisms may interfere with the fair hearing right, as they may be imposed on a person unilaterally and impact their rights and interests by requiring them to 'do' or 'not do' a certain thing, I

am of the view that the right is not limited. This is because procedural fairness safeguards have been included in the Bill, including the right of review of the notices by VCAT, and oversight of the enforcement of enforceable undertakings by the Magistrates' Court. The Bill also requires the notices to contain detailed information pertaining to the conduct that is alleged to have contravened the relevant legislation and that has prompted the issue of the notice, as well as information regarding the person's review rights.

I am therefore satisfied that the improvement, prohibition and information or document production notice provisions of the Bill, and the enforceable undertaking provisions, are compatible with the right to a fair hearing under the Charter.

Specific conditions to be imposed on ART providers

Clause 66 of the Bill inserts s 75A into the ART Act to empower the Secretary to impose specific conditions on the registration of a registered ART provider relating to any matter relevant to their provision of services. A specific condition is distinct from the prescribed general conditions imposed on all registered ART providers following the amendment of s 75 of the ART Act, also by clause 66 of the Bill. Clause 66 then inserts new s 75D into the ART Act to make it an offence for an ART provider to contravene a general or specific condition of registration.

The imposition of specific conditions of registration on ART providers without a hearing, the contravention of which is a criminal offence, is relevant to the right to a fair hearing. I am satisfied, however, that the fair hearing right is not limited, because clause 66 includes written notice requirements of the pending imposition of the specific condition, and allows for an ART provider to make written submissions in response, which must then be taken into consideration by the Secretary. The ART provider would then have a right of judicial review of the decision under administrative law. Finally, an ART provider is a regulated role attracting special responsibilities and duties, including to comply with conditions of registration imposed by the Secretary, to which a person voluntarily assumes when engaging in registration under the scheme.

I am therefore of the view that clause 66 and the imposition of specific conditions on ART providers' registration, is compatible with the right to a fair hearing.

Right to be presumed innocent

Section 25(1) of the Charter provides that a person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law. The right is relevant where a statutory provision shifts the burden of proof onto an accused in a criminal proceeding, so that the accused is required to prove matters to establish, or raise evidence to suggest, that they are not guilty of an offence.

Offences to contravene improvement, prohibition or information or document production notice, and to provide false and misleading information

As outlined above, the full regulatory toolkit clauses and clauses 104 and 108 of the Bill, contain offences relating to contravention of an improvement, prohibition or information or document production notice without reasonable excuse. These clauses also provide for the offence of providing false or misleading information in responding to an information or document production notice, with the provisions creating an exception to the application of the offence if the person believed on reasonable grounds that the information or document was true or not misleading.

By creating a 'reasonable excuse' or 'reasonable grounds for belief' exception, these offences place an evidential burden on the accused, in that they require the accused to raise evidence of a reasonable excuse or belief. However, in doing so, this offence does not transfer the legal burden of proof. Once the accused has pointed to evidence of a reasonable excuse or belief, which will ordinarily be peculiarly within their knowledge, the burden shifts back to the prosecution to prove the essential elements of the offence. I do not consider that an evidential onus of this kind limits the right to be presumed innocent.

Offence to certify a false or misleading matter or to contravene a general or specific condition of registration – ART Act

Clause 6 of the Bill inserts new s 37A into the ART Act, and provides that in certifying certain matters in relation to the movement of donor gametes or donor-formed embryos into or out of Victoria, it is an offence to certify a false or misleading matter. New s 37A provides a defence if the person believed on reasonable grounds that the matter was true or not misleading.

Clause 66 of the Bill creates a new s 75D in the ART Act, which provides that it is an offence for an ART provider to contravene a general or specific condition of their registration without reasonable excuse.

As discussed above, the right to the presumption of innocence would not be limited by a defence of reasonable excuse or 'belief on reasonable grounds' because once an accused provides evidence of this excuse or belief, the prosecution must prove the relevant elements of the offence, such that the legal burden of proof remains always with the prosecution.

I am therefore of the view that clauses 6 and 66 of the Bill are compatible with the presumption of innocence.

Right against self-incrimination

Section 25(2)(k) of the Charter provides that a person charged with a criminal offence is entitled not to be compelled to testify against themselves or to confess guilt. This right is at least as broad as the common law privilege against self-incrimination. It applies to protect a charged person against the admission in subsequent criminal proceedings of incriminatory material obtained under compulsion, regardless of whether the information was obtained prior to or subsequent to the charge being laid.

Information or document production notices

As discussed above, the full regulatory toolkit clauses and clauses 104 and 108 of the Bill, provide for the compulsory production of information and documents via information or document production notices issued by the Health Regulator. It is an offence to contravene an information or document production notice without reasonable excuse. The compulsory production of documents or information may interfere with the right against self-incrimination, as a person may be forced to provide information or documents that might contain incriminating material.

The information or document production notice offence provisions provide that a person may refuse or fail to provide any information specified in the notice if to do so would tend to incriminate them. There is no such protection from self-incrimination in respect of document production notices – the Bill expressly excludes the protection against self-incrimination as a reason not to produce a document. However, the full regulatory toolkit clauses and clauses 104 and 108 of the Bill do provide further safeguards, in that any document produced by a natural person under an information or document production notice that might tend to incriminate the person is not admissible in a criminal proceeding against the person, unless they are required by law to keep the document, or the proceeding relates to false or misleading information included in the document. The Bill also includes a right for VCAT to review the decision to issue the information or document production notice.

At common law, the protection accorded to pre-existing documents is considerably weaker than that accorded to oral testimony or to documents that are brought into existence to comply with a request for information. The compulsion to produce pre-existing documents that speak for themselves is in strong contrast to testimonial oral or written evidence that is brought into existence as a direct response to questions. Accordingly, any protection afforded to documentary material by the privilege is limited in scope and not as fundamental to the nature of the right as the protection against the requirement that verbal answers be provided. This is particularly the case in relation to a regulatory regime where a person has assumed a role attracting special responsibilities and duties, including record keeping requirements for the purpose of demonstrating compliance with regulation.

In view of the protection against self-incrimination offered by the Bill in respect of the production of information, the limited protection afforded at common law to pre-existing documents such as those that might be subject to an information or document production notice in the Bill, and the safeguards referenced above, including the oversight of the powers by VCAT, I am of the view that the right against self-incrimination is not limited by the information or document production notice powers provided by the Bill.

Right not to be tried or punished more than once

Section 26 of the Charter provides that a person must not be tried or punished more than once for an offence in respect of which they have already been finally convicted or acquitted in accordance with law. This right reflects the principle of double jeopardy. However the principle only applies in respect of criminal offences – it will not prevent civil proceedings being brought in respect of a person's conduct which has previously been the subject of criminal proceedings, or vice versa.

Suspension of ART providers

Clause 67 of the Bill amends s 76 of the ART Act to transfer the power to suspend the registration of ART providers, for a contravention of a condition of their registration, from VARTA to the Secretary. Additionally, clause 67 inserts a new s 76(1)(ab) into the ART Act to empower the Secretary to suspend the registration of an ART provider if the Secretary reasonably believes that the provider has contravened a provision of the ART Act or the regulations. Clause 68 then amends s 77 of the ART Act to empower the Secretary, rather than VARTA, to immediately suspend a provider's registration if there is an overriding public interest.

The suspension of an ART provider's registration for contravention of a condition of their registration or of the ART Act or regulations is relevant to this right, if the provider is also prosecuted for an offence under the ART Act or any other legislation for the same conduct. However, I am of the view that the right not to be tried or punished more than once is not limited, because sanctions imposed by professional disciplinary bodies or regulators do not usually constitute a form of 'punishment' for the purposes of this right. The suspension

of ART providers' registration has a preventative rather than a punitive purpose – to protect users of assisted reproductive treatment – and is not a criminal sanction imposing personal liability.

Should this right in fact be limited, I am of the view that any limitation is justified under s 7(2) of the Charter, in that the suspension of registration is reasonable and proportionate to the legitimate aim of protecting and promoting the quality and safety of assisted reproductive treatment in Victoria.

The Hon. Mary-Anne Thomas MP
Minister for Health

Second reading

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (10:55): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

Introduction

The Bill will make amendments to regulatory frameworks in seven Acts to modernise, streamline and strengthen compliance and enforcement powers to support a graduated, proportionate and risk-based approach to regulation by the Department of Health's Health Regulator, and prevent or minimise the risk of harm to the health or safety of Victorians.

The Bill will also amend the *Assisted Reproductive Treatment Act 2008*, to improve regulation of assisted reproductive treatment by transferring the regulatory function to the Department of Health and strengthening compliance and enforcement powers. It will also transfer management of the donor conception registers to a new Donor Conception Registrar employed in the Department of Health. As a result of these reforms the Victorian Assisted Reproductive Treatment Authority (commonly known as VARTA) will cease to be established as a statutory authority under the Assisted Reproductive Treatment Act.

Improved compliance and enforcement tools for health regulation

Health regulation plays a key role in minimising or preventing risk of harm to the health or safety of Victorians and contributes to the vision of a Victoria free of the avoidable burden of disease and injury, so that all Victorians can enjoy the highest attainable standards of health, wellbeing and participation at every age.

The Department of Health has a diverse range of regulatory responsibilities including in relation to child safety, communicable disease, medicines and poisons, legionella risk management, pest control, radiation safety, food safety, private hospitals and day procedure centres, non-emergency patient transport and first aid service providers, tobacco and e-cigarettes, and safe drinking water. The Bill also proposes to transfer regulation of assisted reproductive treatment from VARTA to the Department.

Most of the Department's regulatory functions are now consolidated in the Health Regulator – a branch of the Department established in early 2024 to consolidate regulatory functions and enable the Department to adopt a more consistent, risk-based regulatory approach.

To perform regulatory functions effectively, regulators should be equipped with a best-practice regulatory toolkit that provides compliance and enforcement powers to enable them to take a risk-based, effective, graduated and proportionate approach to compliance and enforcement. Some health regulation schemes have not kept pace with modern best-practice regulatory design and do not include common mid-range compliance and enforcement powers, limiting the ability of the regulator to take graduated, risk-based and proportionate regulatory action to prevent harm. This is why this Bill modernises compliance and enforcement powers across a number of health regulation schemes.

The Bill improves the compliance and enforcement powers in the Assisted Reproductive Treatment Act, the *Drugs, Poisons and Controlled Substances Act 1981*, the *Health Services Act 1988*, the *Non-Emergency Patient Transport and First Aid Services Act 2003*, the *Public Health and Wellbeing Act 2008*, the *Radiation Act 2005* and the *Safe Drinking Water Act 2003*.

The Bill ensures that these Acts include powers for the regulator to issue improvement or prohibition notices, to issue an information or document production notice, to issue infringement notices for prescribed offences, and to accept an enforceable undertaking. The amendments in the Bill and the addition of these powers will enable the Health Regulator to choose the right tool at the right time to respond to non-compliance proactively as well as reactively, and to prevent or minimise the risk of harm to health or safety.

Regulation of assisted reproductive treatment

The Bill will amend the Assisted Reproductive Treatment Act to transfer regulatory functions under the Act from VARTA to the Secretary, Department of Health and make other reforms to improve regulation of the sector.

Victoria has long been a leader in the provision and regulation of assisted reproductive treatment. The first Australian IVF baby was born in Victoria in 1980, and Victoria was the first jurisdiction in the country to provide legislative safeguards for individuals undertaking assisted reproductive treatment through the *Infertility (Medical Procedures) Act 1984*. Victoria was also the first Australian jurisdiction to recognise the needs of people conceived through donor treatment procedures to have access to information about their genetic heritage.

Although assisted reproductive treatment has become an increasingly common way for Victorians to start or grow their families, specific regulation of this sector – including donor conception treatment – remains important to provide safeguards for the children who may be born as a result of treatment, donors, surrogates, and those undertaking treatment. It is critical that we have a modern, fit-for-purpose regulator with the expertise and tools they need to protect and support Victorians.

VARTA currently regulates assisted reproductive treatment in Victoria. To improve the regulation of the sector, including to address certain recommendations in the *Final Report of the Review of Assisted Reproductive Treatment* undertaken by Michael Gorton AM (the Gorton review), the amendments will make changes to the functions currently performed by VARTA under the Assisted Reproductive Treatment Act. The regulation of assisted reproductive treatment will be transferred to the Secretary, Department of Health. The reforms will also introduce new compliance and enforcement powers to the legislation and new offences, to align with other health regulatory schemes and address issues specific to the sector.

The management of the donor conception registers will be transferred to a new Donor Conception Registrar, which will be located within the Department of Health, administratively separate from the regulatory functions. Counselling before information being accessed from the registers or a contact preference being lodged will transition from mandatory to voluntary, respecting the rights of individuals to make an informed choice about their needs. Counselling will remain mandatory before consenting to treatment or consenting to be a donor. The Assisted Reproductive Treatment Act will continue to require that people are provided with the information they are entitled to from the donor conception registers in a supportive way and that they have access to resources to help them make informed decisions. As part of this, the amendments in the Bill introduce requirements for the Donor Conception Registrar to provide information to people who are making applications to the registers, or whose information might be released from the registers, to assist them to navigate the issues that might arise.

We know that while donor conception is an increasingly common method of family formation, it can present unique challenges and complexities for those involved. That is why the proposed reforms include plans to deliver funding for an appropriate organisation, with suitably qualified and experienced counsellors, to deliver quality, culturally safe counselling, for those involved in accessing the registers and who wish to access counselling.

VARTA's public education, research promotion and community consultation functions will be removed from the Assisted Reproductive Treatment Act. The Victorian Government recognises that resources developed and published by VARTA over many years are highly valued, and is committed to continuing to make those available through non-legislated arrangements.

The Victorian Government is committed to upholding the guiding principles in the Assisted Reproductive Treatment Act, including that the welfare and interests of persons born or to be born as a result of treatment procedures are paramount. These amendments are intended to allow the protections in the legislation to operate most effectively as safeguards for Victorians – including persons born as a result of treatment procedures, those seeking and receiving ART treatment, and others involved in donor conception.

The amendments are also intended to reflect changes since VARTA was established, that include significant clinical and social advances in relation to fertility treatment. The specialised aspects of assisted reproductive treatment as a health service will continue to be recognised. It is also acknowledged that assisted reproductive treatment raises issues that are not common to other health services – for those accessing treatment, for people conceived through donor treatment procedures, and for donors and surrogates – and that these issues may require specific legal protections. However, the changes recognise that the most effective avenue of support for those who are involved or impacted may not require legislated functions delivered by a regulatory agency.

In line with a recommendation of the Gorton Review, the amendments will reduce unnecessary regulatory barriers for movement of donor gametes or embryos formed from them into or out of Victoria while maintaining effective safeguards and existing requirements, including those relating to counselling, consent

and provision of information for the registers. The requirement to have pre-approval from the regulator before moving donor eggs or sperm (or embryos formed from them) into or out of Victoria, will be replaced with a requirement to certify specific criteria have been met, providing additional clarity and reducing delays.

A Donor Conception Advisory Group, made up of experts and lived experience advocates will be established to assist with the implementation of the reforms and provide ongoing advice and expertise in relation to donor conception.

Other amendments

The Bill makes minor or miscellaneous amendments to a number of Acts. The Bill amends the Drugs, Poisons and Controlled Substances Act to enable the Minister to amend the Victorian Poisons Code to remove, substitute or incorporate amended provisions from the Poisons Standard relating to the supply or possession of certain scheduled medicines.

The Bill will rectify an error in the general immunity provision in the *Public Health and Wellbeing Act 2008* to make it consistent with the Government policy and guidelines: indemnities and immunities.

The Bill removes the definition of *Epworth Hospital* from the *Epworth Foundation Act 1980* as the definition is not relevant to any substantive provisions in the Act and may unnecessarily create confusion about the current corporate structure of Epworth Healthcare and the Epworth Foundation.

The Bill will amend the definition of water supplier in the Safe Drinking Water Act by substituting “Alpine Resorts Victoria” for “Alpine Resort Management Board” to reflect updates to the *Alpine Resorts (Management) Act 1997*.

The Bill will make some other minor amendments to reflect machinery of government changes and make statute law amendments.

Conclusion

This Bill will enable the Health Regulator to more effectively minimise risks to the health and safety of Victorians. The amendments to the Assisted Reproductive Treatment Act will improve the regulation of assisted reproductive treatment to better protect Victorians, simplify access to information from the donor conception registers, and reduce unnecessary barriers related to accessing donor gametes.

I commend the Bill to the house.

James NEWBURY (Brighton) (10:55): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 28 August.

State Civil Liability (Police Informants) Bill 2024

Statement of compatibility

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (10:56): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the State Civil Liability (Police Informants) Bill 2024:

Opening paragraphs

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the State Civil Liability (Police Informants) Bill 2024.

In my opinion, the State Civil Liability (Police Informants) Bill 2024, as introduced to the Legislative Assembly, may be partially incompatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Overview

Following the High Court’s decision in *AB v CD; EF v CD* [2018] HCA 58, the Victorian Government established the Royal Commission into the Management of Police Informants (Royal Commission) in December 2018 to inquire into Victoria Police’s use of Ms Nicola Gobbo, a former criminal barrister, as a human source.

The Royal Commission's final report was published on 30 November 2020 and made 111 recommendations. The report identifies that 1,011 persons may have been affected by the conduct of Ms Gobbo as a human source, with 124 people potentially affected in a more direct way.

Since the Royal Commission delivered its findings, a number of individuals whose criminal convictions were affected by Victoria Police's use of Ms Gobbo as a human source have commenced civil proceedings against the State of Victoria seeking compensation following successful appeals to overturn their criminal convictions.

The costs incurred by the State to deliver the Royal Commission, and implement its recommendations, have been significant, with over \$200 million spent to date. The State also continues to commit considerable resources toward ongoing legal matters arising from the Royal Commission.

In the context of this significant financial expenditure and public concern about ongoing public costs, the objectives of the Bill are to:

- limit the extent to which the State is required to devote further human and financial resources to responding to the matters that were the subject of the Royal Commission, and
- promote finality in relation to those matters.

Clause 5 of the Bill will extinguish all causes of action a person may have otherwise pursued against the State, relating to the provision of information or other assistance by Ms Gobbo or Mr Joseph Acquaro, a solicitor, to Victoria Police.

Specifically, clause 5 provides that any cause of action against the State (which will include current and former members of Victoria Police and the Office of Public Prosecutions) relating to the provision of information or other assistance to Victoria Police by Ms Gobbo or Mr Acquaro is extinguished.

This provision will apply to all legal claims seeking damages or other monetary compensation, whether in tort, in contract, in equity, under statute or common law or otherwise.

The effect of clause 5 is to extinguish legal claims which are currently before the court but have not yet been determined, and future court proceedings that have not yet been initiated. However, the provision will not affect claims that have already been finally determined by a court.

Importantly, the Bill does not apply to any criminal proceedings nor to any person's right to appeal a criminal conviction or sentence. Nothing in the Bill affects a person's right to appeal a criminal conviction on a basis related to Victoria Police's use of Ms Gobbo, or Mr Acquaro as a human source.

Human Rights Issues

The following rights are relevant to the Bill:

- right to a fair hearing (section 24)
- right not to be tried or punished more than once (section 26)
- protection from cruel, inhuman or degrading treatment (section 10(b)), and
- right not to be deprived of property (section 20).

Human rights protected by the Charter that are relevant but not engaged by this Bill

The right to a fair hearing (section 24)

Section 24(1) of the Charter provides that a party to a civil proceeding has the right to have that proceeding decided by a 'competent, independent and impartial court or tribunal after a fair and public hearing'.

It is well recognised that judicial determination of a person's civil rights and liabilities is a crucial element of the fair hearing right. This right will be engaged where a person is prevented from having their civil rights or liabilities in a proceeding considered by a court. However, this right does not prevent the State from amending the substantive law to alter the *content* of those civil rights.

The Bill extinguishes legal claims for damages and other monetary compensation in specified circumstances. It affects the *substance* of relevant civil claims by extinguishing the underlying cause of action, meaning there remains no civil right over which a court may exercise jurisdiction.

As such, I consider that the Bill does not engage or limit the right to a fair hearing in section 24 of the Charter.

The right not to be tried or punished more than once (section 26)

Section 26 of the Charter provides that a person must not be tried or punished more than once for an offence in respect of which that person has already been finally convicted or acquitted in accordance with the law.

This right enshrines the fundamental common law principle of 'double jeopardy' and promotes fairness to persons acquitted or convicted of an offence by ensuring they are not subjected to multiple prosecutions.

Section 26 of the Charter therefore guarantees a person finality and certainty in the criminal justice system, by protecting them from being the subject of further prosecutions.

I do not consider that the Bill engages the right not to be tried or punished more than once.

This Bill does not operate to punish a person. While the Bill's operation will necessarily result in a detriment to affected persons, not all detriment, hardship or distress which may be inflicted on a person by operation of legislation will constitute punishment. Here, the criteria by reference to which the detriment is imposed is not the fact that a person has been finally convicted or acquitted of an offence. Instead, the operation of the Bill will be triggered where a person's cause of action has accrued in connection with the provision of information or assistance by Ms Gobbo or Mr Acquaro to Victoria Police.

Further, the nature of the detriment is not one ordinarily associated with criminal sanction or punishment, as there is no imposition of any personal liability on a person of any sort. The Bill does not impose a penalty or sanction for breach of provisions which prescribe a rule of conduct and is instead concerned with the extinguishment of civil rights and liabilities. In this sense, it more closely resembles laws with respect to the acquisition of property (considered under the property right below) rather than traditional notions of criminal punishment. The High Court in *Palmer v Western Australia* (2021) 274 CLR 286 found that laws abrogating causes of action were not concerned either with criminal guilt or punishment.

That this Bill is not punitive is reinforced by reference to the purpose of the Bill which is to limit the extent to which the State is required to devote further resources to responding to the matters that were subject to the Royal Commission, and to promote finality in relation to those matters, rather than being enacted to punish individuals.

Finally, for this right to be engaged, the Bill must punish a person for an offence for which they have been finally acquitted or convicted. In contrast, where a person has had their conviction for an offence set aside on the basis of Victoria Police's use of Ms Gobbo or Mr Acquaro as a human source they will not have been 'finally convicted or acquitted' for the relevant offence. In those circumstances, the principle of double jeopardy could not be engaged in any event.

Human rights protected by the Charter that are engaged but not limited by the Bill

Protection from cruel, inhuman or degrading treatment (section 10(b))

Section 10(b) of the Charter provides that a person must not be 'treated or punished in a cruel, inhuman or degrading way'.

The law recognises that the protection from cruel, inhuman or degrading treatment or punishment is not confined to physical pain, but also protects against acts that cause mental suffering. This extends to treatment or punishment that humiliates or debases a person, or is capable of breaking moral or physical resistance. The pain and suffering caused by such treatment must, however, meet a minimum threshold of severity before this right will be engaged.

While there has been limited judicial consideration of section 10(b), this right has predominantly been found to apply in situations where severe suffering has been deliberately inflicted, or where a victim has been intentionally harmed, humiliated or debased. The majority of cases have focused on conditions of custody and/or physical harm inflicted on a person. There is no comparative case law that suggests that amending the content of civil rights in this manner engages this right.

I acknowledge that it may be argued that the Bill engages this right by causing distress to a person who has had a civil cause of action extinguished where they have suffered a loss relating to the provision of information or other assistance to Victoria Police by Ms Gobbo or Mr Acquaro (in the context of a wrongful conviction or imprisonment).

However, even if this right is engaged, I do not consider that the minimum threshold of severity is met in order to constitute a limitation on the section 10(b) right. This is because while the Bill may raise concerns of unfairness, it is not directed at intentionally causing any acute or intense harm to an individual. Further, while the Bill extinguishes civil causes of action in certain circumstances, the underlying ability for individuals to challenge their criminal convictions remains unaffected. This suggests it does not attract the necessary qualities of severe suffering or constituting affront to human dignity required to meet this minimum threshold.

Human rights protected by the Charter that may be limited by the Bill

The right not to be deprived of property other than in accordance with law (section 20)

Section 20 of the Charter provides that a person must not be deprived of their property, other than in accordance with law.

In considering whether this right has been limited, a court will consider whether (a) the relevant law 'deprives' a person of 'property', and (b) that deprivation is not 'in accordance with law'.

There is no Victorian authority considering whether an accrued cause of action against the State constitutes 'property' for the purposes of the Charter. Whilst this term is not defined in the Charter, the Supreme Court of Victoria indicated in *PJB v Melbourne Health* (2011) 39 VR 373 that it should be 'interpreted liberally and beneficially to encompass economic interests'. Accordingly, it is likely that a court would find that an accrued right to bring a claim against the State would constitute 'property' under the Charter.

Further, it may be argued that the Bill 'deprives' a person of this property by preventing that person from obtaining damages or monetary compensation that they may have otherwise been able to obtain against the State.

While such deprivation of property is likely to be considered 'in accordance with law' insofar as the Bill is 'publicly accessible, clear and certain', existing case law (*PJB v Melbourne Health*) also requires that it be shown that the Bill does not operate arbitrarily. The Court of Appeal, in *WMB v Chief Commissioner of Police* (2012) 43 VR 446 in the context of discussing the meaning of 'arbitrary' in section 13(a) of the Charter, has stated that a law is arbitrary where it is capricious, unjust, unpredictable or unreasonable in the sense of not being proportionate to a legitimate purpose.

Extinguishing a cause of action that has already accrued, and depriving people of compensation to which they may otherwise be entitled against the State, could be considered to be 'capricious' or 'unjust'. Further, removing a specific cohort's ability to seek compensation after having been imprisoned for serious criminal offences, and subsequently having their convictions overturned, may also be considered 'unjust' and 'unpredictable'. Therefore, an argument might be made that the deprivation of property under the Bill is arbitrary, so that the right not to be deprived of property otherwise than in accordance with the law is limited.

The limitation on the right to property is reasonably justifiable

Section 7(2) of the Charter provides that a human right may only be subject to 'such reasonable limits as can be demonstrably justified in a free and democratic society' in light of all relevant factors including:

- the nature of the right
- the importance of the purpose of the limitation
- the nature and extent of the limitation
- the relationship between the limitation and its purpose, and
- any less restrictive means reasonably available to achieve the purpose that the limitation seeks to achieve.

I will discuss each of these factors in turn.

The right to property and a person's right to commence a claim where there is an accrued cause of action to remedy wrongs are fundamental long standing legal principles.

It is necessary to consider the importance of the purpose of the relevant limitation. As noted above, the Bill's objective is to limit the extent to which the State is required to devote further human and financial resources to responding to the matters that were subject to the Royal Commission, and to promote finality in relation to those matters. This is in light of the significant human and financial resources the State has already devoted to the Royal Commission.

The Government has incurred significant financial costs to ensure that the events that gave rise to the Royal Commission do not occur again, with \$200 million invested in establishing the Royal Commission and the delivering of its recommendations. This includes \$110 million to deliver 93 of the Commission's recommendations for legislative, policy and operational reform and capability development, and for further investigations to establish whether any criminal and disciplinary offences arose from Victoria Police's use of Nicola Gobbo as a human source.

Of this \$110 million, Government has invested \$47 million for Victoria Police to support reforms to its human source management and disclosure frameworks. Other significant investments include \$5 million for the Independent Broad-based Anti-corruption Commission to plan, implement and embed the new functions recommended by the Royal Commission, \$2.03 million to support the appointment of the Police Informants Royal Commission Implementation Monitor, and \$20 million to establish and fund the Office of the Special Investigator to investigate possible criminal or disciplinary offences arising from Victoria Police's use of Nicola Gobbo as a human source. No charges were laid following the work of the Office of the Special Investigator, which was formally decommissioned on 2 February 2024.

With this significant expenditure in mind, and in light of the pressures on the State budget in the post-COVID environment, particularly on the criminal justice system, the critical importance of the Bill's objectives cannot be understated. As noted above, the Royal Commission identified 1,011 cases impacted by Victoria Police's use of Ms Gobbo as a human source, 124 of which were more directly affected. Some of these individuals

have already commenced civil action against the State, and many other claims may follow. The cost to the State in defending these claims, and if the claim is successful, any subsequent orders for damages or other monetary compensation, is likely to be substantial. The effect of the Bill will allow these funds to instead be directed to fund services that benefit the Victorian community and ensure the efficient and effective operation of the Victorian criminal justice system.

In assessing the nature and extent of the limitation, and its relationship with the Bill's purpose, it is significant that the Bill has been designed to have limited operation. In particular, it does not broadly extinguish all causes of action against the State, but only operates to extinguish causes of actions related to the particular circumstances set out in clause 5. More specifically, it does not limit the State's liability in relation to:

- Victoria Police's use of other human sources, and
- any claims for injury sustained in prison or on remand (where there is no causal connection between the injury and use of Ms Gobbo or Mr Acquaro as a human source).

Further, the Bill does not exclude any claims against Ms Gobbo or Mr Acquaro themselves.

In addition to the Bill being intentionally limited in its scope, the Government has carefully considered all other potential options. For example, Government considered whether the objective of the Bill could be achieved by placing a statutory limit on the amount of damages recoverable or providing a discretion to reduce the amount of damages in accordance with statutory criteria. These options are ultimately inconsistent with the Bill's objectives, given that they do not give rise to a sufficient level of finality and certainty of human and financial resources to be devoted. Accordingly, I do not consider that there is any less restrictive means of achieving the Bill's critical purposes.

I therefore consider that any limitation on the right to property can be justified pursuant to the factors in section 7(2) of the Charter and conclude the Bill is compatible with the rights set out in the Charter.

Override declaration

However, despite the conclusion I have reached above, it may be open to argue that the Bill limits the property rights of persons with an accrued cause of action and that limitation is not justifiable under section 7(2). Accordingly, a court may find that the Bill is incompatible with human rights. In this exceptional case, the Bill contains an override declaration expressly providing that the Charter does not apply. It has the further effect that the override provisions do not need to be re-enacted every five years. Consequently, the Charter will have no application to the Bill in perpetuity. This is to ensure that the Bill operates according to its terms and that its purpose of achieving finality in relation to causes of action related to the Royal Commission and protect Victorian taxpayers and the State from further Royal Commission related expenditure is met. I also propose to make a statement further explaining the exceptional circumstances which justify the inclusion of the override declaration.

Hon Anthony Carbines MP
Minister for Police
Minister for Crime Prevention
Minister for Racing

Second reading

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (10:57): I move:

That this bill be now read a second time.

In *AB v. CD; EF v. CD* [2018] HCA 58, the High Court upheld the Victorian Court of Appeal's decision permitting the Director of Public Prosecutions to disclose to potentially affected persons that Victoria Police had used former criminal barrister Ms Nicola Gobbo as a human source.

Following the publication of the High Court's decision, the Victorian government established the Royal Commission into the Management of Police Informants (royal commission) to inquire into Victoria Police's use of human sources.

The royal commission's final report was handed down on 30 November 2020 and made 111 recommendations. The final report identifies that 1011 persons may have been affected by the conduct of Ms Gobbo as a human source, with 124 people potentially affected in a more direct way.

The state has devoted substantial human and financial resources, exceeding \$200 million, to establish the royal commission and deliver its recommendations. Of the 111 recommendations made, 93 have been delivered, including 49 of the 55 recommendations directed towards the Victorian government. In delivering these recommendations, significant funds have been devoted to reforming Victoria Police's human source management and disclosure frameworks, establishing new oversight functions for the Independent Broad-based Anti-corruption Commission and appointing an independent implementation monitor to oversee the implementation of the royal commission's recommendations. Whilst this expenditure has been significant, it has been critical to restore the confidence of the Victorian community in our criminal justice system.

However, royal commission related expenditure should not burden our community more than necessary and government has a responsibility to ensure taxpayer money is channelled towards critical services for the Victorian community.

Considerable financial and human resources continue to be committed by the state toward legal matters relating to the royal commission. Since the royal commission delivered its findings, a number of individuals who were impacted by Ms Gobbo's provision of information or other assistance to Victoria Police have commenced civil proceedings against the state of Victoria, seeking compensation following successful appeals to overturn their criminal convictions.

Section 31 of the Charter of Human Rights and Responsibilities Act 2006

Anthony CARBINES: I now make a statement under section 31 of the Charter of Human Rights and Responsibilities Act 2006.

Override declaration in accordance with section 31 of the Charter of Human Rights and Responsibilities Act 2006

The bill limits the extent to which the state is required to devote further human and financial resources to responding to the matters that were the subject of the Royal Commission into the Management of Police Informants (royal commission) and promotes finality in relation to those matters. The bill therefore protects Victorian taxpayers against further royal commission related spending.

The way in which the bill limits the financial liability of the state is by extinguishing causes of action that relate to the provision of information or other assistance to Victoria Police by specified human sources, expressly named as Ms Gobbo or Mr Joseph Acquaro. Mr Acquaro, a solicitor now deceased, is also captured within the scope of the bill as the matter of *Madafferi v. The Queen* [2021] VSCA 1 revealed he too provided information to Victoria Police pertaining to a former client.

The government considers that any limitation on the right to property can be justified pursuant to the factors in section 7(2) of the charter and therefore considers that the bill is compatible with the rights set out in the charter.

However, despite the conclusion above, the government accepts that it may be open to argue that the bill limits the property rights of persons with an accrued cause of action and that limitation is not justifiable under section 7(2) of the charter. Accordingly, a court may find that the bill is incompatible with human rights.

In this exceptional case, the bill therefore includes a provision which makes clear that the charter does not apply to the bill and that this override provision does not need to be re-enacted every five years. Consequently, the charter will have no application to this section in perpetuity.

The charter only permits Parliament to override the application of the charter in exceptional circumstances.

The exceptional circumstance warranting a charter override is the need to promote finality in relation to causes of action related to the royal commission and protect Victorian taxpayers and the state from further royal commission related expenditure.

In the wake of significant financial expenditure of over \$200 million to deliver the royal commission and implement its recommendations, it is imperative that there is a mechanism to limit the devotion of further resources and bring finality to matters relating to the royal commission so that funds can be directed to support the Victorian community.

I commend the bill to the house.

James NEWBURY (Brighton) (11:03): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (11:03): I move:

That debate be adjourned until later this day.

James NEWBURY (Brighton) (11:03): I am absolutely outraged that the government would be seeking to ram through a cover-up on this bill – a bill for which we have just seen the minister read a script, and there are mistakes in the script. Can you believe it? I do not in any way reflect on the member. He was only reading what was provided to him, but there are mistakes in the script, which just shows that this is an embarrassing rush job of a bill. What this bill is is a cover-up. The minister spoke earlier about the royal commission and the implementation of its findings. The royal commission recommended that action be taken, and the DPP chose not to take action. When the minister speaks to implementation of the outcomes of this issue, actions were not taken. So what this government is now doing is seeking to – through a cover-up today – immediately rush a bill through this place to whitewash the civil element of this very dark matter for this state. It is an outrageous cover-up and a speech full of mistakes. Are there mistakes all throughout the bill? Who would know.

Yesterday a rushed briefing was provided to a number of members of the Parliament in relation to the bill, and effectively what the government said to members at the briefing was there should be an expectation of a constitutional challenge. The government expects a constitutional challenge. That is how much of a rushed job this bill is. We know the government's track record when it comes to the constitutionality of their legislation. You only need to look at the EV tax, which was struck down by the High Court. But the government at their own briefing yesterday admitted that a constitutional challenge was almost inevitable. How deeply concerning it is for that to be admitted during the briefing.

And it was not the only thing that was admitted. It was also admitted by the government that this bill is unprecedented. It is unprecedented for a bill of this nature to expunge the rights of people immediately. It is unprecedented. It is outrageous and unprecedented for the government to do it – and to do it in a way that they cannot even write their speeches without making mistakes. That just shows you what a rushed job this is.

Anthony Carbines: On a point of order, Deputy Speaker, I do note under the standing orders that when any member produces and speaks to a second-reading speech they can ad lib in their second-reading speech. Just because it has been presented to the members opposite does not mean that is exactly what has been said. I point out that the member for Brighton is wrong.

The DEPUTY SPEAKER: That is not a point of order.

James NEWBURY: I understand why the minister is trying to cover up for the Attorney-General, who has provided him with a dud speech. I can absolutely understand why he is doing that. But for the house's benefit I am more than happy to provide the speech to anyone that missed it. I have circled the mistakes in the speech. That is how much of a rushed job this bill is.

What this bill is is a cover-up. To think that they want to push this through by 4 o'clock today shows to me that there will be 1 hour of debate on this bill. We know that the government will spend some

3 hours, or 2 to 3 hours I would expect, on the Prahran Mechanics' Institute Repeal Bill 2024. Though I know the Leader of the Nationals is going to speak valiantly on it, perhaps it is not necessarily the biggest bill in the world and the most important thing for this house to be doing. But this bill I suspect the government will not bring on until after question time to allow 1 hour of debate. How shameful to rush this through. It is on the guillotine for 4 o'clock. I expect almost no debate – and why? Because the government is embarrassed. What they are trying to do is hide the evidence that will be produced in trial. That is what the government is trying to do – to hide the evidence. This is not about money; this is only about one thing: hiding the evidence that will be produced in trial. That is shameful, and the government should be condemned.

Nina TAYLOR (Albert Park) (11:08): I will say that the government has been very forthright about the government business program this week. There has been no lack of clarity whatsoever. We have been very clear in the way we are transacting this business program, with good reason. It may be that a member of the opposition does not like a particular speech. I do not necessarily like a number of the speeches they deliver either, but I am not going to sit here for hours pontificating about it, because that would be wasting the Parliament's time. I am sure people in the community are not particularly concerned whether I like a particular speech or I dislike another particular speech. It is more about getting on with the work that we are here to do. As we have been very forthright in articulating the central tenets of the government business program – no-one is resiling from that premise – and we have been very up-front about the good work that we are here to do, I think that is exactly what the Parliament should continue to do rather than reflecting on 'I like this speech, I don't like that speech'. I mean, I respect that. As I said, I have heard many a speech on the other side that I did not particularly like either, and I do not know that they are necessarily all well articulated; some are better than others. I am not so certain that the community necessarily cares what I think about each and every speech that is articulated in this chamber. What I do think they care about is making sure that we do our work, we do it efficiently and we do the work that we set out to do.

We have put forward the plan and we have transacted it thoroughly so there are no illusions about how this week is intended to transpire, and I suggest that as bills come before the chamber the opposition duly come forward and express particular sentiments on the bills that are put before the house, as is fit and proper for us all to do as part of a democratic process. I think on that account that really is the core tenet of this particular motion here, which is really a procedural motion and not about reflecting on particular persuasions or concerns about how a speech is delivered in the house.

Peter WALSH (Murray Plains) (11:11): What the government is doing with this bill and rushing it through indecently is breaking the etiquette of a number of things in this house and bringing down the integrity of the fundamental justice system of Victoria. To have a bill like this come to the house, which takes away people's rights, is just fundamentally wrong. Everyone should be equal before the law. The government should not legislate away someone's rights to get just compensation when they have been wronged by the government. As the member for Brighton said, it is irrespective of the reputation of any person here in Victoria. Everyone is equal before the law, and everyone has a presumption of innocence before they are convicted.

That presumption of innocence was corrupted by the Lawyer X scandal, and that is what this is all about. It is about the continuation of what was a very dark time in the history of the justice system here in Victoria, and it continues that injustice all the way through. There is a saying that the end justifies the means, and that is what the police did at the time with Lawyer X: the end justified the means – 'We will corrupt the system to get a result.' That is just not part of the Westminster system and the justice system here in Victoria. It broke down literally centuries of precedent as to how lawyers should behave and how the police should behave in that time. The end justifying the means is when any wrong or unfair method is used for the overall good of a particular issue, even if it involves unethical or immoral behaviour. I think the behaviour of our justice system under the Lawyer X scandal was unethical and immoral, and I actually put it to the house that the government bringing forward this bill

is also unethical and immoral, and the fact that they are trying to force it through in one day is also immoral and unethical.

Everyone has a right, and that is being taken away – and it is being taken away retrospectively, which is another fail. One of the things that should be used absolutely sparingly in any legislation in Victoria is actually having retrospectivity in it. It is totally different going forward and changing the rules, but to change the rules on things that have happened in the past is something that should not be done lightly in this house. I put it to the minister who introduced this bill that to do it within effectively 4 or 5 hours before we go to the guillotine, when this bill will be passed and sent to the other place, is unethical, is immoral and is wrong.

I think it is a shame on the minister and the government that they would actually bring the reputation of this house, bring the reputation of the parliamentary system and bring the reputation of the justice system here in Victoria to a new low by taking away people's rights to just compensation. With Lawyer X, or informer 3838, it is understood that over 1000 convictions were corrupted by that particular system. The government talk about saving taxpayers money. Hello there – what about the \$40 billion in cost overruns on projects, compared to the supposed \$45 million with this particular issue?

The last thing I want to talk about is our Victorian forest industry. Our Victorian forest industry was destroyed by court cases, by vexatious litigants out of the green movement, and the government did not lift one single finger to help that particular industry by changing legislation to actually give them the right of defence in the courts. So the government is happy to destroy our timber industry. The government was happy to destroy the jobs in our regional communities of that particular industry, because they would not come forward with legislative change. They were told – they had legal advice – that they could not do it, that it was not fair to limit someone's rights to actually go to court to bring a case against VicForests and how they harvest timber here in Victoria. But now we are going to have legislation introduced and passed by 4 o'clock, because the government has the numbers. It will be passed by 4 o'clock and sent to the other place to take away people's rights to actually sue for an unjust decision – sue for the fact that someone spent 12 years in jail because of a corrupted legal system, with the, if not tacit approval, direct approval of the government for the actions of Victoria Police and the DPP in doing what they did. I actually oppose this bill coming forward immediately. It should lay over for two weeks.

Nick STAIKOS (Bentleigh) (11:16): I do respectfully disagree with the Leader of the Nationals. I do not think that this is wrong. I think this really is about the smooth and efficient running of the house. We do have other business to get to as well. We have got to balance this bill with some other bills that we have to debate, and I understand that the Leader of the Nationals will be leading the opposition on a bill shortly. I think it needs to be pointed out – and I think the member for Albert Park pointed this out – that we debated the government business program yesterday and it was passed. The government business program made it clear exactly how the house would be run today and that this bill would be dealt with today.

Where I do agree with the Leader of the Nationals is where he points out that the government has the numbers in this house. Indeed the government does have the numbers in this house. But it will go to the upper house, where the government does not have the numbers, and the upper house will do what the upper house does. I do not think that there is anything unusual about this. I think that this is just simply about the smooth and efficient running of the house. It is not a surprise. At the start of every parliamentary sitting week we get together and we debate the government business program, which outlines how the house will be run and the agenda of the house for the week. We did that yesterday, and here we are today going through government business. I support the motion.

Tim READ (Brunswick) (11:19): The Greens oppose this motion to include this bill on the government business program. It relates to a number of cases that have been underway for some time, and the government has had plenty of warning that this was coming up. The reason for this rush would

appear to be because these cases are coming close to the commencement of mediation or trials. Given the amount of warning the government has had and given the fact that this bill was not drafted on Sunday, then in the circumstances that the government has found itself, it could at the very least have given us a warning that this was coming. They could have notified us, even before the bill was finalised, so that we would have had time to consult and time to consider our position, because we need to think long and hard for a bill like this which removes an important legal right.

Whatever you think of the difficult situation the government has found itself in – and I have some sympathy for the government here – the removal of such a fundamental legal right requires proper consideration which we cannot give in just over a day before deciding whether to vote for or against a bill in this house, let alone both houses. We should have had an opportunity to consult with experts and to consult with people whose opinions we value, and right now I am struggling to find an argument strong enough to justify removing an important legal right. With more time I think our party potentially could have heard from more people and could have had a proper conversation with the government. I appreciate were given a briefing yesterday, but a short multiparty briefing in which a lot of the questions could not be answered is just not the same as having a detailed and grown-up conversation. And that is before we get to the situation we face today, which is that debate on this really important bill, as I understand it, is going to be compressed into an hour. If we have just got an hour to hear from everybody on what they think about removing people's right to litigate, that is frankly not sufficient; on no planet would that be considered sufficient.

I think that then the plan is to rush this across to the other place, to the Legislative Council, where they have been discussing, as it happens, or are about to discuss, the Youth Justice Bill 2024. It is interesting that we have got two justice bills this week, one in the other place, obviously, and this one. The Premier has been very strong on consequences for children this week, but this bill seems to be saying that there should be no consequences for adult members of the Victorian police force. If anyone has had enough time to grow up and clean up their mess, surely it is the middle-aged senior police who created this mess and not some 12-year-old from a disadvantaged background who is potentially facing imprisonment. So I compare and contrast the two issues that we are confronting this week and this issue of police accountability, and I argue that this house needs far more time to consider this bill than the few hours we have been given to think about it and the measly 1 hour that some of us will get to debate it.

Assembly divided on motion:

Ayes (52): Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Darren Cheeseman, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Matt Fregon, Ella George, Luba Grigorovitch, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

Noes (30): Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Gabrielle de Vietri, Wayne Farnham, Sam Groth, Matthew Guy, Sam Hibbins, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Tim Read, Richard Riordan, Brad Rowswell, Ellen Sandell, David Southwick, Bridget Vallenge, Peter Walsh, Kim Wells, Jess Wilson

Motion agreed to.

Debate adjourned until later this day.

Prahran Mechanics' Institute Repeal Bill 2024*Declared private*

The SPEAKER (11:30): I have examined the Prahran Mechanics' Institute Repeal Bill 2024, and in my opinion it is a private bill.

Natalie SULEYMAN (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (11:30): I move:

That this bill be treated as a public bill and that fees be dispensed with.

Motion agreed to.*Second reading***Debate resumed on motion of Melissa Horne:**

That this bill be now read a second time.

Peter WALSH (Murray Plains) (11:30): I rise to make the lead contribution on the Prahran Mechanics' Institute Repeal Bill 2024. In putting together my notes I relied heavily on a discussion I had with the member for Rowville, who was actually present in 1889 when this bill was passed, and I am told that as a newly elected MP he got to speak second on the bill when Sir Frederick Thomas Sargood introduced this legislation in 1889! He was a good man, and I will come back to his contribution to the history of the Prahran Mechanics' Institute (PMI), because he was not only involved in the inception of the institute but then 30 or 40 years later actually introduced the legislation that we are talking about today.

This piece of legislation for the Prahran Mechanics' Institute is actually the oldest bill on the statute book currently before the Parliament, so it is an important part of history that we are discussing today. I think the issue of mechanics institutes in general and mechanics institutes in Victoria is also an important part of our history. The mechanics institutes initially started in Scotland and then the UK and then spread throughout the Commonwealth over that time, but they were community-run organisations consisting mostly of local volunteers that provided and maintained a venue and facilities to run community classes and events. They were effectively the forerunner of what is adult education now, the precursors to the adult education libraries in Victoria.

The word 'mechanic' at that time actually meant artisan or working class, and the mechanics institutes were begun in the 1880s by Dr George Birkbeck of Anderson's Institution of Scotland, who gave a series of lectures on local mechanics. With the industrial revolution and the move to mechanisation and to large factories, there were mechanics that were actually needed to maintain that machinery, install that machinery and make sure it ran properly. This was about making sure that there was education for those mechanics, as they were called at that time, who were engineers in all forms of disciplines who made sure the industrial revolution machinery actually worked at that particular time. It started, as I said, with George Birkbeck actually giving lectures to them at those particular mechanics institutes, and they were free. They actually started to make sure they were very well educated, and quite often they were sponsored by the industrialists of that time to make sure that the people that worked for them were well educated. After the first one in Scotland the next one was the London Mechanics' Institute in 1823, and then they spread throughout the British Empire at that time.

The first mechanics institute here in Melbourne was actually the Athenaeum, the Melbourne Athenaeum, which was started in 1873 and still continues to operate a library, a theatre and shops in its building at 188 Collins Street here in Melbourne. Over that time from the 1850s through the turn of the century there were nearly a thousand mechanics institutes built here in Victoria, and there are still 562 buildings that remain. They are not being operated as mechanics institutes now. But in a lot of country towns you will see a mechanics institute in that particular town, and a lot of people will say, 'Well, what was that?' Well, what it was was the adult learning centre of that particular time, it was

the library of that particular time and it was the place where the community met and had lectures about all things important to those people. Back in 1998 a group of those mechanics institutes that were still surviving got together and put together the history of all the mechanics institutes, and it was hosted by the Kilmore Mechanics Institute in the member for Euroa's seat there to make sure that the history was captured of that time.

Particularly as we are talking about the Prahran Mechanics' Institute, I had tried to find time in my diary to go out and visit, which I will, because it is a very important part of the history of that particular area. It was actually first started in 1854 out there. It was established after a meeting with Reverend William Moss, and it was:

... for the Mental and Moral Improvement and Rational Recreation of its Members, by means of Lectures, Discussions, Library, Reading Rooms, Classes, Museum, Philosophical Apparatus ...

So it was there for the wellbeing and the learning of the working person, as they were described at that particular time. George William Rusden, Frederick James Sargood, who I will talk about later and was the MP that actually introduced this legislation we talked about, and Dr James Stokes were appointed as the trustees, and Governor Hotham, the Governor of Victoria at the time, and his wife accepted the patronage of the Prahran Mechanics' Institute. The school inspector Arthur Orlebar gave the inaugural lecture.

It was established in the schoolroom of Prahran's first church, then a large room in Chapel Street made available by the shopkeeper next door John Stabb. Local publican James Mason donated a portion of land adjacent to his hotel, the Royal George, on the north corner of Greville and Chapel streets, 'provided there would be a respectable building put on it'. The PMI also purchased an additional strip of land adjoining the PMI to the north, from a Mr Dunit, to extend the property. The council of the new municipality of Prahran would hold its meetings at the PMI from 1856 until 1861. Three years later Governor Barkly opened the new building.

What I think is interesting to put on the record here is if you were to do that today – go from inception to buying the land to putting a building there and to getting, effectively, a library and a community building going in three years – it would be unprecedented by today's standards if you were actually trying to do a development anywhere in Victoria at the moment. By the time you had gone through the planning process, gone through the cultural heritage process and gone through all the green tape, the red tape and the black tape to actually get it built, there is no way known you could do something –

Emma Kealy interjected.

Peter WALSH: And how much would you have to pay the CFMEU, yes, for a project here in Melbourne? But it is probably not on the scale that they mostly have in their particular purview. It is a bit like the building of this house we are actually standing in: to have this chamber and the chamber on the other side built in 11 months is something that no-one could even comprehend in Victoria at the moment with the way the structures actually obstruct people from getting things built.

That new building was opened in 1857, and it continued as a new free library for a number of years. Over that period of time it provided learning and opportunities for people within the community, but there were challenges. The number of members declined through the 1870s till they got down to only about 10 members, and they struggled for resources and the building started to fall into disrepair. That is when Frederick Thomas Sargood actually got involved as an MP and created the Prahran Mechanics' Institute Act 1899, number 1617 of 1899, which as I said is the one that the member for Rowville actually spoke on at that particular time in 1899. For the next 96 years the mayor of Prahran would be the president of the PMI and the rest of the committee will be made up of four Prahran councillors and four elected citizens.

A little bit of history about Sir Frederick Thomas Sargood CMG KCMG: he was a member of Parliament from 1874 to 1901. He started off as the member for Central in a by-election and then was the member for South Yarra from 1882 to 1901. What is interesting, looking at his history, is that he

had a number of terms as the Minister of Defence. If we go back in Victoria's history here again, this was before 1901, with Federation. He was the Minister of Defence, he was the Minister of Defence again, he was the Minister of Public Instruction, he was the Commissioner of Water Supply and then he had another stint as the Minister of Defence. At that particular time Victoria had its own defence force. We were worried about being invaded, most likely by New South Wales, but we made sure we were actually defending ourselves against all and sundry through that particular time. He served the Prahran institute from its start right through until what he did as a member of Parliament to make sure there was an act of Parliament that protected it. The bill that we are talking about today actually expunges that act from the records and turns the Prahran institute into an incorporated association for more flexibility into the future.

Over the journey the Prahran Mechanics' Institute has been quite a few things to quite a few people. It has gone from its initial inception to becoming the Prahran Technical Art School, which was registered with the Victorian Department of Education in 1901. There was a proposal for the Prahran council to absorb the mechanics institute library into the public library, which was overwhelmingly defeated by the members of the Prahran institute in 1910. In 1915 the foundation stone of the new High Street building was laid by Alexander Peacock, and the building was opened in October of that year by Donald Mackinnon. The building was designed by the architect, Prahran councillor and PMI committee member Ernest Willis. The builder was James Simpson Green Wright. The main building faced High Street, as has been talked about, and the rear went onto St John Street in the south. It was fitted out by the Prahran Mechanics' Institute, and the administration of the Prahran Technical School was handed over to the Department of Education from this time. The building was leased to the Minister for Education for a peppercorn rental for 33 years to accommodate the school. Later I will come to the fact that it moved from education to local government, which is why the bill has the carriage of local government and why I am speaking as the Shadow Minister for Local Government. After 33 years the lease of the High Street building expired, and the PMI granted the minister a further lease of 99 years at a peppercorn rental of 1 shilling per year – not the best deal, I would have thought, for the PMI to actually grant a 99-year lease for 1 shilling per year.

In 1958 the girls section of the Prahran Technical School opened in Hornby Street and the Windsor junior school classes were moved to that particular location. In 1966 the senior section of the Prahran Technical School, affiliated with the Victorian college association, became a higher education entity known as the Prahran College of Technology, then the Prahran College of Advanced Education and later the Prahran TAFE. Victoria College was later taken over by Deakin University, which resided on the campus in the late 1980s and the 1990s. This is the history of education in the Prahran area out there. The junior technical school's boys classes were moved to the Hornby Street site in 1971. At the request of the college the PMI library moved to the front of the High Street building to the space that was previously occupied by shops so that it could provide income for the library with that particular rental. A short history of the PMI, *Pioneer and Hardy Survivor* by Laurie McCalman, was published in conjunction with the Prahran Historical and Arts Society in 1983 and captured all this history.

In 1984 the Minister for Education granted the PMI some further space in the High Street building to accommodate the Victorian history collection, because there is a lot of history stored out there not only about mechanics institutes but also about railway history here in Victoria. The one book that I do not think is there yet is the failure of the Suburban Rail Loop and what it is actually costing Victoria, but I am sure that will be well documented in time when you look at Victoria's debt and what has happened over time. Rail in Victoria has a very proud history for what it did to open up particularly regional Victoria but also to provide transport in metropolitan Melbourne. But I think when the history of Victoria is written after this government leaves, it will prove that that particular project was the financial downfall of Victoria. The debt that has been created with the Suburban Rail Loop has just been too much for the state to swallow. Deakin University moved out there in 1992, and Swinburne University has also had some interest in that particular site.

One of the things of interest as I looked through the history was that when they were starting out they were doing a fundraiser to help the Prahran Mechanics' Institute back in 1863. The member for Prahran might want to talk about these sorts of things. But they were running a fundraising ball to get money for the institute, and they sought quotes from caterers. There was one particular caterer who said that Prahran was too far from Melbourne to actually go out and cater for this particular ball. Prahran was thought of in the context of being an outlying suburb at that particular time, and it was too far from the centre of Melbourne to actually go and do that. But they actually raised £13 at the time through that particular ball – £13 in today's money would be about \$2000 – so there was always community support for that particular area.

The other thing to bear in mind as we talk about the history here is that at that particular time when the legislation was introduced Melbourne had a population of about 500,000 people, so less than a tenth of the population of Melbourne now. It is a very different world that we are living in and a very different place here in Melbourne. But to say that Prahran is too far out of town is hard to comprehend now, particularly for those that might live at Pakenham or Cranbourne and come in on the Eastern Freeway – the car park that comes in of a morning out there. I do not know whether the member for Prahran thinks he lives a long way out of town or not, but a lot of other people would think that Prahran is not all that far from the centre of Melbourne these days, even on an e-scooter.

I am under a lot of pressure to make sure I fill my half hour on this particular issue here, and the Nationals Whip has oversold this particular piece of legislation and the importance of the contribution, but as I reported in the party room earlier this week – and normally we do not talk about whatever goes on in the political party rooms – this piece of legislation is the barbecue stopper of the week; it is so important for what goes on. You are looking over the top of your glasses at me, mate, like I am silly. Do not answer it.

It is important that this debate for those that want to contribute is effectively a history of the Prahran Mechanics' Institute and is recorded in the *Hansard* of the Victorian Parliament. It was challenging because obviously *Hansard* from 1889 is not digitised to be accessed easily, but you have still got the member for Rowville's history to capture it, and as I say to –

Jade Benham: You don't have the original volume in your office?

Peter WALSH: No, I came in just after that time. As I say to the historical groups in my area, it is important to capture the history and keep it, because too often we live in the moment and do not really appreciate what went before us. If you think about the settlement of Victoria, the size of Melbourne at that particular time, the mechanisation of industry and the mechanics institute as an adult learning centre and as a lending library for what was called the working class of that particular time, who could not necessarily afford subscription libraries, it was a very important part of the development of Victoria, particularly the lectures that were given, which actually helped develop people's minds and gave them an opportunity to come together. Too often in a lot of our country towns the only place to meet now is the local pub, because it is the building that is still functional. It is always warm, there is a good meal and there is good hospitality there. But mechanics institutes were very much meeting places at that particular time, and they led to the development of Victoria.

We do support this legislation. I understand the need to contemporise the legal structure of the Prahran institute and to move away from a piece of legislation where if they want to make changes they actually have to come to this place. It is something that I think in this particular instance actually works. One of the things that I have seen in my time in the Parliament is the move from prescriptive legislation to enabling legislation. For those that do not understand the difference, prescriptive legislation is where things are set out in great detail in a bill, and if things need to change it actually has to come back to the house to do that. That is challenging for the government of the day and for the smooth working of the Parliament. There is only so much legislation that can be put through the legislative mincer. Getting the time at cabinet to make a bill in principle, go to drafting to get a bill to come to the Parliament and get a slot in Parliament to do it I understand is not easy.

But I think the fact that we have now evolved until effectively nearly everything is enabling legislation – where the legislation is passed in this place without any attention to the detail that might be behind it and the detail is then done by regulation, which is done by the Governor in Council – means that, yes, it creates a lot more flexibility so that the government of the day can change things by regulation, which means it just has to go through a regulatory impact statement, but effectively every Tuesday, and I assume it is still every Tuesday, four ministers by rotation meet with the Governor to deal with what goes in the *Government Gazette* and all the regulations that are changed. Yes, that makes it easy for government to make changes, but it does not necessarily allow the scrutiny and the interest in what changes, because unless people actually follow the *Government Gazette* they do not know what has changed quite often in this state when it comes to regulation.

I understand that this bill contemporises the way the mechanics institutes can work, and I accept that, but I think as a principle we would like to see more information actually come back before the Parliament. Yes, some of those regulatory changes are what are called disallowable instruments, but again, unless someone actually knows what is going on they do not necessarily know that they can move it as a disallowable instrument. In a number of bill briefings I have had over the last few years we have asked the officials in the bill briefing whether it is a disallowable instrument, and I am not sure that a lot of people even know what a disallowable instrument is now when they go and draft legislation. I think that is an issue that needs to be improved as well, because it is important that we as members of Parliament are here to pass legislation, discuss legislation, scrutinise legislation and scrutinise the executive government for the decisions they make, and that is an important part of our democratic process here in Victoria.

Jade Benham: Tell us about disallowable instruments.

Peter WALSH: Disallowable instruments are where there is a regulation that is done through the *Government Gazette*. Most of the ones I have dealt with have 12 sitting days to move a disallowable motion, and then they have another 12 sitting days to debate that particular motion. The one time that as a shadow minister I used it successfully was for some issues with the north–south pipeline. For those that can remember, the north–south pipeline was another one of those dark days of a Labor government, where for some reason – and former Premier John Brumby was intimately involved in this – they decided to take water from northern Victoria across the Great Dividing Range and pump it into Sugarloaf Reservoir, out of the Goulburn River, to supply water to Melbourne. There were some water entitlements that were done through the *Government Gazette* for that particular project, and we were able to successfully in the upper house at that time have those water entitlements disallowed. So it has been used in the past, and it can be used in the future.

If the Nationals Whip has any other questions she would like explained, I will –

Emma Kealy: That's not currently in the animal care and protection bill exposure draft, is it?

Peter WALSH: Is that going to be a disallowable instrument?

Emma Kealy: No, there is no disallowable instrument.

Peter WALSH: It is not? Well, I look forward, member for Lowan, to having some amendments brought forward to that particular legislation when it comes before the house to make sure that those regulations are disallowable instruments.

It is important that we talk about mechanics institutes and the workings of the Parliament. The other important part of the working of the Parliament – for those of us that go and talk to schools about being a parliamentarian, about what we do in this place, the other very important principle of the Victorian Parliament – is the separation of powers, where the Parliament, the executive government and the judiciary are very separate. It is one of the core fundamentals and principles of the Westminster system. And if you look at the legislation that was just introduced, which is going to be forced through at 4 o'clock on the guillotine, it is I think actually cutting across that whole issue of the separation of

powers. The government is going to introduce legislation that takes away people's rights and takes away the rights of the judiciary, and I think that borders on cutting across the separation of powers.

Emma Kealy: If we still had mechanics institutes, we could learn about that.

Peter WALSH: Well, we could. I would suggest that maybe the member for Prahran might actually like to go to the Prahran institute and give a lecture as one of the free lectures out at the Prahran institute on the separation of powers, on what he does in Parliament and on the fact that on this particular issue I think the Greens party, the National Party and the Liberal Party are in agreement that we should not be taking away people's rights and we most certainly should not be taking away people's rights with about 5 hours from a bill being introduced to the guillotine voting on that particular bill. Yes, we are talking about a very important bill with the Prahran Mechanics' Institute, but we could equally be spending the time actually debating that bill rather than having it come on after question time and being forced through in about an hour of indecent haste before it is sent to the upper house.

In conclusion, mechanics institutes and particularly the Prahran Mechanics' Institute have played a vital part of Victoria's history and a vital part of the education of Victorians over the last 170-odd years. This legislation has served the Prahran Mechanics' Institute well for 120-something years, but it is time that it is modernised so that it can become an incorporated association and have the flexibility to run its business better without coming back to the Parliament for particular changes. I would hope the Prahran Mechanics' Institute, as it evolves to deliver services to that community into the future, continues for another hundred years and that someone at some future time can make a contribution in this place congratulating it on reaching its 200th birthday. They provide education for the people of Prahran and the wider area but particularly they provide such a great library service now with what they are storing out there both for the railway systems of Victoria but generally as a library for that particular community. I wish the bill a speedy passage.

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (11:57): I am delighted to join the debate on an important bill.

Cindy McLeish: Is it related to the Romans?

Danny PEARSON: Don't worry; I'm going there, sister. Don't you worry about that. Caesar was there; it is a worthy point. It would be not parliamentary language to refer to some of the language that was found in certain places of disrepute in Pompeii. But nonetheless it is important to note that there was a gentleman called Felix, and Felix was a perfumer. The point here is, in this particular case, being a perfumer in ancient Rome was an artisan's job. When you go through Pompeii and you look at Pompeii – it was buried in 79 AD – you see levels of literacy and numeracy you do not see really until, as the member for Murray Plains pointed to, the 19th century. I think that why this bill is important – why mechanics institutes were important – is it is all about making sure that people can reach their potential through education.

If you go back to that time in the 19th century, the Victorian government's statistician, whose name escapes me at this stage, made the error of thinking that compound growth could go on for an infinite period of time and so talked about the fact that Australia would have a population by 1950 of, like, 350 million. He based that assessment on the levels of compound growth we saw in terms of population growth through the 19th century. Why the mechanics institute was important was that it started to enable the capacity for working people to start to read and write, and from that you started to see higher levels of economic growth and prosperity.

Coming back to ancient Rome, with Rome you saw that level of literacy and numeracy emerge which then created an enormous amount of economic growth. Rome had a population of around about a million people; you would not see a city of that size again until probably London in the 17th century. With the fall of Rome you started to see levels of literacy and numeracy decline, and what you saw

was the way in which people started to learn about the world was through the church. It was done in Latin, and it was all premised and all filtered through a member of the clergy to provide what the teachings of the Bible were.

It all started to happen on 31 October 1517 when Martin Luther published *Ninety-five Theses*. It was a moment in time with Martin Luther and *Ninety-five Theses* which enabled that beautiful connection between political change and technology. What Luther was able to do was seek refuge from Frederick the Wise. At that stage Germany was not a sovereign state; it was a number of different and disparate states. If Luther had been living in France or in Italy or in Spain or in the UK, then he would have been excommunicated and he would have been executed. You had, at that particular point in time of the publication of *Ninety-five Theses*, Johannes Gutenberg starting to produce his Bible, so you had the ability to use technology with the political freedom and expression offered by Frederick the Wise to enable the dissemination of those ideas.

The fact that you had the ability to then start to mass-produce information led to the rise of that dissemination of information. Indeed anyone who has studied the French Revolution and anyone who has studied the American Revolution knows the important role that pamphlets and pamphleteers played in relation to capturing the imagination of the community at that particular point in time in order to identify trends and to express themselves more freely. Thomas Paine, for example, was a very famous pamphleteer in the US Revolution –

Members interjecting.

Danny PEARSON: Yes, I was there. That was two centuries – about 2 minutes – ago. Now we are moving forward. Thomas Paine wrote a very influential pamphlet call ‘Common sense’. That again enabled people to start to understand these ideas and start to challenge monolithic power structures, either through the state or through the church. The mechanics institutes, I think, built on that and started to increase that level of literacy and numeracy and then started to enable that higher level of economic growth and prosperity that has been really endemic, notwithstanding fluctuations, for decades now.

Andrew Carnegie founded U.S. Steel, or a precursor which became U.S. Steel. He sold it to JP Morgan in 1901 for, in 2023 US dollars, about \$6.5 billion. What Carnegie did with his wealth was invest it in libraries right across America, so much so that when a visitor from Europe visited America they said, ‘Well, there must be a lot of money in libraries, because Carnegie’s name is everywhere, and they must obviously be quite lucrative.’ They obviously missed the fact that this was about the way in which these investments can have a profound impact in terms of raising economic growth and prosperity.

If you look at George Megalogenis’ book *The Australian Moment*, he talked about the way in which we have started to grow and prosper as a nation, particularly since the 1990s. He talked about that in the context of the fact that you had higher levels of female participation in the workforce and you also started to see the second and third generation of those postwar migrants take more senior roles or more high paid, more secure roles than their parents were able to as first-generation migrants. Again, when you start to see the ability for people from all walks of life to reach their potential from an education perspective, then you give people choice and options. Some people choose not to exercise that. Some people may have an absolutely fantastic rolled-gold education, and a life of meaning and purpose for them might be to pursue another endeavour. They may say ‘Well, look, I don’t want to be a lawyer’ or ‘I don’t want to be an engineer. I’m happy to work in the care economy. I’m happy to go off and do something else.’ It is the importance of education and the way in which education can uplift people who would otherwise be shackled to a life of drudgery and mediocrity, and the mechanics institutes played a really important role in starting the journey.

In many respects all of us here stand on the shoulders of giants because of those who came before us – those who had the vision, those who had the ability to think about what a different future could look like and were prepared to back that up with the vision, the legislation, the funding, the drive and the

energy. The fact that you could have people from different walks of life with different lived experiences engaging with people who would otherwise not be afforded those privileges and those opportunities is really important.

Those of us who have ever had a tertiary education I think can marvel at the joy and the freedom that that time gave all of us: the time to think, the time to start to awaken, the time for somebody to get a sense of where one's place was in the world and then start to envisage how things could change and things could be different. Think about, though, if you were in the 19th century and you were living in Prahran, you were working for the railways or you were working at the port or you were working in an abattoir, and you had the ability to go to an institution like the mechanics institute and hear from a speaker, hear someone, for example, like William Lane, who played a profound role in relation to the emergence of the labour movement here in the nation, talking about the aspirations of making Australia – and I know it is a gendered term – a working man's paradise. These were all institutions that enabled and encouraged that freedom of expression and that freedom of thought.

All things must end. All things must come to their natural conclusion, and that is why as the oldest piece of legislation on the statute books it is appropriate that it be repealed by this Parliament. But it is nonetheless important, because it is a salutary lesson for all of us to think about: where do we want to be as a society and community in 20 years time? How do we use our privileged positions as members of this place here and now to chart that course, to have the vision and to have the bravery and the courage to do what is right, to do what is fair and to do what we think is the right thing to do in terms of not just our direct benefit but the direct benefit of those who come after us?

So whether it be a perfumer in a house of ill repute in Pompeii, whether it be Gutenberg, whether it be the wisdom of Frederick the Wise, whether it be the rise of the Enlightenment and what that led to or whether it be working-class people in the mid-19th century who got an education at the Prahran Mechanics' Institute, it is all this continuum of human growth and endeavour. And I think that we should all remind ourselves when we can: how can we be stronger, how can we be better and how can we leave this place better than we found it? I commend the bill to the house.

Cindy McLEISH (Eildon) (12:07): Although I am pleased to rise to speak on the Prahran Mechanics' Institute Repeal Bill 2024, I think there is a degree of sadness that this is the oldest act currently on the statute books, from 1899, 125 years ago. History does move on. We do need to contemporise things and have legislation and operations that actually work for our modern society, but I think when we are looking at an act that is so old that has remained on the statute books, there is a little degree of sadness for me.

It is a pleasure to follow the member for Essendon, who did not disappoint with his history lesson and did manage to include ancient Rome in there, as he has been known to do in the past. I am actually going to limit my comments a little bit more locally, but I do appreciate the efforts that he went to.

It is worth noting also that this started as a private members bill. I understand that there were a few issues going on at the time, 125 years ago, that caused a member of Parliament to bring this in, and that was clearly in the days when private members bills were looked at more favourably than they are these days rather than being shot down straightaway. This private members bill got legs. It actually became legislation. And I note that it had to be altered before we could debate it as public legislation.

When we think about the Prahran Mechanics' Institute we look at the history. The oldest building was somewhere located in Chapel Street, and its current location in High Street was from 1915. This is fairly indicative of mechanics institutes around the country and particularly in Victoria – that the location that they are now in is not necessarily the location where they started. We have before us a 170-year-old community owned and run library specialising in Victorian history. We have also got the Prahran Mechanics' Institution and Circulating Library, which is in St Edmonds Road, around the corner from the building that was established in 1915. A 170-year-old building is pretty special in itself, and it is the state's second-oldest library. It is a place for learning, research, knowledge sharing

and community engagement, and it is a resource of research materials and education for those interested in Victorian history. I think if any of us find time to go and delve into the history, it is particularly interesting, and the Public Record Office Victoria, I would say – I have been there – has got an amazing array of the history of Victoria.

The institute in St Edmonds Road has the collections of the Cinema and Theatre Historical Society of Australia and the Victorian Railway History Library – it is where they are located – and it has this important role. But I think now the time has come for it to be updated and to contemporise it, so this new bill is in place. It will repeal the Prahran Mechanics' Institute Act 1899 and it will dissolve the Prahran Mechanics' Institution and Circulating Library incorporated, established by that act. There are a number of properties, rights, staff and employment things that are at play here that will be transferred through. I understand that the state is not doing a money grab here, that the transfer of all sorts of things will just go straight through to the new entity.

If we have a look at the history of the mechanics institutes, which are dotted not only around Australia and Victoria but certainly worldwide, the first mechanics institute in Melbourne was established in 1839. Given that Melbourne itself had only been founded in 1835, these got legs fairly quickly. The Prahran one and others like it, including many in my electorate, spread like wildfire, I guess, and were established in so many locations, wherever a hall was needed, a library was needed or a school was needed. The aim of these was to provide that adult education to working-class folks – folks who did not normally have access to books at home – to provide that extra little bit of education. I see so many of these still around. There were a thousand built and 562 remain today, and I have many in my electorate.

I want to touch on some of those, and I have visited many of them. A couple of them actually – and this will be true around the state – have been sold off, including for private homes. I know that in Healesville in Church Street there is still the facade of the mechanics institute with the sign, but it is private. And in Howes Creek, which is a little locality just out of Mansfield, it was sold off by the Mansfield shire in 1991, and it has changed hands a couple of times since. But many of them have remained as a key focus of community. I will touch on the Arthurs Creek Mechanics Institute, which is absolutely steeped in history. It was established in 1887. These are so many years old – 130, 140 years old. It is a really lovely, beautiful building. It has a variety of events, and I have been to a number of events there. It has had, like many of them, refurbishments. I know the Regional Growth Fund that the coalition had allowed small communities to upgrade and refurbish so many of these halls which were mechanics institutes. Arthurs Creek has funerals, birthdays, exhibitions and meetings. I went there for the opening of the commemorative garden in 2016. It is located next to the Arthurs Creek Primary School, and they have had their Anzac services, and it flows into the catering out of the mechanics institute. The first Christmas Hills mechanics institute was constructed in 1877. It was on a site now occupied by the Sugarloaf Sailing Club – could link it to the north–south pipeline there.

Peter Walsh interjected.

Cindy McLEISH: To where the water comes in, just adjacent to it. There was a fire in 1893, and the institute was eventually rebuilt and opened in 1895 on the present site. That land, as happened so often, was donated by Thomas Young, who was a pioneer of the Christmas Hills community. Exactly a century later, a second, larger room was erected, adjoining the earlier one, and named the Harold Muir hall in honour of one of the institute's longstanding trustees. In the 2009 devastating Black Saturday fires we saw the old hall dating from 1895 demolished and rebuilt, funded largely out of grants provided by the bushfire recovery authority. It was opened in 2013 and it is used many times. I am often invited to events at Christmas Hills. The Fawcett hall, which is just out of Alexandra – 14 kilometres out of Alexandra in Spring Creek Road – is in amongst farmland. It is a very small area, as so many of these are, and it was the central point for people to come together. It has got beautiful backdrops and Stoney Creek running alongside the reserve's boundary. This hall dates back to its establishment in 1882.

It originally served as a mechanics institute and a public library and later as a primary school. The community at Fawcett Hall are very active at Fawcett, and they have quite a number of events there. The Acheron Mechanics' Institute was identified for a facilities upgrade by Foundation Murrindindi. I have been to events at the Acheron Hall, and at one event at the Acheron Hall – I think it was the centenary of it – I saw photos of my grandmother as a primary school student sitting on the steps of the primary school, which I did not know she went to. I had not seen that photo; it was quite a trip back too for me. This is another hall that continues to operate as a community hub. It has got that real focus, and it helps promote the physical and mental wellbeing of locals. Badger Creek was built in a day and a half – fancy that, building it in a day and a half.

Peter Walsh: Did they do a cultural heritage study?

Cindy McLEISH: I do not think they did. It is like barn raisings in America – a day and a half. It was moved to its present location, though, in 1978, and on the opening day it was hoped it would be a happy meeting place. Like so many other institutes, it has dances, weddings and parties of all kinds – to me, that happy meeting place.

We have others: Kinglake West, a hall that is used very often; the Molesworth hall; Taggerty; and Yarck. And locals do hold these community halls to heart. They want to see them upgraded. They like to see them upgraded, whether that is new floorboards or re-sanding floorboards, whether it is fixing the drainage or whether it is a lick of paint. These halls still require upgrading, and when they are in community hands it is very difficult for the communities in small areas to raise funds to do that.

I think it is so important that government and we as a Parliament have this, because it is part of preserving history. We have this front of mind, because I think it really needs to be done. Like with the Prahran Mechanics' Institute and the changes that are happening there, we need to make sure that we preserve history on the way.

Katie HALL (Footscray) (12:17): I am absolutely delighted to make a contribution on the Prahran Mechanics' Institute Repeal Bill 2024, and I have a cracking story about the triumphant Footscray rowing club victory of 1888 coming up, which I have learned about through the Footscray Mechanics' Institute. I will get to that. It is a good one, in keeping with our Olympic spirit.

There has been a lot said about what mechanics institutes represent in our communities, and in Footscray I feel like the mechanics institute represents the best of Labor values. It is working people coming together to educate and care for their communities. We have quite a few of these organisations in Melbourne's inner west, including Cohealth, which was established originally as the trade union clinic and formed by unionists. The marvellous Moss Cass was a heart surgeon who believed that the working people of Footscray deserved access to the best health care. These were pre-Medicare days of course, and that legacy continues through Cohealth. The mechanics institutes were blueprints for public libraries and technical schools and community centres.

This bill rather sensibly will ensure that the Prahran Mechanics' Institute, the second-oldest library in the state, receives the good governance it deserves and ensures that its legacy and value to the community is preserved. It is quite a special thing that the Prahran Mechanics' Institute has its own act of Parliament, and I think it shows how old this organisation is and what a legacy it has.

The Footscray Mechanics' Institute, of which I am very proud – it is just across the road from my electorate office – has been serving the people of Footscray and its surrounds since 1857, and design schools and technical colleges housed in the institute have provided free and low-cost education for countless residents over its long and storied history. I am very proud that the Footscray Mechanics' Institute is still a vibrant place for people to gather and to access their beautiful collection. It provided women and girls with a place to study and learn when many larger institutions would not, which highlights the importance of the legacy of a mechanics institute. Education of course is just one valuable thing that the mechanics institute provided. There were also dances and billiards – we still

have a fine billiards room at the Footscray Mechanics' Institute – and they have been hubs for community activity for nearly 200 years in Victoria.

Of course we celebrate on this side of the chamber our investment in free TAFE. I would like to acknowledge the connection that the Footscray Mechanics' Institute has with what is now Victoria University but was Footscray Tech back in the day, where my grandfather studied and taught and was also involved in the Footscray Mechanics' Institute. It is our duty as custodians of these institutions to ensure that the service they have provided to working people for generations continues to receive the care and attention it deserves.

With the 5 minutes I have got left I have to tell you all about the fantastic rowing story that I discovered when I was researching the Footscray Mechanics' Institute. This is from their newsletter, which is called *Footnotes*. It is a good read. You can download it from their website. Here is the story about the year Footscray beat the Melbourne–UK elite in the Clarke Challenge Rowing Cup:

The year was 1882, and Footscray had a crack rowing team. The Footscray team consisted of: Rae Johnstone, M. Logan, E. Marriner, H. Saunders, H. Huxtable, P. Nash, Bob Johnstone, T. Woods and F. Vernon.

Comprised of mostly working class men from Footscray, and featuring the FMI's own Johnstone brothers, both of whom were respectively the FMI librarian for a combined tally of nine decades in the role.

Money was raised locally –

in Footscray –

through a series of concerts and charity events until they could afford to purchase an eight-oared boat ...

Their opposition, the Melbourne Rowing Club, were considered Melbourne's best team – featuring three top Victorian oarsmen, and ... rowing champions from Oxford and Cambridge.

No-one apart from the Footscray locals gave the workers much of a chance up against the toffs!

Once the race began the pace was furious, set by Footscray at 47 strokes per minute, and there was only a foot difference between the boats (in metric converts to 30 cm). As they rounded the Sugar Works bend –

in Yarraville –

both boats were neck and neck, and alternating the lead between them.

Bob Johnstone sang out 300 yards ... from the finish line, "Sprint Tom!", and it had a magical effect on the Footscray team, who were ... "rowing like devils". Local steamers sounded their whistles and the crowd of 20,000 –

extraordinary –

'went mad'. Of the 20,000 strong crowd, 15,000 were barracking for Footscray –

of course –

and the atmosphere was electric as Footscray pulled away to take the Clarke Challenge Cup by three lengths.

The cheering broke out even louder than before, and the crew were carried shoulder high as winners and champions into the boat shed, to enjoy the spoils of victory.

Go, Footscray!

Sadly this win sounded the end of a golden era in rowing for Footscray, as at first the Rowing Association of Great Britain –

this is an outrage –

and following suit, the Victorian Rowing Association changed the rules, defining the status of an amateur as one who only did sedentary work.

Of course the working men from the factories of Footscray were effectively banned with their working-class team of mostly manual labourers, and they were banned from future competitions after they beat the Melbourne Rowing Club. So next time you are visiting the Footscray Mechanics' Institute – it is just opposite my electorate office; you are welcome to drop in – you can see a beautiful

photo of the Footscray Rowing Club winning this wonderful event, the Clarke Challenge Cup. When you see it you will understand what a glorious victory it was – followed by a great injustice against the Footscray Rowing Club, a magnificent rowing club which is still working hard today and producing rowing champions.

I am much obliged to the Footscray Mechanics' Institute for their preservation and celebration of these wonderful stories of the people and history of Melbourne's inner west, in particular our working-class history. It is a beautiful place, the Footscray Mechanics' Institute, and it is well serviced by its librarian Cameron and the beautiful reading room and billiards room. There is a meeting room you can book, and membership is only \$10, so it is well worth joining the Footscray Mechanics' Institute. It has been an absolute joy to read a bit more about them and realise what an extraordinary role they have played in supporting the education of working-class young people in Footscray. I commend the bill to the house.

Wayne FARNHAM (Narracan) (12:26): I am so excited to rise and talk on the Prahran Mechanics' Institute Repeal Bill 2024. When I saw the government business program this week I said, 'Now, that's the bill I want to contribute on.' I was just so excited, and I am even more excited that I get to follow the Leader of the Nationals and his brilliant contribution that went for so long. It is always very, very nice to hear from someone that lived in that time and to hear their stories from that time about how the institute came about!

Peter Walsh: I can walk Kokoda.

Wayne FARNHAM: Touché, but I got a nice helicopter ride. I will go to the purpose of the bill. The purpose of the bill is to repeal the Prahran Mechanics' Institute Act 1899, dissolve the Prahran Mechanics' Institution and Circulating Library incorporated, established by the Prahran Mechanics' Institute Act 1899, and provide for the transfer of the property, rights and liabilities to the Prahran Mechanics' Institute's successor body, the PMI Victorian History Library Inc, which is an incorporated association under the Associations Incorporation Reform Act 2012.

It is a bit of an interesting history about the mechanics institutes, and the Leader of the Nationals went into that history in depth in his contribution. But it is interesting that in many ways with the mechanics institutes I think we could almost call them an early class of TAFE, if you may. It was somewhere where – mechanic actually means 'working class' – they could go for further education. I do agree with what the member for Essendon said earlier on about education and giving everyone their best opportunity. You can imagine in the 1900s – well, I can only imagine; I know the Leader of the Nationals lived it! – what it was like for the working class trying to get educated. It would have been very difficult. They got to go to the mechanics institutes and listen to lecturers to further their knowledge. I think it is fair to say that we all believe everyone should have an opportunity to reach their full potential, and back in 1899 that gave the working class that opportunity.

When we talk about further education and TAFE – and this in one way was TAFE – I think of our current TAFE system and the challenges we have there. At the moment, unfortunately, we only have one in two apprentices finishing TAFE, and that is very disappointing. I do not know why it is that so many in the current generation are not completing their TAFE courses. I went through TAFE as an apprentice, and when I was an apprentice we were all thankful to have a job in the late 1980s and very thankful to get an apprenticeship in an economy that was basically on a downward spiral at the time. If you got an apprenticeship in the late 1980s, you worked your hardest to stay in that job. The government has thrown a fair bit at TAFE, I will acknowledge that, but we have got this current generation that almost just goes, 'Well, it might be a bit hard. I'll quit.' It is not good. We have one in two apprentices not completing their apprenticeship. We have over 90,000 trade shortages now in Australia. We have had in Victoria in the last 12 months over 21,000 tradies leave the building industry. This comes back to: how can we keep our youth in trades and keep them in TAFE to complete their apprenticeships? Because the state of Victoria needs tradespeople. We need them urgently. As I

said, we have lost 21,000 tradespeople in last 12 months. We have also lost over 700 builders, which is obviously putting a lot of pressure on housing supply.

Peter Walsh interjected.

Wayne FARNHAM: Some of them became politicians. It is a good way to win a tender: vote a politician in.

A member interjected.

Wayne FARNHAM: The opposition builder, I mean – the other builder, yes. That all came out wrong.

The mechanics institutes did serve a purpose in the 1900s, as current-day TAFE does, but the real problem we are having is a lack of completion of apprenticeships, which is putting pressure on housing supply and trade supply. Something the government really needs to look at is how we can get these young men and women finishing their apprenticeships so we can have the workforce required in the construction industry to deliver the homes that are needed.

In my electorate I have four mechanics institutes. I have one in Bunyip that was established in 1905, one in Longwarry that was established in 1886, one in Trafalgar established in 1889 and one in Narracan. I am not 100 per cent sure when it was established, but I do know last year we passed a bill realigning Crown titles, and Narracan Mechanics' Institute was in that bill. But I am not sure when that one was established. They do serve a purpose in the current day as meeting places, libraries and for history, and as the member for Eildon pointed out, a lot of them probably need a lick of paint and a bit of upgrading, which is good. But I like the fact we still have 562 today in Victoria. It is part of our history, and our history should be preserved and passed on to the next generation so they know what mechanics institutes were all about.

I am trying to go the full 10. The Leader of the Nationals actually covered this subject very, very well, and I do not really want to plagiarise his whole 27 minutes, although it would make my life easier if I did. But the Leader of the Nationals did a fantastic job on this bill report.

Members interjecting.

Wayne FARNHAM: Yes, I am trying to repeat myself. Essentially, we have a bill here today that we all agree on. We have got a lot to debate this week, and I think when we have a bill like this that we support and the government support, let us have two speakers, guillotine it and move it on so we can get on to other business. The minister is sitting there, and I would encourage the minister to stand up at any point in time and guillotine this bill so we can all move on to more important things that we want to discuss this week. We have quite a few issues going on this week in the Parliament, and I think our time would be better served debating those issues rather than talking about a bill that we all agree on. We do know it has to be ratified so things can move on, but I really think the minister should stand up and say, 'Listen, we've had enough of this. Let's just move it on, and let's get on to things that are important.' Like Lawyer X, for example – that needs to be debated, and I think that would be a debate worth having and spending more time on. I am about done with this bill. We support the bill, and good luck to the next speaker.

Lauren KATHAGE (Yan Yean) (12:36): I note the member for Narracan wanted to gag me in this debate. He wanted to shut the debate down because he knew that I was coming for him in my contribution, and here I am to say that this may look like a simple bill to be debated but in reality it highlights the core difference between those opposite and us and our deep, deep value for, respect for and investment in accessible education for all Victorians. Those opposite do not think this is important to talk about, but on this side we have always got time to talk about education for Victorians, because that is what we are focused on, making sure that it is not just for the Oxford elite, who changed the rules to beat the Footscray workshop workers; we are talking about everybody having access.

We heard earlier a fantastic sweeping history from the Minister for Transport Infrastructure. We started in Pompeii, we stopped by the Reformation and visited Martin Luther and the Gutenberg press – and I do take pause to note that Tim Walz is a German Lutheran and wish him well on his way to the White House – and we ended up with Carnegie libraries et cetera. It was a fantastic contribution from the minister. The theme of my contribution is similar. It is not as grand, but it is similar.

I think it is common parlance to say, ‘The more things change, the more they stay the same’, and in looking at the history of the mechanics institutes we can see how much has changed in our community but how the values have remained the same. The two values that I want to highlight are the generosity of community members and the value of education for all. To expand on the generosity of community members, I would like to talk a little bit about the formation of the Mernda Mechanics Institute, because the Mernda Mechanics Institute could not have started without the generous donation of land by Mrs Louisa Perkins, who was the proprietor of the Bridge Inn, which still stands today. She gave that land, and I would like to give you a short potted history now of that place. I am reading some notes from the *Eltham and Whittlesea Shires Advertiser and Diamond Creek Valley Advocate*, Friday 13 February 1920, page 3, just to help Hansard out.

A small group of people formed there in Mernda and decided to make information, books and training accessible to the people who lived in that area. They formed a committee, and the secretary of that committee applied to the government for assistance. Shortly after a cheque was received for 50 bob, which is pretty good – a pretty easy way to get money back then, perhaps. Then they decided that they needed to build a bluestone building. They thought it would cost about £900, so they called for tenders. The tender of Mr Peter Baird of North Fitzroy – perhaps somebody who had something to do with the mechanics institute we just heard about from the member for Footscray – was accepted, and that was for £860 without extras. The building that was built there we still have standing today on the corner of Bridge Inn Road and Plenty Road.

It is one of the few historic buildings we have in our area, and the Mernda Mechanics Institute is certainly treasured by our community. In fact the opening was a time of great celebration for the community. It says that:

In December, 1888, the opening ceremony was performed by the late Hon. Robert Harper, M.P., and a bazaar of several days duration was held, in which the ladies of the district did splendid work. It would be invidious to name any special ladies where all did so well, the outcome of their efforts being the handsome sum of £198 at the opening ceremony. Two gentlemen (now deceased) gave £100 each to the fund ... of Bundoora, and the Whittlesea Shire Council also gave £100, the result being that –

the facility was able to open and that library books were available to all people to borrow information, which we heard about from the Minister for Transport Infrastructure with the Gutenberg press and that sudden dispersion. It was the second flourishing of Gutenberg there in Mernda, and people had access to knowledge and information.

The author of this story in the paper I think noted and understood that that access to education was so important, because he said of the people that contributed to the development of the institute:

There are many others that are gone to rest. But such is life, and undoubtedly posterity is reaping the benefits derived from the establishment of the Mechanics’ Institute ...

because what we set in place today then goes on to benefit people for a long time after. We think especially there of free TAFE and how access to a TAFE course benefits not just the person who completes the course but also their children, who grow up in a family where Mum or Dad has a better paid job, a more secure job, a safer job – a job with dignity. So the benefits of a free TAFE course continue for posterity, which is probably why since free TAFE was introduced more than 100,000 women, 42,000 unemployed Victorians, 16,000 learners with disability, 50,000 culturally and linguistically diverse students and 45,000 students in regional Victoria have completed a course.

The generosity that we saw in the development of the Mernda Mechanics Institute carries on today, we see, with the volunteers who keep up such places around Victoria. I think of the Wandong Public Hall committee, who give so much of their time to keep that beautiful building and service available for the people of Wandong.

Somebody who stood at the steps of the Mernda Mechanics Institute and looked around when it first opened would have seen farms, fields and a stockyard. There was a Methodist church, a bakery, the pub and not much more. But now if you stood at the steps of the Mernda Mechanics Institute and looked around, you would see the Mernda rail, which this government extended; the Mernda ambulance station, which this government built; the Mernda police station, which this government built; the upgraded Plenty Road, which was done by our government; and the currently being updated Bridge Inn Road, which is being done by our government. You would be standing near the start of the Plenty trail upgrade, which is going to be a beautiful park from my electorate all the way down to the electorate of the minister at the table, the Minister for Development Victoria.

This is what I mean: the more things change, the more they stay the same. There is so much that has changed in Mernda, and all of the positive changes have come about because of this investment by our government. Never forget that when the Liberals were in power they invested exactly zero dollars in the electorate of Yan Yean – nothing, not a cent. If you stand at that intersection, whether you face north, south, east or west, you are going to see massive investment by this government. The one that is coming up that I am very excited about, with the sod turn fast approaching, is the new Mernda regional sports and aquatic centre, which will provide more courts for players in our area. We look forward to council delivering the full scope of that project, which includes a pool as well. No matter which direction you face, you know that Labor is at your back. We are supporting you. We are supporting you with the investment and infrastructure that you need in your community.

But we will never forget the past. One of the founders of the Mernda Mechanics Institute was Moses Thomas, a very generous man from Mernda who also built the bridge over Plenty River there right next to where the mechanics institute is – a beautiful bluestone bridge. As part of our work to upgrade Bridge Inn Road we have kept, maintained and restored that bridge, and it will now be the shared-use path for people to walk around, right next to our new double-lane Bridge Inn Road. We are proud to have a slice of history in Mernda and for it to be intact. For me it will always represent the value of education, accessible for all Victorians, and the generosity of local people – local working people who know what it means to give the small amount of money they have and who know what it means to give the small amount of time that they have. I continue to see that in my community with all that the residents do for their community. I commend the bill to the house.

Sam HIBBINS (Pahran) (12:46): I rise to speak on behalf of the Victorian Greens on the Prahran Mechanics' Institute Repeal Bill 2024. Can I commend the house on their interest in this bill and their interest in the PMI and in mechanics institutes more broadly – particularly the Leader of the Nationals, who did a very good job in terms of the history of the PMI. I disagree with the member for Narracan. I think if people have got something to say, whether it is about the PMI or mechanics institutes in their electorates, it is fair that everyone has their say on this bill.

The mechanics institute in Prahran has been an incredible community-run organisation in the Prahran electorate for over 170 years. Before I go into some of the history of the mechanics institute, I just want to go through something a bit more contemporary and state what a fantastic asset they are to the community and to Victoria more broadly and go through what they actually offer right now, which is the Victorian history library, a collection of over 40,000 books for loan, many of which are not available anywhere else. It is an extensive collection specialising in works about Victorian history, looking at things like transport, visual and performing arts and First Nations. It is home also to collections on the Cinema and Theatre Historical Society and the Victorian Railway History Library. It is such an important resource for Victorians, unlike any other. Personally, as someone who has quite a love of this sort of stuff, it is a place with books that I could spend hours going through.

Unfortunately, due to the stack of around 12 largely unread books on my bedside table, it is probably something I will have to do in my retirement.

But it is a fantastic resource in terms of not only the books that they offer but also the seminars and the lectures on a wide range of historical topics, many of which have actually helped me in my role as an MP. Just to give you an example of the wide range that they actually offer – and this is in the tradition of mechanics institutes offering free public workshops – one some years ago was a slideshow on the history of trams in Melbourne from the 1950s to the 80s. There were some fantastic shots of some W-class trams and of the tram network, some of which has not actually changed all that much over the many decades. I believe this slideshow actually happened during lockdown, so it was quite a welcome distraction but also very useful during my time as the Greens transport spokesperson, as I was pushing for a much more modern and accessible tram network.

Another, *What We Found ... Victoria's Queer History*, took people through the findings of the Australian Queer Archives report into the history of LGBTQI+ Victoria as far back as the 1830s – again, very helpful in my role then as equality spokesperson. It prompted me to actually visit the queer archives and meet with the author Dr Graham Willett.

Local history is another part of their fantastic collection, with a number of books on the Prahran area. I attended the book launch of *The World Is One Kilometre: Greville Street, Prahran* by Judith Buckrich – who has authored a number of books on the local area – which had the incredible story and the history of the fantastic street, Greville Street, a real icon in Prahran. So that is just a taste of the wide range of information sessions and lectures that they offer the wider community.

The building that they are actually in is not the well-known Prahran Mechanics' Institute building on High Street; they have moved to St Edmonds Road. They have been a staple of the community. They were originally established at a schoolroom in Prahran's first church. Since then they moved to Chapel Street, then to a building which was established as Prahran's first technical school on High Street, Windsor, in which they stayed until 2014.

I recall a very early meeting – I think at the time I was a Stonnington councillor – where to say that the building on High Street was overcrowded and not fit for purpose would be a bit of an understatement, so that is what prompted their move to their current and much more modern location at St Edmonds Road. The president at the time, Cr John Chandler, who passed away earlier this year, along with the committee, oversaw the sale of the High Street building and the purchase and subsequent refurbishment of the home at St Edmonds Road and increased its relevance to the community and expanded what it offers to the wider community.

That new building also has a large multipurpose room which is available for community groups to rent, which I have done on a number of occasions, one to launch a report on livability in Prahran – most notably that focused on open space and transport and is actually now part of the history library's collection. More recently I actually put on a screening of the film *Metropolis*. Some might know the 1927 German science fiction film directed by Fritz Lang. I believe they were going to do a remake in Melbourne, but unfortunately that fell through. In looking to do that screening I actually found out, for those who might not know, for a very long time with *Metropolis* they never had the complete version of the film; the footage was lost.

Members interjecting.

Sam HIBBINS: No, this an interesting story. In looking to put it on I realised that they had actually found the lost footage, and the person who actually discovered that footage was Australia's foremost *Metropolis* expert, a gentleman by the name of Michael Organ. The name rang a bell, and that was the same Michael Organ who was the first Greens MP elected to a lower house of Parliament here in Australia, to the seat of Cunningham in the 2002 by-election. I thought, 'Well, I've got to put these two together,' so I reached out to Michael, and he was gracious enough to actually come down to Prahran. Where were we going to put this screening? The best place, of course, was the PMI Victorian

History Library, and we were able to put on screening of *Metropolis* and have Michael come down and talk about (a) his expertise in the film *Metropolis* and of course his time as well as a Greens MP in the federal Parliament during that incredible time between 2002 and 2004.

About the bill itself: this is a bill that will repeal the Prahran Mechanics' Institute Act 1899, transfer all the property, rights and liabilities to the PMI Victorian History Library as its successor body and ensure that it can continue that work as an incorporated association. It is good to know that the PMI were obviously very closely consulted about the design of the bill and are fully supportive of the changes put forward.

In researching this bill – and the research is made a lot easier when you actually have a book on the history of the PMI sitting on your bookshelf in your parliamentary office – I did want to look into exactly why PMI was governed by its own legislation. The explanation was that in the 1890s, like many organisations, the Prahran Mechanics' Institute was suffering the effects of the Depression and internal mismanagement and was almost forced to close. The secretary and the committee were not answerable to its membership, which had actually dropped to 10 by that stage, and the building was in disrepair, so the government actually stepped in with the Prahran Mechanics' Act and allowed for the removal of the secretary.

On to the history of the PMI: whilst it is a history library, it has got a very good history of its own. It was established in 1854, the sixth in the state to be established, with its aims when it was created including the mental and moral improvement and rational recreation of its members by means of lectures, discussions, libraries, reading rooms, classes, museums and philosophical apparatus, and it stayed true to that mission while adapting to the needs of society. Some of its early topics were lectures back in those early days, and they are very interesting and still relevant today: 'Has the introduction of gun power into the art of war been more beneficial than injurious to mankind?' 'Is America or Australia most advantaged to the immigrant?' 'Is capital punishment beneficial or injurious to society?' Back then the meeting decided it was injurious. So there were very topical lectures in those early days.

There were some governance issues, I understand – namely a secretary who was dismissed, squatted in the secretary's residence and refused to leave. My understanding is that was resolved when under the cover of darkness the roof was taken off the house to make it uninhabitable, so problem solved there.

I also want to touch on the important role that the PMI played in education in Prahran. Whilst the schools have been amalgamated with other education providers, it still has a legacy today. When it began it conducted arts and design classes and ultimately established the Prahran Technical School in 1915, which offered courses around art and craft, architecture, millinery and sign-writing, amongst others. By the 1960s Prahran Tech had become one of Australia's most well known art schools. It was a school that throughout the 1960s and 70s had a reputation for having a really progressive and nonconformist culture. As testament to that progressive culture the college union actually established Melbourne's first planned parenthood clinic with doctors, counsellors and a pathologist and offered advice on contraception, abortion and sexual health.

As I said, from the 1970s Prahran Tech went through a number of name changes, divisions, mergers and affiliations until it was eventually wound up and included in other schools, with the school of art relocating to the Victorian College of the Arts. But that history of education, particularly around arts, design, craft and technical education, still remains today. It started with the establishment of the PMI and subsequently Prahran Tech and the progressive culture of Prahran Tech. It is still evident today, with arts and creative industries being a very strong part of Prahran's identity and the progressive values of our community. We have got courses offered at Melbourne Polytechnic at the Prahran TAFE site, which incorporates the original PMI building, with a very strong focus on the arts and creative industries and a broad range of creative training courses. So there is a direct link from the past and the establishment of the PMI to the present and to the future as well. We are looking to reinvigorate the

Prahran TAFE site with that shared community vision of an arts and education precinct. The government has acquired that land from Swinburne. We are waiting on the release of the master plan to look at the site, the tenants, the governance and the course offerings. But there is a really fantastic opportunity for the Prahran TAFE site, which as I said still includes the original mechanics institute 1915 Prahran Tech building, to become once again a national leader in the arts, technical education and the creative industries.

To conclude, the PMI Victorian History Library is an incredible asset for our local community and also for our state. As the local MP I just see firsthand the wonderful contribution that it makes. It is just so important to recognise and support organisations like this, which really do provide a unique service and are striving to make education and information as accessible as possible. I really do encourage all members and people, if they have not, to check out the PMI, see what they have to offer by way of their book collection – that is a collection of 40,000 books with a focus on history – and have a look at their seminar programs as well. There are a number of them still ongoing. There are book clubs. They are a fantastic asset to our community, but they are also part of history.

Vicki Ward interjected.

Sam HIBBINS: 40,000 books.

Vicki Ward: That's amazing. The second-oldest library in the state, is that right?

Sam HIBBINS: I will accept that. It is an organisation that I am really proud to have in the Prahran electorate. I look forward to them continuing the fantastic work they do. I commend this bill to the house.

Sitting suspended 12:59 pm until 2:02 pm.

Business interrupted under sessional orders.

The SPEAKER: I acknowledge in the gallery today a number of mayors from our Melbourne outer councils. Welcome.

Questions without notice and ministers statements

Economic policy

John PESUTTO (Hawthorn – Leader of the Opposition) (14:03): My question is to the Premier. This morning the Treasurer launched an attack on his ministerial colleagues, saying, 'I make the point to the health minister and others: we really do need a return to fiscal responsibility.' The Premier leads a chaotic and divided government, with ministers –

Members interjecting.

The SPEAKER: Order! I would like to hear the question. The Leader of the Opposition will ask his question from the beginning.

John PESUTTO: This morning the Treasurer launched an attack on his ministerial colleagues, saying, 'I make the point to the health minister and others: we really do need a return to fiscal responsibility.' The Premier leads a chaotic and divided government, with ministers attacking each other in public. Do the Treasurer's comments reflect government policy?

Members interjecting.

The SPEAKER: The Minister for Transport Infrastructure is warned, and I will not be giving two warnings today.

Jacinta ALLAN (Bendigo East – Premier) (14:04): I thank the Leader of the Opposition for serving me up this question. I thank him very much for serving me up a question, because I know the Leader of the Opposition knows all too well about being served up attacks from his colleagues. The

question that the Leader of the Opposition asked was around government policy. The Leader of the Opposition asked a question about government policy in terms of our budget settings, and I say this to the Leader of the Opposition: the fiscal strategy that we released at budget time is firmly focused on strengthening the economy, growing jobs and delivering those frontline services Victorians rely on.

Members interjecting.

The SPEAKER: There is too much noise in the chamber. Members will be removed now without warning.

John Pesutto: On a point of order, Speaker, the question was very simple. The Treasurer this morning spoke about a need to return to fiscal responsibility, and I asked the Premier: did the Treasurer's comments reflect government policy? I do not think in any universe you can argue that what the Premier said was responsive or factual or direct in responding to the question.

Jacinta ALLAN: On the point of order, Speaker, I was asked directly a question about government policy. I answered directly what the government policy is. I appreciate the Leader of the Opposition today is trying to extend the confection that he put to this place yesterday. I am answering the question directly, and I ask that you rule his point of order out of order.

Peter Walsh: On the point of order, Speaker, the Premier is not being factual at all. She was not answering the question. I ask you to bring her back to actually answering the question as to whether what the Treasurer said was government policy.

The SPEAKER: The precedents and practice of the house are for the rule of relevance in answers to be interpreted to mean that, provided the minister is addressing issues raised in the question, which the Premier was, even if they are not responding to the specific detail of the question, they are being relevant. The Premier has concluded her answer.

Michael O'Brien: On a point of order, Speaker, I ask a question just to try to understand your ruling. The question is: if a question asks if a certain minister's comments reflect government policy, is your interpretation that the government can then talk about any government policy?

The SPEAKER: It is not appropriate to ask the Speaker questions, and also that is not the way to raise a point of order about my rulings.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:07): This morning the Treasurer confirmed \$1.5 billion in new taxes and service cuts to cover recently announced hospital funding. Can the Premier advise if the Treasurer consulted the health minister before making these remarks at his press conference this morning?

Jacinta ALLAN (Bendigo East – Premier) (14:08): In answering the Leader of the Opposition's question most directly, the comments he attributed to the Treasurer are not correct. Therefore the answer I will give to this question is: the only people who cut funding to hospitals are Liberal governments.

John Pesutto: On a point of order, Speaker, on relevance, the Treasurer was asked clearly to rule out tax rises or service cuts and he did neither. That can only mean there will be both. I asked the Premier whether the Treasurer consulted the health minister before that admission. We cannot have this level of dysfunction in the government and not be able to ask questions about it. That is what question time is about.

The SPEAKER: Order! The Leader of the Opposition will resume his seat. I appreciate that there is some frustration on the part of the Leader of the Opposition, but there are ways to raise points of order, and that is not the way to raise a point of order. A point of order is not an opportunity to make a statement to the house. The Premier has concluded her answer.

Ministers statements: workplace safety

Jacinta ALLAN (Bendigo East – Premier) (14:10): Across the country today there are victims of workplace sexual harassment who have lost their right to use their voices, victim-survivors who have endured sexual harassment at work and who have then been silenced. These victims – and we know these victims are overwhelmingly women – are being asked to sign non-disclosure agreements, known as NDAs, often during times of enormous distress. What is also really being signed away here is their silence, compelling victims to hide terrible, terrible experiences from families and friends, even from their doctors.

It does not just silence victims, it also protects perpetrators. I have spoken to women who have been affected by this practice. They have told me how important it is to bring change to this area. One survivor called Kim said it leaves perpetrators to continue their behaviour, it leaves them without consequences to their career and it leaves others vulnerable to their behaviour. Another, Billie, said she was traumatised and suffering anxiety because of how she had been treated. She could not stay working but she had to pay rent, so she signed an NDA.

We are seeing too often NDAs are being weaponised against women like Billie and Kim, and it must stop, which is why this week I announced that our government would be leading consultation – nation-leading consultation – on laws to restrict the use of NDAs in workplace sexual harassment cases. Submissions are open now, and I am encouraging victim-survivors to provide their thoughts and their experiences, and they can do so anonymously and confidentially. We are doing this because my government believes women, respects women and elects women. We even let women speak. We let women speak, and when they do speak, we listen to them.

Health funding

John PESUTTO (Hawthorn – Leader of the Opposition) (14:12): My question is to the Premier. This morning the Treasurer confirmed \$1.5 billion in new taxes and service cuts to cover recently announced hospital funding. What services will be cut?

Jacinta ALLAN (Bendigo East – Premier) (14:13): I thank the Leader of the Opposition for his question, and I say at the outset that the Treasurer said no such thing this morning, so the proposition that has been put in the Leader of the Opposition’s question is not correct. As I said in my answer earlier to the Leader of the Opposition’s question, our government is firmly focused on continuing to deliver frontline services to our growing community, particularly as, whether it is in hospitals or in our schools or in other areas that families rely on government services for, the ongoing impacts of the pandemic are being felt across our community. We will continue to support our community. We will continue to support families in our communities. I can understand the Leader of the Opposition’s focus on cuts, because that is exactly what his government did.

David Southwick: On a point of order, Speaker, the Premier is debating the question. I ask you to bring her back to answering the question of what services will be cut. Simple.

The SPEAKER: The Premier had strayed into debating the question, but I think she has concluded her answer.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:14): This morning the Treasurer confirmed \$1.5 billion in new taxes and service cuts to cover recently announced hospital funding. What new taxes will be introduced?

Jacinta ALLAN (Bendigo East – Premier) (14:14): Again, the proposition that is being put by the Leader of the Opposition in his question is wrong. It is wrong, just to be clear to the Leader of the Opposition.

Members interjecting.

Jacinta ALLAN: I am a little worried. The Leader of the Opposition might take his bat and ball and go home if he does not really like the answer. I am a little worried about him.

Members interjecting.

The SPEAKER: Leader of the Opposition, your disregard for the rules of the chamber is becoming a little untenable. I ask you to come to order. You do not speak unless you are called. The Premier has concluded her answer.

Ministers statements: Solar Homes program

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (14:15): I am absolutely energised to update the house on how we are helping Victorians take control of their energy bills with our \$1.3 billion Solar Homes program. On the weekend the Premier and I and the member for Laverton celebrated some massive milestones. A whopping 2 gigawatts of solar capacity has been installed using our rebates. That is 2 gigawatts of solar capacity on people's roofs right across our state. That is more capacity than the Yallourn coal-fired power station. I dare to say it is more than any nuclear reactor that would ever be built in Victoria, because we know on this side of the house we do not want nuclear energy. The best part of this is that the panels are saving Victorians collectively \$279 million each and every year off their bills. That is money back in the pockets of hardworking Victorians and their families.

The members for Kalkallo and Tarneit will be thrilled that in each of their electorates nearly 10,000 rebates have been approved. That is more than anywhere else. In Cranbourne, 8630 rebates have gone out the door; in Werribee, 7640. The member for Berwick has beaten Hawthorn, Nepean and Sandringham, with 7800 rebates approved. The money is on the member for Berwick, that is for sure. Melton, Laverton, Narre Warren South, Point Cook and Pakenham all round out the top 10, with more than 7000 rebates apiece. I could go on, but no matter where you live in the state, the Allan Labor government is helping Victorians slash their energy bills. The contrast could not be any starker. While we are putting solar panels on people's roofs, those opposite want to deliver nuclear reactors in people's backyards and in their neighbourhoods, sending people's power bills through the roof.

Bail laws

John PESUTTO (Hawthorn – Leader of the Opposition) (14:18): My question is to the Premier. Eighty-eight-year-old Pearl from Leongatha had her car stolen from her home two months ago, while she was there. Police have charged a 14-year-old boy over the theft – the same boy who has been charged, bailed and released multiple times in the past few months. Under the government's legislation, would this 14-year-old be remanded so we do not have more victims like Pearl?

Jacinta ALLAN (Bendigo East – Premier) (14:18): I thank the Leader of the Opposition for his question. When it comes to strengthening community safety for victims of crime, for women like Pearl, it is exactly why yesterday morning I, along with the police minister, the Attorney and the youth justice minister, made a series of announcements around strengthening the requirements around bail. In answering the Leader of the Opposition's question directly, the Leader of the Opposition knows full well that bail decisions are made by bail decision makers, not by politicians. What our job to do is to provide police and bail decision makers with the tools and resources they need in these situations. And that is exactly why yesterday we announced that we will strengthen –

John Pesutto: On a point of order, Speaker, on relevance, it was a simple question about whether the bail laws that the Premier is speaking of will ensure that the 14-year-old who was repeatedly charged and bailed is not released into the community. It is a pretty simple question.

The SPEAKER: The Premier was referring to matters that were raised in the question, and the Premier was being relevant to the question.

Jacinta ALLAN: In being entirely relevant to the question that was asked, yesterday we announced measures after having listened to Victoria Police, listened to the courts, listened to victims of crime –

Members interjecting.

Jacinta ALLAN: It is a shame that this issue is not being given –

Members interjecting.

The SPEAKER: Order! I would hope that members are interested in the answer.

Jacinta ALLAN: Women like Pearl deserve this matter to be treated seriously and with respect, and that is why yesterday we announced that we are introducing stronger bail measures to strengthen the test, to strengthen bail revocation and to introduce new offences. The question here is: if the Leader of the Opposition is concerned about women like Pearl, he will pass these reforms tomorrow.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:21): The same 14-year-old was arrested over an aggravated burglary and car theft last Wednesday. The victim was 78-year-old Vietnam veteran Edwin Baker, who was left traumatised, saying:

I can't sleep. I can't eat. I'm stressed, and shaking ...

The boy was again bailed and released. He committed another aggravated burglary and car theft the very next night. Will the Premier finally admit that Labor's decision to weaken bail laws has made Victorians less safe?

Jacinta ALLAN (Bendigo East – Premier) (14:22): I reject the proposition that the Leader of the Opposition has put at the end of his question, particularly in the context that the bail laws that passed this Parliament last year had the bipartisan support of the Parliament. What we have done this week after listening to victims of crime and after listening to the police and listening to the courts –

Members interjecting.

Jacinta ALLAN: We are introducing into the Parliament this week measures to strengthen bail. The Leader of the Opposition has an opportunity this week to make these changes with the government. If he does not, his message to every victim of crime is that he and the Liberal Party are soft on crime.

Ministers statements: health system

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:23): I rise to update the house on the Allan Labor government's delivery of a more connected health system for Victorian patients. This is a government that works with hospitals and supports our healthcare workers, unlike those opposite, who cut, close and privatise. That is why last week the Premier and I were proud to announce an additional \$1.5 billion, bringing a total of \$21.5 billion being invested into our hospitals this year alone. This additional funding is in recognition of the record demand on our system. In the last quarter alone, 503,000 Victorians presented to our emergency departments, and despite this record demand every category 1 patient was seen immediately. What is more, the median time to wait in EDs is back where it was before the pandemic.

But we recognise there is more to do. We need a better connected health system that puts patients at the centre of everything, and that is why we are creating local health service networks to support stronger partnerships between our hospitals, to strengthen referral pathways and to streamline patient care, supported by a statewide electronic medical record system. We are establishing Hospitals Victoria so that the funding that we are providing has a laser-like focus on delivering first-class patient care. Real reform is what this government will do – real reform for real patients, not fake patients. That is what those on the other side do. Victorians will never forget that it was the Liberals and the Nationals

that closed Eildon, Koroit, Mortlake, Murtoa, Red Cliffs, Macarthur, Clunes, Beeac, Birregurra, Lismore, Elmore and Waranga hospitals and sold off hospitals in Traralgon and Mildura.

Members interjecting.

Will Fowles: On a point of order, Speaker, I take personal offence at what the member for Ovens Valley just said, and I ask him to withdraw.

The SPEAKER: I did not hear what the member for Ovens Valley said. However, I think if there is further commentary that you take offence to, member for Ringwood, you should absolutely call for a withdrawal.

Will Fowles: To clarify, it has been the practice in this chamber that, if somebody hears a comment directed at them and asks for it to be withdrawn, that person is normally directed to withdraw. I do not know why an exception is being made in this case.

The SPEAKER: I did not hear the comment from the member for Ovens Valley. Member for Ovens Valley, did you make a comment to the member for Ringwood that he would take offence to?

Tim McCurdy: I am not sure whether he may have taken offence to it, but I will withdraw, if that is what he seeks.

The SPEAKER: I appreciate that.

Members interjecting.

Will Fowles: I take offence to what the Leader of the Nationals just said and ask for him to withdraw.

The SPEAKER: Leader of the Nationals, I ask you to withdraw.

Peter Walsh: I withdraw.

Housing

Will FOWLES (Ringwood) (14:26): My question is to the Premier. Housing affordability is a key issue for my constituents in Ringwood. Victorians need affordable homes. This government has outlined very, very ambitious housing supply targets for Victoria, with some 800,000 homes to be built in just the next decade. This government promised 62 affordable homes for low-income families on McDowall Street in Mitcham in 2021. Given that insufficient funding has been allocated to the project and work is yet to commence three years later, how will the government ensure that the targets outlined in the housing statement are actually met if projects like McDowall Street are yet to turn a sod after years of delays?

Jacinta ALLAN (Bendigo East – Premier) (14:27): I thank the member for Ringwood for his question. His question went to both the investment that we are making in social and affordable housing and also the actions we are taking in individual communities and, further beyond that, what we are doing to use every lever across government to be able to build more homes. In terms of the particular project the member for Ringwood referred to in Mitcham, I will seek some further advice from the Minister for Housing, because as we know, as we have gone on investing \$6.3 billion through our housing building program, building homes for Victorians who rely on governments to have the dignity of a roof over their head, there has been in different locations the need to find from time to time other sites and other ways to deliver the number of homes that the Auditor-General has recently endorsed that the government will be delivering through its Big Housing Build.

I can say to the member for Ringwood in terms of projects in the broader eastern suburbs of Melbourne that there are a range of projects that we are getting on with, whether it is through the Big Housing Build, but also there are projects that he may be familiar with in Mount Waverley, which I had the opportunity to visit with the member for Ashwood, and also a project in Wantirna. These are examples of how across the state we are going to continue to invest in more homes for more Victorians.

Will FOWLES (Ringwood) (14:29): My supplementary question for the Premier is: how many homes will be delivered with the assistance of federal government money rather than just with state government money?

Jacinta ALLAN (Bendigo East – Premier) (14:29): The answer to that question is being determined as we are having discussions and negotiations presently with the federal government on how we can secure additional funding for our housing effort here in Victoria. What is important on this front is that we finally have a government in Canberra that understands the need to partner with the states to build more homes. We have already examples of where we are building more homes in partnership with the federal government, and I am absolutely determined to secure additional federal funding, because what is important in this context is that federal Labor is putting in additional funding in partnership with the states so together we can build more homes for more Victorians.

Ministers statements: transport infrastructure

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (14:30): I rise to update the house on the projects Victorians have overwhelmingly voted for and are being delivered by the Allan Labor government. Whether it is removing dangerous and congested level crossings or getting trucks off local roads, our government is getting on and delivering the projects that Victorians have overwhelmingly voted for. At the 2014 election, we said we were going to remove 50 level crossings as a bold policy statement. While those opposite said it could never be done, we have now removed 84 level crossings. And we know what those opposite think about the removal of level crossings: they are more worried about the impact that level crossing removals will have on a goldfish in Bayswater than about getting on and removing these projects.

We do not shy away from doing the hard work. Next year we will have both the Metro Tunnel and the West Gate Tunnel programs. These are going to be projects that are going to be absolute game changers for the western suburbs. They will connect commuters to more jobs, education and healthcare services. We are also getting on and building the missing link in our freeway network with the North East Link. This is a project that has been talked about for years – for decades. It was a dotted line on the map when Henry Bolte was Premier, and it is going to be delivered by the Allan Labor government. This is going to be huge for the north-east. It is going to remove 18 sets of lights, and it is going to get 15,000 trucks off local roads. It is going to be the biggest thing to happen at Bulleen since the member for Bulleen delivered two concession statements at the Veneto Club. It is going to be that big.

And we are getting on and delivering the Suburban Rail Loop, a project that will deliver new stations at Monash and Deakin. It will mean there will be 70,000 new homes and 230,000 jobs right across six precincts. This is going to be huge for Melbourne, and it is going to mean that we can build the infrastructure to deal with the growth we will be encountering when we are the size of London by 2050. Those opposite only have criticisms for every single one of these projects. Those opposite want to cut. They want to cancel. They will close. If you are against the SRL, you are against jobs. You are going to put 4000 Victorian workers on the scrap heap at the next election.

The SPEAKER: Before I call the Leader of the Opposition for his question, I acknowledge in the gallery a delegation from the national Diet of Japan, including members Hisayuki Fujii, Kentaro Gemma and Yoshihiro Kawano. Welcome.

Bail laws

John PESUTTO (Hawthorn – Leader of the Opposition) (14:32): My question is to the Premier. Haash, a shop assistant at an IGA store in Armadale, was ambushed by a group of five youth offenders who arrived in a stolen car. After a physical altercation, the youth offenders stole Haash's car, attempted to break into a petrol station in Hawthorn East and were finally apprehended in Fitzroy. Three of the youth offenders were on bail. Why do Victorians have to suffer because this government weakened bail laws?

Jacinta ALLAN (Bendigo East – Premier) (14:33): I thank the Leader of the Opposition for his question, because it gives me the opportunity to once again remind the Parliament that Parliament has the opportunity this week to strengthen community safety and to provide Victoria Police, the courts and bail decision makers with additional tools and resources to address these issues. How these laws pass this Parliament is very much in the hands of the Leader of the Opposition. If the Leader of the Opposition is as concerned as he professes to be about community safety, then he can walk –

Michael O'Brien: On a point of order, Speaker, on relevance, the Premier is now debating the question. The question related to why the government took action to weaken bail laws, which led to the situation that the Leader of the Opposition outlined.

The SPEAKER: I ask the Premier to come back to the question.

Jacinta ALLAN: I remind the Shadow Attorney-General that the 2023 bail reform changes were supported by the Parliament. You know this.

Michael O'Brien: On a point of order, Speaker, under standing orders answers are supposed to be factual. I would ask you to ask the Premier to stop misleading the Parliament.

The SPEAKER: It is not for the Speaker to determine if an answer or a question is factual.

Jacinta ALLAN: Our reforms that are in the Parliament this week have the opportunity to go further. We have the strongest bail settings in the nation for serious offending, and with the legislation and the amendments that are in the Legislative Council this week we have the opportunity as a Parliament to respond to the concerns we are hearing from the community. The government has listened to those concerns and has put to the Parliament a comprehensive Youth Justice Bill and has announced how it will go further with those bail reforms that it has heard from victims of crime, from the courts and from Victoria Police that the community is looking for. We have the opportunity to make these changes this week, and that decision rests with the Leader of the Opposition and his colleagues in the Liberal Party. This decision can be made this week. We can strengthen these bail changes this week. It is really an opportunity for the Leader of the Opposition to show if he will walk the talk on community safety.

David Southwick: On a point of order, Speaker, the Premier is again debating the question. These crimes have happened on the Premier's watch and it has been happening for a decade under the Premier's watch, and I ask you to bring the Premier back to answering the question.

The SPEAKER: I ask members to raise their points of order succinctly. In terms of debating the question, the Premier was beginning to debate the question. However, the Premier has concluded her answer.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:36): CCTV footage has captured four masked men wielding axes and machetes walking into an IGA store in Kew and threatening shop assistant Avi at knifepoint. The owner of both the Kew and Armadale IGA stores, Danny, has linked the Premier's actions to the recent rise in crimes, saying, 'I feel very, very let down by the government.' Has the Premier contacted Danny, Haash or Avi to apologise for weakening law and order in Victoria?

Jacinta ALLAN (Bendigo East – Premier) (14:37): In my engagements with victims of crime I think it is incredibly important when you are talking to people who have been through traumatic experiences to treat them with respect – to treat them with the respect that they deserve. Treating victims of crime for purposes of political pointscoring is not treating them with respect.

John Pesutto: On a point of order, Speaker, on relevance, I ask you to direct the Premier to go back to the question about whether she has contacted these victims.

The SPEAKER: The Premier to come back to the question.

Jacinta ALLAN: In answering the question ‘Have I or would I contact those three individuals’, at the end of this week I would be prepared to speak to those three individuals and explain to them what has happened in the Parliament this week. This week the Parliament has the opportunity to strengthen community safety, and if we do not, if the Liberal Party refuse to support these changes, I will explain to those victims of crime and everyone in the state of Victoria that the Liberal Party walked away this week from an opportunity to strengthen community safety.

Ministers statements: Paris Olympics

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (14:39): What a remarkable two weeks it was for our Aussies in Paris – a historic 18 gold medals, 53 medals in total and fourth in the world for a country with a population of about 27 million. It has been exciting, it has been captivating and it has been unforgettable. I know I will never forget watching Victorian local Grace Brown take gold on day 1 in the women’s individual time trial. It was also the performances of our Victorian Institute of Sport athletes and Opals stars like Ezi, Jade and Tess. All three were instrumental in our Opals bronze medal win, with Ezi scoring 30 points to lead us to victory over Belgium. Regardless of whether they placed or not, all of our Victorian athletes did us proud in Paris. And it is not over, because our Paralympians kick off in two weeks time in Paris to again capture the hearts of our country. Not only can you watch your heroes on your TV screens, but Victorians will also be able to see them up close and personal, because on 14 September we will be welcoming home our Olympians and Paralympians in style right here in Melbourne.

All this talk of medals reminds me that last week I gave some shout-outs to this side of the house for their gold medal performances. It is only right I share the love and give some shout-outs to that side. We all know who wants to be on the podium, but let us leave the member for Nepean aside for one moment. Our bronze medal goes to the member for Brighton for sitting out the lamest parliamentary stunt so far this term. Silver goes to member for Berwick for –

Michael O’Brien: On a point of order, Speaker, I am assuming the minister does not know, but the reason why the member for Brighton is not here today is that he is attending his grandfather’s funeral.

The SPEAKER: I ask the minister to come back to a ministers statement.

Steve DIMOPOULOS: Silver goes to the member for Berwick for – well, we all know what that is for. Gold is to the Leader of the Nationals for sticking around with that rabble of an opposition for so long. And, finally, who could forget the Leader of the Opposition: if defamation was an Olympic sport, mate, you would win gold every time.

The SPEAKER: Order! The minister will not refer to members of the opposition in that manner, and the minister will direct his comments through the Chair, not across the table.

John Pesutto: On a point of order, Speaker, I ask the minister to withdraw. Get back here, Steve. He ran away. I ask him to withdraw. Can you summon him back to the chamber?

The SPEAKER: The Minister for Tourism, Sport and Major Events will apologise and withdraw when he comes back into the chamber. The house will move to constituency questions.

Annabelle Cleeland: On a point of order, Speaker, regarding overdue responses to questions on notice, I am currently waiting on 33 overdue questions on notice, including 13 unanswered questions related to housing in my electorate, with some nearly nine months overdue. I am expecting responses from the Minister for Skills and TAFE, the Minister for Crime Prevention, the Minister for Children, the Minister for Health, the Minister for Public and Active Transport and the Treasurer. I will hand this list to the Clerk.

Constituency questions

Nepean electorate

Sam GROTH (Nepean) (14:44): (750) My constituency question is for the Minister for Health. I have been contacted by a number of aged care health nurses who work in the crucial psychogeriatric unit Carinya, which is currently housed in a leased wing of a nursing home in Nepean. Carinya provides essential specialised aged mental health care for individuals requiring interim placement before transitioning into generic nursing homes. These nurses have also contacted the member for Mornington and are concerned that their unit is currently under review, with discussions between Peninsula Health and the Victorian government indicating a potential closure. This also underscores the significant need for the redevelopment of and investment in Rosebud Hospital, where Carinya should be housed. My question for the minister is simple: can the minister guarantee that this specialised unit will not be closed?

Greenvale electorate

Iwan WALTERS (Greenvale) (14:45): (751) My constituency question is for the Minister for Education. The Allan Labor government is making huge investments on behalf of locals and all Victorian taxpayers in education across Greenvale. This includes \$10.5 million to modernise and upgrade Bethal Primary School, led by Dave Warren and his fantastic team in Meadow Heights. It also includes tens of millions of dollars to deliver the second stage of Greenvale Secondary – Greenvale’s first public secondary school, promised for decades but only delivered by this Victorian Labor government. Of course stage 1 of this brilliant school, led by principal Mark Natoli, opened in 2022 and is now serving hundreds of students from years 7 to 9. This Allan Labor government has also contributed major capital funding to our wonderful local Catholic schools, including \$5 million for the next stage of Mary Queen of Heaven Primary School, \$6 million for the next stage of Kolbe Catholic College and \$2 million to deliver that sensational school’s new STEM building. To enable me to keep my communities across Greenvale updated about these fantastic projects, could the Deputy Premier please inform me about the current state of stage 2 of Greenvale Secondary College and the modernisation of Bethal Primary School?

Ovens Valley electorate

Tim McCURDY (Ovens Valley) (14:46): (752) My question is to the Minister for Ambulance Services, and I am seeking information on the MICA paramedic shortage in the Ovens Valley electorate. We know and appreciate the life-saving work that our MICA paramedics can do, but single-person MICA responders, work overload and burnout are turning this major concern into a crisis. I know patients would have died if not for calling MICA paramedics on their private phones when they were not even on duty. I seek this urgent information as to when the Ovens Valley will get a full complement of MICA paramedics on a 24-hour shift.

Pascoe Vale electorate

Anthony CIANFLONE (Pascoe Vale) (14:47): (753) My constituency question is for the Minister for Education. How will local high school students benefit from the record \$14.5 million investment the Victorian Labor government is making to deliver new learning facilities at John Fawkner Secondary College? John Fawkner Secondary College was first established in 1956. A years 7 to 12 co-educational school located on Jukes Road in the heart of Fawkner, the college has proudly continued to support learning outcomes for nearly 70 years, including for young people across parts of Coburg North, Pascoe Vale North and Hadfield. Today home to just under 300 students, John Fawkner College has long valued its diverse students’ surrounding community, remaining committed to helping every child grow into successful, resilient and independent thinkers. Former alumni include the Minister for Corrections Enver Erdogan in the other place. It was fantastic to have visited the school recently with the Deputy Premier and Minister for Education and the member for Broadmeadows to inspect the progress we are making on delivering the world-class \$14.5 million new

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education facilities. I pay tribute to the new principal Lisa Vinnicombe, assistant principal Cemal Hakki, assistant principal Andrew Self, Meliha Mitric from year 7 and Shayan Ahmad from year 9, all of whom did a magnificent job in showing us around the school.

Rowville electorate

Kim WELLS (Rowville) (14:48): (754) My question is to the Minister for Roads and Road Safety. It has now been 36 weeks since Sharnelle Vella from Channel 7 reported the use of a diesel generator to power the traffic lights at the Henderson and Kelletts roads intersection. This is even more pathetic because it has been 157 weeks since the project started. This is beyond the point of government incompetence such that it could now feature on the ABC's *Utopia*. The government expect us to have faith in their managing the Suburban Rail Loop, the Big Build and constructing 800,000 houses by 2034 when they cannot even manage traffic lights at a very small intersection upgrade. My question is: when will the minister finally complete this intersection for the constituents of Rowville?

Ripon electorate

Martha HAYLETT (Ripon) (14:49): (755) My question is for the Minister for Public and Active Transport. Minister, what is the Victorian government doing to address the lack of bus connections in Ballarat's growing outer west? The communities of Lucas and Cardigan Village in my electorate now have a school bus connection thanks to our Labor government, but they do not have a general bus route. Lucas is now home to 3000 residents and Cardigan Village to almost 1000, with the paddocks surrounding these communities set to have even more new homes built on them in coming years. This is an issue I hear about a lot from constituents who currently struggle to get to work, uni, TAFE and the centre of Ballarat easily without an accessible bus route. I am passionate about fixing this issue as our outer western suburbs continue to grow in Ballarat, and I look forward to providing locals with the minister's response.

Melbourne electorate

Ellen SANDELL (Melbourne) (14:49): (756) My question is to the Minister for Housing. Why has Victorian Labor signed a \$100 million demolition contract with John Holland to demolish the public housing towers in Flemington and in North Melbourne in my electorate before there are any plans for what will replace these towers or any certainty for residents on where they will go? We are in a housing crisis, and instead of building more public housing Victorian Labor are bulldozing all 44 public housing towers across Melbourne, with no plans to build any public housing on these sites and the majority of those sites to be privatised. Now it seems Labor has signed a demolition contract in order to pursue legal action against the residents, force evictions and make it easier to privatise these sites. I am calling for a moratorium on any evictions from public housing towers. It is disgraceful that Labor is demolishing public housing when we are in the middle of a housing crisis.

Wendouree electorate

Juliana ADDISON (Wendouree) (14:50): (757) My constituency question is directed to the Minister for Housing in the other place about the Leawarra neighbourhood housing project in Delacombe, which will revitalise the area in my electorate of Wendouree. The Allan Labor government is transforming the Leawarra Crescent neighbourhood in Delacombe. The project will see the construction of 150 new modern one-, two- and three-bedroom homes that will be energy efficient and environmentally sustainable. I am so pleased that these new homes will be in newly designed streets that will be well lit with better connections and open public spaces, creating a safe, vibrant and family-friendly neighbourhood. Minister, when will the construction phase of the Leawarra neighbourhood housing project in Delacombe commence? I am so proud of this project that will deliver social and affordable housing in Delacombe, and I look forward to sharing the response from the minister with my community.

Warrandyte electorate

Nicole WERNER (Warrandyte) (14:51): (758) My question is for the Minister for Emergency Services. When will the government fully fund our SES units to cover the mandatory training required to keep Victorians safe? I have previously raised in Parliament how Manningham SES, led by controller Vincent Ciardulli, reported a lack of funding for critical courses like emergency vehicle response driving, which is needed for training volunteers in responding to priority 1 events with lights and sirens. Manningham SES tell me that since I last raised this additional mandatory training and testing have been imposed, yet no extra funding has followed. Volunteers across SES units now must undergo yearly fitness testing, requiring two full days for volunteer trainers and forcing units to source their own fitness equipment. In order to complete this testing, the Manningham unit were forced to borrow kettle bells from their local gyms. Our volunteers committed to serving the community in times of crisis. The least we can do is – *(Time expired)*

Point Cook electorate

Mathew HILAKARI (Point Cook) (14:52): (759) My constituency question is for the Minister for Health. How well has the statewide community pharmacy pilot been accessed by the community that I represent? The pharmacy pilot, as people know in this chamber, includes treatment for shingles, resupply of oral contraceptive pills without a prescription and treatment for uncomplicated UTIs. I am glad to say that the minister was with me in Point Cook recently with pharmacist Cyrus and his wonderful team, seeing the work that they do. They love the pharmacy pilot program, and I look forward to the minister's answer.

Rulings from the Chair**Constituency questions**

The SPEAKER (14:53): I have reviewed yesterday's constituency questions. Previous rulings have stated that members should only ask one question for the constituency question, although on occasion two questions have been accepted when the member has been essentially restating the question during their contribution. Yesterday, however, the member for Polwarth asked multiple distinct questions during his constituency question, and in being consistent I therefore rule the member for Polwarth's constituency question out of order.

Bills**Prahran Mechanics' Institute Repeal Bill 2024*****Second reading*****Debate resumed.**

Melissa HORNE (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (14:53): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.**Ordered that debate be adjourned until later this day.****State Civil Liability (Police Informants) Bill 2024*****Second reading*****Debate resumed on motion of Anthony Carbines:**

That this bill be now read a second time.

Michael O'BRIEN (Malvern) (14:55): I rise to speak on the State Civil Liability (Police Informants) Bill 2024. You can stand up in this place and say that you believe in equality before the law and the rule of law or you can vote for this abomination of a Labor bill – but you cannot do both. It is the role of courts to settle disputes between individual citizens and indeed to settle disputes between individual citizens and the state. This is a judicial function – not a legislative function and not an executive function. Yet this bill before the house seeks to supplant our courts and remove their jurisdiction to settle disputes by proclaiming that a particular class of dispute is now off limits. This is the Labor government seeking to use its political power to take away the rights of individual citizens who have been done wrong by this state and by this state government. For those who claim to have an affinity for the union movement and for standing up for the rights of people who have had power used against them, it is extraordinary that a government that claims to represent those values would bring a bill like this before the Parliament. This is nothing else but the exercise of naked political power at the expense of the rights of other people.

Let us go through the entire sorry saga that has led to this. Nicola Gobbo, former Labor student activist and criminal barrister, was recruited by Victoria Police to act as an informant against her own clients. Not only did Ms Gobbo entirely trash her professional and ethical obligations, but she acted contrary to her obligations as an officer of the court. But the actions of Victoria Police in recruiting somebody they knew to be a barrister, to seek information against her clients to use against those clients, was as the High Court held, reprehensible conduct. This was a very sorry saga which Victoria Police sought to try to keep secret for years and years and years. It was only with the final decision of *AB v. CD* in 2018 that the High Court put a stop to the charade where Victoria Police had knowingly used a criminal barrister as an informant against her own clients. In a unanimous judgement the High Court said:

Likewise, Victoria Police were guilty of reprehensible conduct in knowingly encouraging EF –

Gobbo –

to do as she did and were involved in sanctioning atrocious breaches of the sworn duty of every police officer to discharge all duties imposed on them faithfully and according to law without favour or affection, malice or ill-will.

As a consequence of this a number of convictions that were secured using the tainted evidence of Gobbo were then quashed. Victoria's Court of Appeal went on to say in the case of Faruk Orman:

... Ms Gobbo's conduct subverted Mr Orman's right to a fair trial, and went to the very foundations of the system of criminal trial. There was, accordingly, a substantial miscarriage of justice.

Mr Orman served 12 years in prison – 12 years in jail – before his conviction was quashed. The government's view is that that is a whoopsie. The government's view is that that was a mistake. 'We're super sorry about it, but bad luck. You can't get compensation. You can't get recompense.' He certainly cannot get 12 years of his life back or 12 years of his liberty back. But the government now comes in here with a bill to say, 'You can't even receive compensation, because we are going to block you from suing those who did you wrong – those who led for you to be wrongfully convicted and imprisoned for over a decade.' That is the moral compass of this government – there is not one. It is about the naked exercise of political power and nothing else.

As a consequence of the exposure by the High Court of the disgraceful conduct of Victoria Police and Gobbo a royal commission was held, which found enormous wrongdoing was done. As a consequence of the royal commission there was a two-year investigation by the Office of the Special Investigator, former High Court justice Geoffrey Nettle. A more eminent jurist and a more eminent and respected legal figure you will not find in this country. And yet after two years of investigation, after millions and millions and millions of dollars, after 5000 pages of admissible evidence had been put together and after Justice Nettle's recommendations that charges be brought because people had perverted the course of justice, what happened? The Labor-appointed Director of Public Prosecutions denied any charges to go forward. The DPP said no – she knew better than a High Court judge who had spent two years gathering 5000 pages of evidence.

The idea that you can have what the High Court called reprehensible conduct and what our own Court of Appeal said was conduct which went to the very foundations of the system of criminal trial and subverted a right to a fair trial and nobody was guilty – really? This government did not want anything to happen, so this government has already squared it away. It has already whitewashed on the criminal side, because there have been no criminal prosecutions. Nobody has been held criminally accountable for the greatest legal scandal in this state's history. Nobody has been held criminally accountable for the fact that a man spent 12 years in prison when he should not have.

And that was not enough. Having whitewashed the criminal responsibilities of these matters, the government now brings this bill into this house to seek to whitewash the civil aspects of these matters. It will be a grand slam of whitewashing if this bill passes. No charges, no compensation – sweep it under the carpet. Bad luck about those 12 years in jail, Mr Orman – tough luck. This government says, 'We're bringing in this bill because we're very worried about taxpayers.' I am sorry, the taxpayers who paid \$1.3 billion not to build the east–west link. I do not think the government was too worried about taxpayer money then. The government that paid over \$600 million to not host the Commonwealth Games –

Danny O'Brien interjected.

Michael O'Brien: Same taxpayers, same government. I do not think the government was too worried about taxpayers money then. Now the government says, 'Up to \$45 million could potentially be at risk if these matters were allowed to proceed to trial.' A government that has set fire to \$2 billion of taxpayer money has got no standing to come in here and talk about preserving taxpayer money. I do not believe this is about preserving taxpayers money at all, I believe this is about protecting the government from the embarrassment of what might come out of a trial. That is why I think this bill is before the house. That is what I think is motivating the government: a desperation to avoid peeling off those scabs and further embarrassment for a Labor government that was in government during Lawyer X and has been in government since it has been exposed. It wants it all to go away, and it is prepared to ride roughshod over the rights of individuals in order to do it.

I was just looking at this bill. This government made a great song and dance – and I was in the chamber at the time – in 2006. This government introduced the Charter of Human Rights and Responsibilities Act 2006. They were very keen on saying how important the Charter of Human Rights and Responsibilities Act was and how it was going to protect the rights of Victorians and that all Victorians would be equal before the law. Well, let me take you to clause 6(1) of this bill:

The **Charter of Human Rights and Responsibilities Act 2006** has no application to this Act.

A government that trumpets its commitment to human rights through this charter now says, 'Actually, it's inconvenient. We know we're taking away people's rights, and we don't give a damn. So let's just pretend that pesky little charter never applied. Let's just excise it; let's just exclude it through clause 6.' What a pack of hypocrites.

I never want to hear any member of the Labor Party come into this place and ever talk about the Charter of Human Rights and Responsibilities, because we all know it is just a convenient ruse for you when you feel like it.

As I said, former Labor student activist Nicola Gobbo – I hold no brief for Nicola Gobbo. I hold no brief for Faruk Orman. In many ways they are not very sympathetic characters, but that is the point of the law. It is the point of the rule of law and equality before the law. It is not about whether I like them or not. It is about the fact that they have rights, and who is this government to come in here and seek to extinguish their rights – to take them away because of a political inconvenience or a financial inconvenience, because that is what it amounts to.

And who says it ends here? If this bill passes, the precedent is established. Any time a Labor government runs into a problem which is politically inconvenient or financially inconvenient, they can just pass a law to take away rights. Relied on the government to do something which the government

failed to do? We can legislate, take that away. Suffered childhood sexual abuse in a government school? Well, what is to stop the government stepping in here and taking away your rights too? This is a horrific precedent, and you cannot say it is a one-off, because this is a precedent. It is a precedent because it is, as the Victorian Bar has said, unprecedented. I am quoting from their media release:

Legislation of this kind is unprecedented in this country –
not just Victoria, unprecedented in this country –

and incompatible with the Victorian Charter of Human Rights and Responsibilities Act 2006.

The bar went on to say:

It would also set an extremely disturbing precedent for Parliaments that might in future seek to extinguish people's rights against the State in other areas if it becomes financially or politically expedient to do so.

So this bill is wrong, but the precedent it sets is devastatingly wrong. I will just put on the record:

The Victorian Bar is fundamentally opposed to the State Civil Liability (Police Informants) Bill 2024 ...

What about the Law Institute of Victoria? A media release from Adam Awty, the chief executive of the LIV, states:

... the LIV believes that this fundamentally undermines the rule of law and administration of justice. The State has enormous power over its citizens, and for it to legislate out of liability when the power is wielded improperly is wrong.

So this bill has got no support from the bar and no support from the Law Institute of Victoria. Australian Lawyers Alliance spokesman Greg Barns SC said the bill set a 'dangerous precedent'. I could go through all the experts, but this government knows in its heart that this is the wrong thing to do, but it does not care. It is a naked exercise of political power to fix a political embarrassment at the expense of the rights of others. That is what it comes down to, and this government should be ashamed of itself for proposing it and ashamed of itself for voting for it. This is not what democracy and the legislature are supposed to be about.

And by the way, it is not our job to take the place of courts. It is the job of courts to decide disputes. It is not for us to say, 'Sorry, courts, you can't look at this one because it's a bit inconvenient for us.' And by the way, do not expect if this bill passes – and I hope it does not – that this will be the last we hear of it. As sure as eggs is eggs this will wind up in the High Court, and the High Court will have to determine whether it is constitutional for a Labor government, a Labor-dominated legislature, to effectively take over the business of courts and to decide that it will determine who can bring disputes to court and who cannot.

We know this government does not have a very happy track record when it comes to going to the High Court. They went to the High Court trying to stop the Ombudsman from investigating red shirts. It is extraordinary that the government would go all the way to the High Court trying to stop the Ombudsman from doing her job to expose corrupt conduct by Labor members of Parliament.

Danny O'Brien interjected.

Michael O'Brien: 'How did it work out?' the member for Gippsland South says. Well, funnily enough, the High Court said, 'Ombudsman, you do your job. Labor government, you get back in your box.' Then of course the Labor government thought, 'We could be smart. We'll put a tax on electric vehicles. We're super smart. We know better than the High Court, than tax experts, than constitutional experts. We'll put a tax on electric vehicles.' How did that work out, member for Gippsland South?

Danny O'Brien: I don't think that went very well either.

Michael O'Brien: No, it did not. It was struck down as being unconstitutional – as being an excise, which state governments do not have the power to impose, which anybody who had actually read the Ha judgement back before 2000 and had bothered to advise the government before they

introduced their EV tax could have told them. It was as clear as day. But of course this government in its arrogance thought they would not get called on it, or maybe they hoped they would have federal Labor mates that would have stacked the High Court by then – who knows? But no, they lost in the High Court on that one as well, and now they are going to go for another one. Let us see if they can go three from three. The older this government gets, the more arrogant it gets and the worse it gets.

Danny O'Brien interjected.

Michael O'Brien: Well, you would think it is a try-on. I do wonder, member for Gippsland South, whether this is all posturing from the Labor government, because we do know that the Gobbo compensation matter is set to go to trial in September. Maybe the government is simply introducing this in the hope of scaring the plaintiff in that matter and her legal advisers: 'Well, if you don't settle with us now and stop this matter ever going to court, maybe we'll go through with this legislation and you'll get nothing.'

That is the way this government operates. They do not care about rules and regulations and ethics and procedures; it is about the naked exercise of political power to get what they want. I say this because the government has got a track record; it has got form on this. I remember after Labor was elected in 2014 the then Premier Mr Andrews running around saying, 'If the east-west link consortium are not nice to us, if they don't play ball with us, we've got legislative options' – threatening to use legislation to void a contract to avoid paying compensation. That is the way this government works. They try and use political power to bully anyone who gets in their way. They are the political offshoot of the CFMEU. It is about using political thuggery to get their way. So that is where we are. This is an extraordinary piece of legislation, and it reflects very poorly on all who have brought it before this place.

Jack Rush AO KC is a very respected member of the Victorian legal community – he is a very respected member of the Victorian community full stop. He was counsel assisting on the 2009 Victorian Bushfires Royal Commission and did an outstanding job, and I think a lot of Victorians, particularly from country Victoria, have still got a great amount of respect and gratitude towards Jack Rush for all his work there. He is also a very eminent barrister, and at the moment he is acting as counsel for Faruk Orman, the man who was improperly jailed for 12 years as a result of the Lawyer X scandal. I asked Mr Rush what his view on this position is, and he has given me permission to note these comments. He said:

Not only, as stated, does this extraordinary legislation act retrospectively to strike down Orman's claim, it means the police involved are unaccountable in any way for their "reprehensible" conduct. The effectiveness and proper operations of any disciplined service, whether it be Police or ADF, demands such accountability to ensure compliance with standards and in the end the safety of the community. At law claims such as this are seen as fulfilling that purpose.

The justification of the Government, as best it can be discerned, is something along the lines of "...it is time to put an end to this disgraceful chapter in Victorian policing". That is no justification for the injustice involved to those who have suffered by removing, retrospectively, a right to be compensated by a court for the damage the police conduct has caused upon proving their case. The precedent set is profound and disturbing. This is not a matter of what one thinks about Orman; respectfully I would contend this legislation could not be supported.

Jack Rush is right. It is not about what you think of Faruk Orman or Nicola Gobbo or the other two cases that are currently on foot or the cases that may come; it is about the principle of the rule of law and equality before the law.

Can anybody else in society pass a law to say, 'We did the wrong thing, but we're not going to be held liable for it'? No. Governments should be as equal before the law as citizens are, but the government is saying, 'We are above the law. We would normally be held accountable; now we're going to be changing the law so we're not accountable. Everyone else has to be held to standards under law, but not this Labor government, because we've changed the law to make sure we aren't.' That is not equality before the law, and it fundamentally undermines the rule of law.

One of my favourite plays and one I studied in year 12, which was many, many years ago, was *A Man for All Seasons* by Robert Bolt. It chronicles part of the life of Sir Thomas More, and Sir Thomas is the patron saint not only of lawyers but also of politicians. One would say that it may be that lawyers and politicians need patron saints on our side. I would like to quote a little bit of that play, because it is very apt to the bill before us today. Sir Thomas More is having a conversation with his son-in-law William Roper, and they are talking about the importance of the law, and Roper says:

So now you'd give the Devil benefit of law!

Sir Thomas More:

Yes. What would you do? Cut a great road through the law to get after the Devil?

Roper:

I'd cut down every law in England to do that!

Sir Thomas More:

Oh? And when the last law was down, and the Devil turned round on you – where would you hide, Roper, the laws all being flat? This country's planted thick with laws from coast to coast – man's laws, not God's – and if you cut them down – and you're just the man to do it – d'you really think you could stand upright in the winds that would blow then? Yes, I'd give the Devil benefit of law, for my own safety's sake.

You do not have to like Nicola Gobbo or Faruk Orman or anything they did or did not do, but if this house, this Parliament, passes this bill to take away their rights for the wrongs done to them or the wrongs that a court may find were done to them, then this government is cutting down the laws for its own sake, and once you start doing that there is no going back.

The manner in which this bill has been brought to Parliament is quite extraordinary – to be second-read so the bill is circulated this morning, for debate to be brought on at about 3 o'clock or slightly before, and for it to be on the parliamentary guillotine at 4 o'clock. An unprecedented piece of legislation, in the words of the Victorian Bar – not just unprecedented in Victoria, unprecedented in this nation – is to receive approximately 1 hour and 10 minutes worth of debate. Can anybody opposite actually justify that? You would think when such an extreme measure is proposed to take away people's rights against the state that it is something that should be discussed and debated and consulted about, but no, again it is being rushed through – a naked exercise of political power to serve the interests of the Labor government. They do not care about the rights they trample on. They do not care about the ethical norms of this place. They simply want to engineer an outcome.

Whatever you think about the actions of people like Gobbo and Orman, they deserve their day in court. Every Victorian deserves their day in court, and especially when your claim is against the state of Victoria – the government, with all its power, with all its resources. An independent judiciary is supposed to be one of the last bastions to help protect the individual citizen against the might and power of the state. What is happening here is the government is saying, 'We're going to remove even that. You are entirely exposed to our political power, because it suits our political purposes.' And that cannot be justified. That is why, as I flagged, I do indicate that this is likely to go to the High Court and, given this government's track record, it is likely to fail.

The government has said that this is about putting an end to these matters, ruling a line under them. It will not, and I will tell you why it will not: not only because of the appalling precedent this sets but also because last year the Labor government passed legislation that specifically allows lawyers to act as informants against their clients. The Human Source Management Bill 2023 was passed over our strenuous objections because it allowed lawyers to be used as informants against their clients. The government said that there are a couple of safeguards. If the Chief Commissioner of Police wants to use a lawyer to inform on their own client, they have to get some legal advice. Are you serious? Telling the police they need to go and find a lawyer who will tell them 'Yes, it's fine. Go and do it' is enough to be able to keep having lawyers ratting on clients. We know where this ends.

The High Court of Australia has made it clear: you cannot do it. The Court of Appeal has made it clear: you cannot do it. It undermines the right to a fair trial. It does not matter how much the police want it to happen; the courts have said it cannot. Yet this arrogant Labor government continue to ignore what the courts tell them, and they have set up a regime to allow police to continue using lawyers to inform on their clients – Nicola Gobbo all over again. I guarantee that this bill, if it passes, will not put an end to anything. It will not rule a line under anything. It is going to perpetuate bad behaviour and perpetuate injustice all for the political benefit of the Labor Party, and that is disgraceful, absolutely disgraceful.

You come into this place and you hope to make a difference in your community. You hope to make a difference in your state and maybe, through that, you hope to make a difference for your country. I did not come in here to pass laws specific to a handful of people to say, ‘You had the wrong thing happen to you. You’ve been put in jail wrongly, and now we’re going to take away your rights to get compensation.’ That is not why I came into Parliament, to take away the rights of people that have had horrible things done. Can you imagine what it would be like spending 12 years in prison for a crime that the High Court found you should never have been convicted of? Twelve years of your life – imagine that. Imagine the pain that you have endured. There are things that have been lost by some of these people that they will never get back, and now this government wants to take away their one chance to get a little bit of solace, a little bit of fairness, a little bit of equity and a little bit of compensation for the terrible wrongs done to them. This government says, ‘No, you’re politically inconvenient. Things you might say at a trial might be a bit politically embarrassing for us, so we want to pass a law specific just to you to say you aren’t allowed to sue the state government.’ That is not what democracy is about.

I see we are joined by some young people in the gallery. This is Parliament at its worst; this is not what we should be about. We should be standing up and enhancing the rights of Victorians, protecting the rights of Victorians, not taking them away, but that is what this Labor government bill is going to do. The Liberals and Nationals will stand up for Victorians, for their rights, for their principles. We will stand up for equality before the law because governments should have no more rights than any individual in Victoria. We will stand up for the rule of law, because courts and judges should make these sorts of decisions, not politicians. We will stand up for a precedent that says no Victorian should have their rights taken away by a government purely because they are politically inconvenient. This is an appalling bill. It disgraces those who brought it before this chamber, and the Liberals and Nationals are implacably opposed to it.

Nina TAYLOR (Albert Park) (15:25): I am pleased to rise to speak on the State Civil Liability (Police Informants) Bill 2024. As we have heard and as is the case when of course we have the democratic institution of Parliament, each side or the various opinions are allowed to be put forward, as they are very transparently in the chamber, so that those who might be watching in the gallery or through the direct line into Parliament are able to see exactly what is being debated, and that is a very important part of democracy. I feel it is incumbent on me to perhaps clarify the ambit and the purpose of the legislation before us, because I did hear a number of tangents and a number of very large statements, grand statements – and I am not saying that they should not be made either. Again, that is the purpose and the merit of debate, that each side gets to put the various aspects or, as they see fit, to put forward various arguments either for and against – or maybe there is congruence, and we do hope for and do seek congruence as often as we possibly can. It might not always appear that way to those watching us in the chamber, because there are a certain amount of theatrics et cetera. However, I will be very specific when I say that particularly with regard to the subject matter, the very sensitive subject matter, that we are discussing today I think less theatrics and more specifics are perhaps appropriate. But then again it is not for me to define how each person in the chamber presents their particular arguments. That is absolutely at their discretion within the appropriate and balanced behaviour of the chamber.

What I do want to do, though, is come back to the fundamental question: why do we need this bill? The bill is necessary – and I was hearing some different assertions about why it has been put forward; again, democracy says that you can put various assertions to the chamber, but I hope that I can provide some clarity in that regard – to limit the state’s ongoing financial exposure due to Victoria Police’s use of Ms Nicola Gobbo and Mr Joseph Acquaro as human sources. This includes not only the exposure arising from any successful legal claims against the state but also the significant legal costs and public resourcing impacts of managing and responding to current and anticipated litigation. You can see from the way that I have presented those particular elements that no-one is glossing over or in any way resiling from the core tenets of the legislation that is before us here. On the contrary, it is quite precise, and I will note – not that it is perhaps the most important element of the legislation, but it is not unimportant either – that it is a fairly succinct bill, and so in that way in defining the ambit or the purpose we can also be fairly succinct. Hopefully, in that regard, in the discussion we are having here in the chamber, we can be clear about what this actually means for our state of Victoria.

Indeed let me refer to the bill proper and look at the purpose. I am reiterating the point because I just want it to be really clear and well understood. I do not say that to be patronising in any way, shape or form, noting the very sensitive nature of the subject matter that we are discussing here today, but just to be absolutely clear about the purpose of this legislation before us, I quote from the legislation:

The purpose of this Act is to limit the civil liability of the State by extinguishing causes of action in relation to the provision of information and other assistance by specified human sources.

So I hope that that provides some clarity for those opposite as to the actual purpose of the legislation. I did hear some discussion about east–west link and some other matters.

However, for the purposes of this debate I contend that it is appropriate to focus on what the fundamental purpose is of us debating and seeking to pass this legislation in the chamber as we speak. I note that there were some rather emphatic statements about whatever the destiny of this bill may or may not be, but I think for the purposes of here and now – MPs debating and discussing, as we should, as is fit and proper, the legislation before us – it is important that we know the purpose for which this legislation has been put forward to the chamber. It is certainly, I would argue, important legislation, and I have reiterated twice – once more broadly and then actually going to the heart of the legislation itself, so that it is very clear – that no-one is resiling from what the purpose of this legislation is. We are not talking about freeways et cetera; we are talking about the matter before us, the State Civil Liability (Police Informants) Bill 2024.

You might say, ‘Well, you’re being a little bit laborious with that subject matter. I mean, surely it’s clear to the chamber.’ Well, I am not absolutely certain it is, because I did hear a number of tangents being straddled in the previous presentation to the chamber. I am not saying that should not happen, but at the same time, owing to the innate sensitivity of the matters which the bill refers to, I feel it is very important for the betterment of all in this chamber and indeed anyone in the Victorian community who may happen to be tuning in at this point in time – whether it is journalists, whether it is students, whether it is relatives and staffers, whoever it may be, or whether it is in fact the legal profession, who may have a keen interest in the subject matter at hand – that it is very clear exactly what is being transacted and the fundamental purpose that underpins this discussion here in the chamber.

I certainly respect the fact that different sides of the chamber may have a differing perspective on these matters. That is absolutely to be respected, and it is certainly an inherent element of democracy that different points of view can be debated within the chamber. That being said, I would contend that the government is being very clear and very up-front under the circumstances with regard to the purpose for which this legislation is being brought forward and why it is being brought forward in the manner in which it is here in the chamber. As we debate these important matters, noting that this is right and proper under the circumstances – certainly the purpose for which this legislation has been brought forward is for the greater good; I would like to say for the greater good of Victoria and the Victorian community – there is a sound and well-reasoned rationale behind the particular legislation that we are

debating here in the chamber at this point in time. Noting the history and the sensitivity of the subject matter at hand, none of this has been taken lightly, not by even the remotest possibility. On the contrary, there is absolute respect for being absolutely prudent but also very transactionally correct and transparent with the legislation that we are debating here as we speak in the chamber at this point in time. It has certainly been my goal to be absolutely clear and to clarify the ambit of the legislation and the purpose which underpins it being discussed in the chamber here today and not take some of the other interesting tangents that were explored along the way, whether they be freeways or otherwise, but actually have regard to the bill proper before us in the chamber.

Danny O'BRIEN (Gippsland South) (15:35): I think I said in the debate on the Human Source Management Bill 2023 last year that this was putting to bed the sorry saga of the Lawyer X scandal. Sadly, I was wrong, because here we are again addressing an issue that has brought great shame on the state of Victoria and, sadly, on Victoria Police, who I have the utmost respect for in every other sense. Now we have this extraordinary piece of legislation, and you can tell by the number of speakers, the time allocated for speaking on this legislation and the lack of interjections by those opposite that this government's heart is not in this bill at all. This government is very embarrassed about this, as it should be. The government is introducing this legislation to take away people's rights before the courts. I quote from the Attorney-General's press release, which says:

... the Bill will protect taxpayers from further costs associated with this appalling chapter of police informant misuse.

I could sum up my response to this bill and possibly that of many of us on this side as: now you care about taxpayers dollars. It is extraordinary that the government is now introducing this virtually unprecedented legislation on the basis that it cares about saving taxpayers dollars. We have seen 10 years of complete disrespect for taxpayers and their dollars time and time and time again, whether it is the issues that the member for Malvern highlighted – the \$1.3 billion spent to not build a road, the east–west link; the \$600 million so far that it has cost this government not to hold the Commonwealth Games; or the \$40 billion in cost overruns on the Big Build projects, in part thanks to the government's friends in the CFMEU. I mean, it is simply extraordinary now for the government to say, 'We care about taxpayers dollars, and as a result we're going to introduce legislation that removes the legal rights of a certain class of citizen irrespective of what the background of those citizens might be.'

Those of us on this side believe in the principle of equality before the law, and it is very clear that this government have decided to try and put to bed a political issue. I actually think they will not do that anyway. Despite the headline of the Attorney-General's media release about drawing a line under the royal commission into police informant spending, the very clear likelihood, as evidenced also by the briefing provided by the government, is that this will end up in the High Court as well and quite possibly will be struck out.

As the member for Malvern has also indicated, it is likely to happen again because the government not only is trying to draw a line under the Lawyer X scandal but also has actually legislated to allow it to happen again – to allow conduct to occur again that the High Court described as 'reprehensible'. And yet the government sits there and says, 'Oh, we're going to draw a line under it.' This is an extraordinary piece of legislation, so it is no surprise that this legislation is friendless at the moment – that the Australian Lawyers Alliance is opposed to it, that the Law Institute of Victoria is opposed to it and that the Victorian Bar has indicated it is 'unprecedented in this country', let alone in Victoria. It is quite extraordinary that the government is going to these ends.

As the member for Malvern indicated, some of the people involved in this scandal are not people that we necessarily would be usually supporting. I think I said in the Human Source Management Bill discussion that there will be some people in the public who will say, 'Well, whatever means to put the crooks behind bars; whatever means it takes for the police to do that.' They might also be thinking the same with this: 'Ah well, they were crooks. They were part of the criminal underworld, and so they shouldn't have any rights to sue the state.' To that I say to the public and to the government: imagine

it was you. Imagine you had been convicted and spent 12 years in jail for a crime that the High Court said you should never have been convicted of, and now, having spent that time in jail, you have no recompense because the Parliament of Victoria has passed legislation to specifically preclude you and anyone else in the same circumstances, involving just two people, from taking action against the government. That is a misuse of state power, and that is a fundamental breach of the democratic norms that we have in this state and the right to a fair go in particular in Australia.

I want to go to in particular the hypocrisy that this bill reveals in this government, because they are saying, 'This is costing us too much, it's inconvenient and so we need to remove people's rights,' yet we saw this government sit idly by for 10 years while green activists took legal action after legal action against VicForests. The Labor government failed to act on that, and not only failed to act on it when it could have done so but actually agreed and legislated to shut down the sustainable native timber industry in the face of lawfare. I go to that point because when we asked the former Premier Mr Andrews about this last year, I asked him why he would not act to codify aspects of the timber harvesting model, and the Premier then said, 'We have got Victorian government solicitor advice, senior counsel advice, that we cannot do so.' He said it was not legally certain or legally safe. We have already been told that this is not legally certain or safe and that it is more than likely to end up going to the High Court. When I asked the former Premier 'Will you provide that legal advice to the public?', because timber workers were saying 'Well, you could have done something; you could have legislated the timber harvesting situation to ensure that that industry could continue in the face of legal threats,' he said, 'No. We will not provide that advice.' So on the one hand the government failed to support for 10 long years a sustainable, job-creating industry in regional areas when it could have acted to provide some certainty in the face of legal challenges, and on the other hand we have the government shutting down something completely embarrassing to this government simply for political purposes. The hypocrisy is just astounding in this.

I am extremely concerned at the actions of this government in this legislation. I think it is extraordinarily misleading that the government's line in this, the quote from the Attorney-General in her media release, is that:

We haven't shied away from confronting the difficult truths that arose from the Royal Commission.

Yes, they are. They are shying away within this legislation. They are shutting down any legal opportunity for those affected by this. It is exactly what the government is doing. They are shying away – that is what this legislation is all about.

As the member for Malvern highlighted, the aspects of this legislation that are in contravention of the charter of human rights just beggar belief. From the lecturing that we heard – I was not here at the time, member for Malvern, but I do remember the former Attorney-General going on about it. Mr Hulls went on for decades about the importance of the Charter of Human Rights and Responsibilities. When it does not suit the Labor Party, they just dump it. They absolutely just dump it, to the extent that the second-reading speech from the minister says:

The exceptional circumstance warranting a charter override is the need to promote finality in relation to causes of action related to the royal commission and protect Victorian taxpayers and the state from further royal commission related expenditure.

What is exceptional about that? Those things happen all the time. This is just a crock from this government. The government does not have its heart in it. I have not had a single interjection and the member for Malvern did not have a single interjection because those opposite clearly are embarrassed about this legislation, as they should be. They should be embarrassed about this.

I know we are going to hear from the Greens shortly on this legislation. I strongly urge them also to oppose this legislation. The Liberals and Nationals will be opposing this legislation. I urge those in the other place to also oppose this legislation. It is undemocratic, and it should not pass this Parliament.

Tim READ (Brunswick) (15:45): I am sorry if the member for Gippsland South is feeling a little left out with the lack of interjections; we will have to lift our game next time. But I do agree with the member for Gippsland South that this bill does appear somewhat friendless. This bill, which popped up unannounced this week, will stop people from suing for compensation for damages arising from Victoria Police's use of the lawyers Joseph 'Pino' Acquaro and Nicola Gobbo as informants, and in doing so it removes the final means of holding police accountable for their actions. No police officer is likely to be charged for what Chief Commissioner of Police Shane Patton called 'a profound failure by our organisation'. After the DPP's decision that police would not be charged and the disbanding of the Office of the Special Investigator, there really is no other remaining mechanism which will hold police accountable for what happened. This is not the only time, unfortunately, where we have seen a failure to address police misbehaviour. Most complaints made to the Independent Broad-based Anti-corruption Commission, or IBAC, about police are referred back to police to investigate, with IBAC itself only able to investigate around 2 per cent of those complaints. IBAC itself has raised concerns about its ability and its resources to oversee police conduct. This government has promised to overhaul police oversight, but this appears to have stalled.

While we wait for a better mechanism of police oversight – and just on that, I might note that some jurisdictions have a fully independent police ombudsman, which if appropriately resourced may be the best solution to problems of this nature. But while we wait for something like that, it is reasonable to ask if litigation is actually a useful accountability mechanism when applied to police actions. In many cases it is not, because of the difficulty of obtaining evidence and because many potential plaintiffs, and likely deserving plaintiffs, lack the funds to proceed with litigation. For those cases affected by this bill, the Royal Commission into the Management of Police Informants has done much of the work, and at least some of those affected have access to funds and lawyers. So why should we deny those affected the opportunity to expose more about how police exploited their choice of legal representation? Another way to look at this is to ask if Parliament should extinguish any right to sue the state for systemic harmful and illegal actions. Hypothetically, what if people were injured because, say, a hospital knowingly allowed a harmful practice to continue? Fear of litigation acts to protect Victorians from malpractice in many different environments. It may not be ideal, but I struggle to see the difference, or an important difference, between extinguishing the right for litigation in this case compared to any number of other scenarios of malpractice by government departments or agencies. If we do not remove the right to sue in other cases, what is different about this one?

I am sympathetic to the government's desire to avoid expensive payouts when scarce funds should be spent on more urgently needed social and environmental projects, but since the Victorian Auditor-General found that \$2 billion was spent on additional police for no apparent reason or positive benefit, I can only agree with advice from the community legal sector that police are well funded and should pay for the consequences of their actions out of their police funding allocation. The royal commission into the Lawyer X affair found that the convictions of over a thousand people – I think it was 1011 – may have been affected because police used Gobbo as an informant. Rather than denying them access to the courts to seek redress, the Greens would be prepared to consider, for example, caps in compensation payments. The government argued in a briefing to non-government MPs that this may not be constitutional, but if that is the case, then I cannot see how this bill is constitutional. Perhaps we should look at other ways to make the process fairer and cheaper for the state, as ad hoc litigation can accumulate costs and some very large payouts, and a common way to approach a situation where you have, say, a thousand people affected would be to consider a compensation scheme.

Money and funding aside, I cannot help but wonder to what extent the motivation behind this bill is to protect police from further adverse publicity. It is hard to find a greater example of the cognitive dissonance of a government that is now making complex policy decisions entirely based on politics and polling than the paradoxical positions of the two justice bills, one in each house of the Parliament this week. As I said earlier today, this bill protects grown-up police from the consequences of their actions while the Premier just yesterday was saying children need to grow up and understand the consequences of theirs.

Unless we see something like an independent police ombudsman, such as is available in Northern Ireland – the Northern Ireland model is held up as an example of best practice – it is hard to see how we can get an alternative to litigation as a way of holding the police accountable for their actions, and for that reason the Greens are not in a position to support this bill.

Jess WILSON (Kew) (15:51): I too rise to speak on the State Civil Liability (Police Informants) Bill 2024, and can I start by thanking the member for Malvern for his contribution in this place and for outlining so clearly why the opposition, the Liberals and the Nationals, vehemently oppose this piece of legislation. It is good to hear that we will be joined by the Greens in opposing this piece of legislation as well.

It is an extraordinary abuse of power to bring this piece of legislation before the Parliament, but to do so in such a rushed and, I quote, urgent manner is even more concerning. To have 1 hour to debate a piece of legislation that will limit the rights of Victorian citizens in terms of how they can approach justice in this state is extraordinary, but unfortunately it is simply not surprising coming from this Labor government, this arrogant government. I think it speaks volumes that we are only going to hear from one member of the government on this piece of legislation this afternoon. Unfortunately, the member for Albert Park drew the short straw, as usual, and had to speak and put on the record outrageous positions on behalf of this government in terms of limiting the rights of Victorian citizens. The piece of legislation before us seeks to use extraordinary powers of the state to shield itself from the damage caused by its own actions. It is both retrospective in nature and unprecedented, and to have only 1 hour to debate it before it is guillotined off this afternoon speaks volumes to the level of embarrassment this government must have in bringing a piece of legislation before this Parliament.

This government time and time again tries to silence its own citizens in terms of the concerns that they have with the approach this government takes and the mess this government finds itself in time and time again. This government is bringing forward legislation this afternoon that completely undermines the rule of law in this state. It completely undermines the idea of equality before the law and suggests that the government itself should be above the law. The opposition this afternoon, as the member for Malvern rightly outlined, is taking a much-needed principled approach to this bill, saying that no government can be above the law and no government can try to silence its critics by using the parliamentary process to ensure that they cannot take action in the courts to find justice in an event where the government has created the mess itself.

As has been spoken to today, no-one necessarily likes or agrees with the people in question named in this bill, Nicola Gobbo and Faruk Orman. They may not be people that we agree with or that we wish to see supported in any way. But they have a right to bring these claims in the courts. In the case of Mr Orman, his conviction for murder has been squashed as a result of the Lawyer X scandal. The fact that his lawyer was also a police informant goes against the very foundations of our system of justice in this state, the very rule of law that we all come into this place to uphold. This piece of legislation is designed to protect the state from compensation claims from Nicola Gobbo and Faruk Orman. This is something that the Attorney-General has described as ‘a dark chapter’ in the state’s history, yet last year in this place the government brought forward the Human Source Management Bill 2023, which sought to in fact put in place a model in which lawyers can continue to be police informants on their clients. So on the one hand we have the Attorney-General saying this is a dark day for Victoria and we need to put an end to this dark chapter, but on the other hand we have actually seen legislation pass through this Parliament, under this government, that allows it to happen time and time again. This is conduct that the High Court has called ‘reprehensible’, and the Victorian Court of Appeal found that:

Ms Gobbo’s conduct ... subverted Mr Orman’s right to a fair trial, and went to the very foundations of the system of a criminal trial. There was, accordingly, a substantial miscarriage of justice.

We saw that a royal commission was conducted – a multimillion-dollar royal commission – and a two-year investigation by the Office of the Special Investigator, and of course coming out of that the former High Court Justice Geoffrey Nettle attempted to prosecute a number of people over the criminal

conduct in the Lawyer X scandal but was thwarted at every opportunity thanks to the Labor-appointed DPP. We have seen a royal commission that cost millions of dollars. We have seen another two-year investigation. We have seen legislation come to this place that is in fact contrary to the advice of that royal commission and the findings of our highest courts – the Court of Appeal here in Victoria and the High Court – which found it to be reprehensible conduct, yet we now have a situation where the state is trying to legislate its liability away under the Lawyer X scandal.

As the member for Malvern has said, this is a friendless piece of legislation. We have heard from various bodies, including the Law Institute of Victoria, which has said:

... the LIV believes that this fundamentally undermines the rule of law and administration of justice.

The state has enormous power over its citizens, and for it to legislate out of liability when the power is wielded improperly is wrong.

Nothing could be closer to the truth. The state must allow for this to continue. This is not something that has happened overnight – this ‘urgent’ piece of legislation that has come before the Parliament today and must be rushed through and debated for only an hour. These issues have been in question for years. These court proceedings have been in question for years, yet as we get closer to the trial date the government comes in here and tries to limit the liability of these parties. It goes against the very system of justice and democracy in this country and undermines the rule of law that we as members of Parliament are meant to come in here and uphold.

This is an extraordinary abuse of power by this government. We know that they are trying to limit their liability because they are concerned about the cost of what that liability may be at the end of the day. We know that this government cannot manage money, but the result of that cannot be limiting the rights of their citizens and undermining the rule of law at every single opportunity. I do not think it comes as any surprise to any of us on this side of the chamber that this government would approach this bill in this way, but it simply defies the very foundations of our parliamentary system and our legal system to introduce a bill like this to limit the liability of their citizens and to put in place limitations on how citizens can approach justice in this state. We as the opposition oppose this bill and call on others to do so.

The DEPUTY SPEAKER: The time set down for consideration of the State Civil Liability (Police Informants) Bill 2024 has arrived, and I am required to interrupt business.

Assembly divided on motion:

Ayes (50): Juliana Addison, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Darren Cheeseman, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D’Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Matt Fregon, Ella George, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

Noes (29): Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Gabrielle de Vietri, Wayne Farnham, Sam Groth, Matthew Guy, Sam Hibbins, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, Danny O’Brien, Michael O’Brien, Kim O’Keeffe, John Pesutto, Tim Read, Richard Riordan, Brad Rowswell, Ellen Sandell, David Southwick, Bill Tilley, Bridget Vallence, Kim Wells, Nicole Werner, Jess Wilson

Motion agreed to.

Read second time.

*Third reading***Assembly divided on motion:**

Ayes (50): Juliana Addison, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Darren Cheeseman, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Matt Fregon, Ella George, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

Noes (29): Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Gabrielle de Vietri, Wayne Farnham, Sam Groth, Matthew Guy, Sam Hibbins, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Tim Read, Richard Riordan, Brad Rowswell, Ellen Sandell, David Southwick, Bill Tilley, Bridget Vallence, Kim Wells, Nicole Werner, Jess Wilson

Motion agreed to.**Read third time.**

The SPEAKER: The bill will now be sent to the Legislative Council and their agreement requested.

At the end of question time the Leader of the Opposition required that the Minister for Tourism, Sport and Major Events withdraw. I ask the minister to withdraw.

Steve Dimopoulos: I withdraw.

Business interrupted under sessional orders.*Grievance debate*

The SPEAKER: The question is:

That grievances be noted.

Government performance

John PESUTTO (Hawthorn – Leader of the Opposition) (16:09): I rise today to grieve for the people of Victoria, a people who are suffering at the hands of this incompetent, corrupt government that has no solutions but has created all of the challenges that the Victorian people face today – cost of living, cost blowouts, youth crime waves, flip-flopping on policy, impositions on Victorian households and businesses that they should not have to bear.

I grieve for the people of this state because we have a Premier who cannot lead, a Premier who does not have any direction for this state, a Premier who does not have a vision for this state. What we have under Premier Jacinta Allan is a Premier, a consummate subordinate, who has risen to this job without any vision of how this state should be led and how she can lead us out of the hole she has dug for this state, because let us remember Premier Jacinta Allan has been at the cabinet table for 10 years – here we go, butter-fingers.

The SPEAKER: I would prefer that insults were not thrown across the table at members.

Danny Pearson: On a point of order, Speaker, the Leader of the Opposition well knows that in this place correct titles are to be used. He should be referring to the Premier of Victoria by that title and by that title alone.

The SPEAKER: I remind members that this debate is about respect as much as anything, and I ask members to refer to members by their correct titles, which the Leader of the Opposition was doing. There is no point of order.

John PESUTTO: I note the minister's objection to uttering the words 'Jacinta Allan' in this house. I do not know why he would take objection to that.

The SPEAKER: Order! It is out of order, and I ask you to refer to the Premier as the Premier.

John PESUTTO: That is what I was doing. We have a government that is incompetent, is corrupt and is sending Victoria down the tube. Business is leaving this state. Households are wilting under the pressure of cost-of-living increases that this state and this government have imposed on Victorians who do not deserve it.

I grieve for the people of this state because when confronted with the news she always knew about – that there were corruption, intimidation, kickbacks, blackmail and violence on taxpayer-funded worksites – when Nick McKenzie and other journalists shone a light on what we have all known for many years about this corruption and the blowouts on major projects, what did this Premier, Premier Jacinta Allan, do? A Premier who has overseen all of these major projects in this state – what did the Premier do? The Premier hid for three days. The Premier did not know what to do. The Premier did not know what to do because she knew about it. Did she have the courage to stand up, front the media, front the Victorian people and admit that she knew about it, admit that she did not know what to do about it? Then, when the Premier finally came out of hiding and spoke to the Victorian people, it was pathetic. It was not leadership. It was a Premier who was trying to demonstrate that she had solutions when there were none. What has the Premier done in the face of these most serious allegations – allegations that are not remote from the lives of Victorian households and businesses? The reality of these cost blowouts, which are affecting all Victorians – whether it is education, whether it is health, whether it is child protection, whether it is our justice system, whether it is roads that are riddled with potholes – is that Victorians are paying the price for this. And what did the Premier do? Rather than admit that this serious wrongdoing needed to be reckoned with in the form of a genuine inquiry, she has appointed Mr Greg Wilson to undertake a formal review.

Paul Mercurio interjected.

John PESUTTO: What is this? I object to that, Speaker. It is offensive material.

The SPEAKER: I ask the member who is holding the pamphlet to not display that pamphlet in the chamber.

John PESUTTO: This formal review by Mr Wilson that has been established by Premier Jacinta Allan –

Danny Pearson: On a point of order, Speaker, the forms of the house are well known. Members are to refer to other members in this place by their title. It should be the Premier, not in relation to the Premier's first name or surname.

The SPEAKER: It is a convention of the house that members are referred to by their correct titles, not their names. I ask Leader of the Opposition to refer to the Premier as the Premier.

John PESUTTO: Okay. Thank you, Speaker. The Premier has appointed this formal review because the Premier knows it will lead nowhere. It will not uncover the awful truth about the blackmail and the kickbacks that Victorians are paying for.

A member interjected.

John PESUTTO: It is indeed a cover-up. This review will not look at allegations of criminal conduct; it simply will not touch them. It will not even refer allegations of criminal conduct. It will not entertain any information that comes to Mr Wilson about criminal conduct. Will it compel witnesses?

Of course not – of course it is not going to compel witnesses. So is it any surprise that the Premier, who cannot be named in this house, said happily that she would appear before this review? Of course she would appear before this review, because she knows what the questions are going to be. She knows that she is not going to be seriously questioned about her role in this.

And let us understand what the Premier's role in this was. The Premier at all times was the minister chiefly responsible for Victoria's infrastructure program. She was the minister at the time and is now the Premier, who did squat about these allegations of serious misconduct and wrongdoing on these major projects, and she is the Premier now who has established this inquiry that will not compel one witness, will not look at any criminal conduct and will not have any public hearings. What sort of inquiry is that? We have public inquiries for things that are nowhere near as serious as this. This is criminal conduct occurring on taxpayer-funded sites, and the Premier thinks that the idea of leadership is simply to hold this inquiry, which makes the Coate inquiry look like a Star Chamber. Really. This is a joke. It is pathetic. It is not leadership, and no Victorian should believe that the truth will come out.

I grieve for the people of Victoria because of this financial mismanagement that we are seeing, with debt approaching \$200 billion. Let us remember. We see figures floated around. What the ratings agencies actually look at are amounts of debt of this order: \$184 billion this year and \$224 billion in 2028 – that is if the forecasts hold. Our debt is the highest in the country. I want all Victorians to know that because of the Premier's incompetence and mismanagement of this state and because Labor cannot manage money, this debt is putting upward pressure on inflation and it is putting upward pressure on mortgage rates. Victorians are paying higher mortgage rates thanks to the member for Bendigo East, the Premier, who cannot manage money.

What has this financial mismanagement resulted in? It involves interest of about \$6.5 billion this year, going up to over \$10 billion, and involves the highest taxes in the country and the highest cost of doing business in the country. It is no wonder businesses are fleeing. It is no wonder businesses are looking at investing elsewhere other than in this state. But what are the other consequences of this financial mismanagement? It is in areas like health, where we rely on vital services, that we see savage cuts. Do not believe last week's charade of an announcement of money for health. After months of imposing savage cuts on these health services, many of which have already been passed on, and because of the government's total mismanagement and the Premier's critical role in that, they are insisting that health services like the Royal Children's Hospital find \$60 million of cuts this financial year – after the Premier turned up on Good Friday to hand over a \$1 million cheque. It is unconscionable. When they come out and say that they are going to provide money to the health services but do not say where the money is coming from and do not say where the money is going, how can anybody believe a word this Premier says? The Premier lacks the leadership to guide our state out of the hole the Premier has dug for Victoria.

Today we had more of the truth come out, because ultimately the truth does catch up with any government. As much as this government has tried to run as fast as it can to stay in front of the truth, the truth will always prevail. The Treasurer Tim Pallas, the member for Werribee, came out today and said, effectively, that this \$1.5 billion will be paid for in the form of either increased taxes or cuts to services. Understand that you cannot just do that by taxes, because \$1.5 billion in one financial year is a very hefty imposition if you are going to rely solely on taxes. It is going to be a combination. It has to be a combination of increased taxes and cuts to services, and that is what will happen.

When we asked the Premier today to explain where these tax rises are going to come from and these savage cuts, whether they are in health or other service delivery areas, what did the Premier do? The Premier did what she does so well, and that is ignore the question and refuse to answer the question. But I make it known to this house, and I want to remind all Victorians: the reason we on the side of the house ask these questions is for the benefit of the Victorian people. We just want the truth, and the Premier will not provide the truth, just like she refused to answer basic questions last sitting week on her role in the CFMEU – blatantly refused. It is not the way our state ought to be governed.

What we are seeing increasingly is just a media strategy. There is no plan to guide our state, and the Premier is not up to the job of leading our state. We saw that last sitting week. Do not think that this Premier is different from her predecessor; her predecessor did the same thing. When there was panic last year under the previous Premier, they raced out a housing statement. It was a 30-odd page glossy document; half of it was just pictures. There was so little detail in it that the Treasurer then attended a breakfast a couple of weeks later to announce the tax measures. There was so little detail in it. Let us remember that it came only a few months after the budget in May last year, which said nothing about a housing statement. So we had the former Premier release a housing statement with nothing in it. It was a media strategy. Then last week, when it was clear that nothing was working and it was clear that we are building nearly 3000 less houses this year than we did last year, what did this Premier do? She did the same thing her predecessor did, because she was his understudy.

David Southwick interjected.

John PESUTTO: They held a summit, a housing summit. It was an ideas factory, as the member for Caulfield says: 'Tell us what we should do.' It is up there with President Jimmy Carter when he said malaise is affecting America: 'Come and tell me how to lead our country.' It is up there with Jimmy Carter. The ideas factory: 'Tell us how to lead. Tell us what we should do to get us out of the mess we've dug Victoria into.' And what did they do? When they held the summit, they did not even listen to the people they had invited along. They had their own walkout. But at least our walkout last sitting week was with a purpose; it was done on behalf of the Victorian people to send a message, and the people understood and appreciated it. This one was just a pure media strategy. So do not think that this Premier is different to the last one. It is the same show, it is the same fraud, it is the same circus, it is the same charade – just media stunt after media stunt, no real solution to anything.

Even today we have been questioning the Premier on crime. This Premier is a master at walking both sides of the streets, it seems, if she is a master of anything. She wants to claim credit for toughening the bail laws she weakened earlier in the year. I mean, it takes some skill and it take some hide to actually ruin the system and then try to take credit for fixing the mess. Well, it will not fix the mess. The Premier talks about victims in our justice system, yet the Premier's own bill – which is different to the bill she passed in this house – in the other place actually denies victims of crime an opportunity to have a say on the release of violent offenders when they appear before the parole board. How can you be serious about putting community safety first when you are prepared to actually silence victims?

What I say to the Victorian people is: we do not need a one-party state. The Labor Party has been in office in Victoria for most of the last 25 years, and our state is worse for it. It is far worse for it. We are the laughing-stock of our country now. Once upon a time, before this government and the Labor government before it, we used to be lauded around Australia. We had global headquarters wanting to set up here, and we had a public service that was the best. This government has ruined it, and I say to the Victorian people: there is a better way. We will manage your taxes better, we will manage your finances better, we will put you first, not politics first, and we will govern with the integrity that this government lacks. We have already made commitments to that. I grieve for the Victorian people, but I say: do not lose hope; there is a better way, and it is coming.

Victoria Police

Jackson TAYLOR (Bayswater) (16:24): I grieve at the opposition's track record when it comes to supporting Victoria Police, I grieve at their rhetoric they have used in the past around the work of our police officers and their hypocrisy on these matters and I grieve because of their record of cuts when they were in government in these critical areas and many more. From the outset, from the very top of my contribution, I want to acknowledge our frontline men and women, our police officers out there who each and every single day are doing the hard yards keeping Victorians safe 24 hours a day, seven days a week, 365 days a year. They are incredible. They are the best of us. I am proud of them. The Allan Labor government is proud of them. I hope all members in this place are proud of their work but importantly, each and every single day, are not choosing when they back them in based on

whatever rhetoric or message they are trying to get out on any given day. I know the government that I have been a part of – the Andrews and now Allan Labor government – have had their back each and every single day, and I am going to take the house through a few points that I want to make.

From my time as a police officer I remember all too well the very difficult job police officers have. I remember the many incidents I went to where there were firearms, there were knives, there were critical incidents, with fantastic support teams that supported me on the front line in my time. I know just how hard their job is and why it is so important to have a government that has their back. Here is the reality: our record of \$4.5 billion in investment in Victoria Police has delivered more than 3600 new police officers, the single biggest investment into Victoria Police in its very long and proud history. The recent report on government services shows we have more police on the beat than any other state or territory. Those are the facts when you ask what we have done to support Victoria Police and to support community safety – those are the hard facts.

On the other side, the Liberals cut \$100 million in funding to Victoria Police and did not fund a single new police officer when they were in office – not a single police officer. It is a hard job; yes, they deserve our respect, but they also deserve our support and investment. We have increased their numbers some 3600 – and as part of that, new prosecutors. I was very proud just before my time in Parliament began to have started my career as a police prosecutor at the Melbourne Magistrates' Court. It was great – every day was leg day: 'Yes, your honour. No, your honour. Yes, your honour.' It was fantastic. We have made sure Victoria Police got the support they needed with more prosecutors.

We have got the biggest police force in the nation. We created the new non-emergency police assistance line, an absolute game changer for people in the watch house at police stations right across Victoria, taking that pressure and load off them to make sure they can do the important work that is required of them at the watch house and on the front line. We bolstered Triple Zero Victoria. We provided new tech and new vehicles. We have provided record support for police and protective services officers, and we have also provided dedicated custody officers to take that level of capacity and put serving police officers back into the front line. And having dedicated custody officers has also made a huge difference at police stations right around this state. We have also given them the powers and tools they need – firearms prohibition orders, new training facilities, legislative changes as needed. Whatever Victoria Police have asked for in terms of tools and resources, this government has responded.

We have also got a bill that will strengthen bail laws, and without getting into too much debate we know that what we have is the strengthening of the bail test; clearer powers for courts to revoke bail; the creation of a new standalone offence; obviously the fantastic initiative of the council on bail, rehabilitation and accountability; more prosecutors; and a dedicated magistrate. I hope all members in this house can get behind legislation that will strengthen those bail laws. When it comes to crime prevention we have backed it in with an investment of over \$55 million since 2019 and a total of over \$100 million since 2015.

We have also got the comprehensive Youth Justice Bill 2024, which seeks to reduce offending and provide genuine opportunities for young people to turn their lives around. When we talk about the work of police, sadly, as we all know too well, family violence is a scourge in this state, in this nation, and it is significant in the make-up of the work of our frontline officers. It is a big part of their work. We have invested in 415 specialist family violence officers and detectives and have established the first ever family violence command and family violence centre for learning at the police academy to ensure they are able to drive this change in offending.

A big part of the reason why I became a police officer was because of my childhood, the family violence that I was a victim of and witness to. That is what drove me to get into the police force and to get into politics – to be a voice for people like me and my two brothers, to be a voice for others and ultimately to be a voice in this place for family violence and to stand up for my community on what matters to them. And what matters to them is supporting our police every single day. I remember in

my time on the front line going to the family violence incidents were some of the most difficult, traumatic incidents for me, let alone for the victims that I was there responding to and assisting. I remember one that had a perpetrator who offended over and over and over again and the harrowing experience and what they went through. There is so much trauma and there is so much work that we have done, but there is still so much work to do.

I know that I am proud to be a part of this government because we held the Royal Commission into Family Violence, and we implemented or are implementing all 227 recommendations. We strengthened laws and gave the police the powers they need, as well as body-worn cameras to make it easier for victims to tell their side of the story and to get the help they so desperately need. This was not just nation leading, this royal commission, this was world leading. We talk about our track record, our record investment and the billion dollars of investment we have put into keeping victims of family violence safe and supporting women and children to flee from partners. Like I said, there is so much more work to do, but we have done a great deal. But what did we get from those opposite? What we got from those opposite was they said they would not commit to adopting all 227 recommendations after the amount of work and the importance of this work. What did they say? After we heard from witness after witness, from expert after expert, they said we need to consult more with experts first. Well, how insulting. We have gotten on with the important work.

Let us remember the Royal Commission into Victoria's Mental Health System, because these are important areas of police work. They have significant impacts on police work – family violence and mental health. There is a significant amount of police time spent on these types of incidents. I remember sitting in my lounge room watching the then Premier make the announcement that he would call a royal commission if the government was returned and that he would implement every single recommendation. That was bold and that was brave, but it is what was needed. This government stood up and we made the big, bold decision that needed to be taken to essentially take our mental health system and rebuild it from the ground up. Again, our police officers do incredible work. Ambulance Victoria, all the responders and all the people out there do incredible work. It is an incredibly difficult job. I believe we have to rise above politics when it comes to mental health.

But again, what did we get from the Liberals when we had the mental health royal commission? They did backflip after backflip after backflip. And on one of the most important things, the actual funding mechanism that the experts talked about – so we do not need to wait for the experts – and the importance of guaranteeing funding so as to not need to worry about a future government's decision, what did they say? 'No, we're not going to support it.' Then they did. Then they did not. Then they did. We did not know where they actually stood on this. People knew where we stood on this. We stood to rebuild our mental health system from the ground up, to rewrite the mental health act, to provide more beds for mental health services around this state and to provide more funding than the federal government at the time alone in the state of Victoria. That is action that supports people who are out there right now. One in two people will have a mental health illness during their lifetime. That also supports our frontline responders, like Victoria Police and Ambulance Victoria. That is this government's record.

And we remember during the pandemic our police did a really tough and difficult job. They rose to the challenge. It was so hard – I remember talking to former colleagues of mine. It was incredibly difficult, and I am so proud of the work that our frontline police and emergency services did. I remember an ABC article:

Three Victorian Liberal MPs have addressed a group of vaccine conspiracy theorists and anti-lockdown protesters at an online rally ...

That is what the Liberal Party did, and that was a group who were also anti-maskers, as the article suggests. It also suggests that:

Even if elected officials did not explicitly endorse conspiracies, Dr Roose said having them interact with such groups "acts to legitimise their messaging".

As the police were dealing with all of the impacts from protests and from people flouting chief health officer recommendations, what did the Liberal Party do? Undercut and undermine the health messaging. Where did that take us? There was another article from the *Age*, 'Liberal MPs join protest at which fringe element promotes violence':

Several state Liberal MPs have encouraged a large and sometimes angry group of protesters gathered on the steps of Parliament House, some of whom had earlier chanted violent slogans around a full-sized gallows ...

I will not even say what the chants were. I will not say them. I am sure they would be able to be admitted into *Hansard*, but I do not want to say them. They were horrible, they were abhorrent. And yet we had Liberal MPs out there, one of whom referred to these protesters as 'a couple of thousand of my closest friends.' Others were thanking them. Chants of serious threats were made towards the former Premier, and again I am not going to repeat them. I will not repeat them. The article continues:

But one Liberal MP, who spoke anonymously to reflect frankly on their colleagues, said opposition MPs had the potential to harm the perception of the Coalition among mainstream voters by associating with fringe groups.

Channelling Tim Walz, you just get the sense that maybe this person was trying to say, 'These guys are just weird. They're just weird.' But I am not quite sure that that covers it off. During the pandemic they only sought to divide our community and often tarred our police with a broad brush as armchair critics. But not this government: we have the back of our frontline responders at Victoria Police. We will not seek to divide; we will seek to unify and we will always support the men and women in blue. My opinion does not change with the politics of the day. It does not change based on where I sit or based on politics, and when you talk about supporting police you do not let that change based on the side of the house you are sitting on.

Labor are also of course making investments before people get into the criminal justice system in areas like health, education and more – free kinder, free TAFE, record funding to our schools, capital works, mental health practitioners at every government secondary school, school brekkie clubs, disability inclusion funding, nurse-to-patient ratios, the Home Stretch program. Their record? One billion dollars ripped from education when they were in government, they cut free fruit Fridays, they would not when asked commit to expanding three- and four-year-old kinder. They gutted the TAFE system, they put a padlock on the Lilydale campus, they left schools in disrepair, they went to war with healthcare workers and they had a plan to substitute nurses with unqualified cheaper nursing assistants to save \$104 million a year. Shame, shame, shame, shame. For all their bluster about community safety and being tough on crime, the Libs may as well be using ChatGPT to write their policies, because all they have ever done is cut and divide.

Let us not forget what former Liberal elder Tony Nutt said about their 2018 campaign:

The focus on 'African gangs' became a distraction for some key voters who saw it as a political tactic rather than an authentic problem to be solved by initiatives that would help make their neighbourhoods safer.

That is their legacy. On that, when you ask ChatGPT, 'What's the difference between the Victorian Liberal Party and a broken alarm system?', it says, 'The joke plays on the idea of dysfunction.' Then it says the punchline, 'One doesn't work and the other is a broken alarm system.' Victorian people have figured the Liberal Party out. They have figured them out for their cuts to police, their cuts to frontline emergency services when they were in government and their cuts to health and education, and it appears AI has figured them out as well. The AI is onto something here. The opposition are all about rhetoric in politics. Labor are about supporting frontline police officers every single day.

Government performance

Tim BULL (Gippsland East) (16:40): It is a pleasure to rise on this grievance debate today, and I will leave my colleague the Shadow Minister for Police to respond to a few of those comments from the member for Bayswater. Today I grieve not only for the Victorian people but for a lot of you up there who will not have your seats after the next election, because of the state's mismanagement. I will

not go into predicting exactly what the election result will be, because we are too far away from that, but I can guarantee you there is going to be a major swing away from some of those sitting on the other side. The polls currently show this even this far out, and things are not going to get any better for members of the government because there is very, very good reason for it. A number of you are going to lose your seats at the next election, and not necessarily to people over on this side. Some of you will lose your seats to the Greens. The reality of it is you have a millstone hanging around your neck, and that is the state debt.

A member interjected.

Tim BULL: I am aware of that.

The SPEAKER: Order! Member for Gippsland East, through the Chair.

Tim BULL: Yes, I apologise, Speaker. The state debt that is hanging around this government's neck is the millstone. We are hitting \$178 billion – that is indeed the forecast – and the commitment to the Suburban Rail Loop (SRL) is the reason why a lot of your pre-election commitments have been kicked down the road. It is the reason why we are facing –

Danny Pearson: On a point of order, Speaker, perhaps if the member for Gippsland East could, rather than say 'you', just say 'members of the government'. So delete 'you' –

The SPEAKER: Order! I have directed the member for Gippsland East to direct his commentary through the Chair, not at the Chair or at members opposite.

Tim BULL: Thank you, Speaker. I was just trying to make a point, and I apologise for not abiding by your ruling.

As the member for Bulleen pointed out in this chamber yesterday, with the situation that this government finds itself in, somebody has to pay, and unfortunately it will be members of the backbench who are not sitting in the cabinet room making these decisions that will pay the price. And the commitment on top of our state debt to stage 1 of the Suburban Rail Loop of \$35 billion is simply sucking all of the state's finances down the drain and not allowing the projects that we want on this side of the chamber for our electorates and that a lot of the backbenchers on that side want for their electorates to happen.

Unless you are in a seat that had Commonwealth Games funding committed to it, you got very, very little out of the most recent budget, and Victorians know we cannot afford the SRL. We on this side know that we cannot, and I know that a number on the other side of the chamber are aware that we cannot. Some indeed, we are aware, have spoken up. We had the Deputy Premier raising concerns about the SRL before the Premier came out the following day and psychologically realigned him and he had to wind back his comments. But because of the state debt and the commitment to SRL a number of the issues that this state is facing cannot be resolved. Let us talk about a few of them.

We talk about health. Where do you start? We saw the screenshots of the departmental PowerPoints to establish local health service networks – code for board and CEO mergers. We have read the emails that went to our hospital CEOs about reducing budgets. We saw them – hospitals asked to reduce frontline services, asked to reduce back-of-office services. There are not people walking around our hospitals with nothing to do or jobs that can just go. All of those jobs are part of our health service network. CEOs said we simply cannot have these savings that the government is asking for without impacting on frontline services.

We had the announcement of some increased funding, but then the Treasurer came out today and put a big question mark over that. If we are going to have increased funding for our health services, we really need to know where that money is coming from and where that money is going. The issue is that if we have boards that have had heavy-duty Labor appointments made to them over recent years

making recommendations about amalgamations, our communities will simply not accept that and those members who are representing those areas with health services will suffer the consequences.

I can tell you, if we go through with mergers in Gippsland of hospital boards and have them operating under one CEO, I would not like to be in Ms Shing's number 2 spot on the upper house ticket in Gippsland. That will not go well, and you can duplicate that all around the state.

We have an ambulance crisis in this state. A 2015 media release quoted the then Parliamentary Secretary for Health – now Minister for Health – as saying Labor's reforms will result in 'better, faster responses'. Well, how is that going? Ambulances are ramped. Hospitals are unable to cope. Ambulances are pulling up at hospitals and they cannot get their patients into these hospitals. The minister has overseen a complete mess in our health sector.

In Bairnsdale on I think it was 19 July we had six ambulances ramped at the Bairnsdale hospital and staff shortages at the hospital, and the hospital was full. The CEO had to put out a statement in the local media the next day apologising because they did not have the staff to get people off the ambulances and the hospital was full. To those on that side: free up the money from the SRL, invest it into our health services and help yourselves. On our bush nursing centres, the nurses deserve their pay rise, but with a 28 per cent pay increase over five years where are our bush nursing centres going to get that money from?

In housing we recently had the Minister for Housing in the other place saying on ABC radio there are 30 new public housing homes in eastern Victoria, giving herself a good old pat on the back. The trouble is we have had more than 30 either sold off or demolished. In the local government areas of East Gippsland, Wellington and Latrobe we have had a net loss of public housing homes since 2015. There is a housing crisis, and since 2015 we have had a net loss. Then we have the rental market in crisis. What is the government's response to our rental crisis? 'Let's put additional land taxes on landlords.' It exacerbates the problem. It is astounding that that could be the answer to the rental problem that we have. It is going to work in the opposite direction.

Then we had the recent housing summit. Members of the government walked out of that. The Treasurer was accused of having a 'tin ear'. People who attended that housing summit, industry participants, described it as being vacuous.

To those on that side: you need a new approach. You need to make some change. I am not talking about the member for Essendon here, I am talking about the person who normally sits there, who needs to change to save some of these seats up the back, and they know it. I know that they know it.

On roads, our roads are falling to bits. I have been in this place for 14 years, and it is the first time I have heard metropolitan members standing up in most sitting weeks complaining about our roads. I can assure you, in country Victoria they have not got much better. I had one truckie come into my office last week, and he made the comment that the Monaro Highway looked like a battlefield. He referenced it as looking something like the Somme battlefield. We have the National Transport Research Organisation saying 91 per cent of our roads in Victoria are either very poor or poor – 91 per cent, the worst state. What is this government's response to our poor roads? Its response is to have less roads maintenance funding – 16 per cent less – than it had in 2015. How are the roads going to get better when we have got less funding going in? I say again to members on the other side: get rid of the SRL, invest in health, invest in housing, invest in roads, where our constituents want it to go. If I was sitting in a western suburbs Labor seat at the moment or a country Labor seat, I do not think I would be too happy about this money going into the SRL and sucking all the investment out of my electorate, unless I was in a cancelled Commonwealth Games electorate of course. It is a problem. They know they need change down here or they are on a pathway to disaster.

We have then got a push to increase national parks. We are not looking after the parks we have got. I try and get a road graded in one of my national parks and I get an answer back that we have not got the funds to do it. Talk to any Parks Victoria employee around the state and they simply say that they

do not have the resources to do the work that needs to be done. And yet we are looking at increasing our national parks and making the network bigger. I mean, it is just ludicrous decision-making to even be considering that.

I move on to education. A few years ago we were calling ourselves the Education State. Well, the NAPLAN results that came out today are incredibly concerning. They found that one in three Victorian students are failing to meet the basic standards of maths and English and that one-third of students in year 3 are finding it very challenging to count to 20 – in year 3. We have massive, massive teacher shortages across the state – massive teacher shortages. This is in the so-called Education State. I noticed we have stopped using that term on the other side of the chamber so much recently. We started the year with 800 teacher vacancies; we now have 1600 teacher vacancies. Teachers do a great job, but they need support. They absolutely need support. We actually had the minister come out and say he was going to reintroduce phonics into the education curriculum, which was good. But then a letter came out from the union to say ‘Don’t take any notice of it’. We saw that letter. We saw that email that came out. Is the tail wagging the dog or the dog wagging the tail? We are also falling behind other states in relation to our educational outcomes. We are no longer the Education State.

I say to those on the other side: scrap the SRL and invest it in education, invest it in health, invest it in mental health and invest it in roads. Invest that money in the areas that our community members want it invested in. It is critically important.

They know on the other side that they need to make a change if they are going to survive. I will have a look at some of these. I mean, I would not like to be in the seat of Bass, sitting on 50.2 per cent. The member for Bayswater in the chamber, on 54 per cent, you are in trouble. I reckon you might not be here next time around. The member for Box Hill –

Danny Pearson: Through the Chair, mate.

Tim BULL: Yes, I know that. The member for Footscray –

A member interjected.

Tim BULL: I am hearing you every time – 13.9 per cent. When it comes down to the Greens – you are in trouble with the Greens – I am on the side of the government. I do not want them surviving. I would much rather have people on this side of the chamber in here than people who are sitting up there. But we have a number of people – Footscray, Northcote, Pascoe Vale, Preston – who are going to lose their seats to the Greens. It is a shame. I do not want that to happen. I do not like them – less than you do. But we have a lot of others who are really going to struggle, and by making a simple change you will give yourselves a chance to survive.

I will wind that up. I do note that I may have used the term ‘you’ a little bit too often in this speech, but it may not have all been accidental, because I have been trying to get a point across that it is their political futures that are at risk because of decisions within the cabinet room. Unless they make a change, they are going to be in dire straits. I know there has been a bit of unrest. I know there has been a bit of talk. We heard a bit about a discussion in the caucus room this week. But unless there is change made, there are going to be a lot of people on that side who will not be here after 2026, and that is a fact. For the betterment of the state we need to get rid of the SRL. We need to start winding down our debt and we need to start spending money in the state where it should be spent, and that is in those key areas of health, roads, education, and mental health is another one that I have not covered off on today. Unless that happens, it is bye-bye to a lot of people from their seats on the other side. We look forward to getting into government and spending money in the right places.

Health system

Daniela DE MARTINO (Monbulk) (16:55): It gives me pleasure to rise today to speak on this grievance debate with positivity and facts, in stark contrast to those opposite, who tend to trade in negativity and a dearth of accurate information and often at an uncomfortably loud volume – although

not the member who just spoke, I must admit. I can only suspect that many over there feel that the louder they shout, the more gravitas they give to their misinformation. Shouting loudly does not equal speaking truth, and their ignominious behaviour is certainly something for which I grieve sincerely today. But I said I will speak positively, and I intend to do so because Victorians deserve to know the truth about what our government has done and continues to do for them, especially when it comes to health care.

Labor governments believe in universal health care. We believe a person's financial status should never determine their health outcome, and we are proud to stand by this each and every day. We have a world-class hospital system here in Victoria, but one would not know it if one only listened to those opposite. We believe in our hardworking nurses and paramedics. This year's budget saw our Labor government make an unprecedented multiyear investment of more than \$11 billion in our health system, which includes an additional \$8.8 billion to fund hospitals over the long term. This investment includes an uplift in the price for every occasion of care, because we understand there is a pressure on the rising health expenditure.

Last week the Premier and our Minister for Health announced that we will invest a further \$1.5 billion to support our hospitals, and we need to bear in mind that in the last quarter alone we saw record demand on our emergency departments, with over 503,000 presentations. That is a startling number, and it is 6 per cent higher than for the same period last year. This additional funding is in recognition of additional demand since the original modelling was undertaken. It is going to support additional planned surgeries. It is going to further grant funding and support the implantation of something I am very excited about, electronic medical records, because I have had several experiences over a good 15 years with a mother with very complex healthcare needs. Every time she presented to a different hospital I had to stand by her side as her advocate and explain her complex healthcare history, her medical history, because our hospital networks are not talking to each other and still using faxes like it is the 1980s and pastels are still in fashion.

A member interjected.

Daniela DE MARTINO: Pastels might be coming back, but thankfully faxes are on the way out. Our funding for electronic medical records will actually make a significant difference for people who use our hospital systems. It means that their information will be able to be transferred live between hospitals, and that results in better healthcare outcomes for them. I have heard our health minister state these facts in this place, but I have heard those opposite try to drown out her words with – surprise, surprise – shouting. It appears that those opposite do not want to hear the facts, or they deride them, and that is a real shame because it diminishes them every time they conduct themselves this way. So I do grieve for them, I truly do.

A total of \$21.5 billion has been invested in this financial year to ensure our hospitals can continue to provide world-class care, and that is over 25 per cent of our total state budget. That will ensure that our hospitals keep caring for their patients as they continue to recover from the impacts and increased costs of the pandemic. The ripples of the pandemic continue around the world. It is not a matter of 'It's all over, red rover'. We are still feeling the effects, and we will for many years to come, I believe. So unlike those opposite, we will not be closing, selling off or privatising our hospitals.

I do grieve for the healthcare workers and for the Victorians across our state who needed public health care when those opposite were last in charge, because they found the coalition government wanting. In fact when having a look at the past behaviour – because the best predictor of future behaviour is past behaviour – I found an article in the *Age* dating back to November 2011 which stated that:

The Baillieu government has developed a secret plan to goad the state's nurses into industrial action so it can force them into arbitration, cut nurse numbers and replace them at hospital bedsides with low-skilled "health assistants".

A member: Shame.

Daniela DE MARTINO: Shame indeed. It continues:

A cabinet-in-confidence submission, signed by Health Minister David Davis ... confirms that the government had detailed plans to cut the annual nursing budget by \$104 million.

That was the plan. They had also planned to actually make the nurse–patient ratio, which at the time was one to four, more ‘flexible’. They wanted to replace some nurses with low-paid, low-skilled health assistants, as I just mentioned, and they wanted to reduce the ratio of university-qualified nurses on wards and introduce shorter shifts and split shifts. Split shifts are terrible. If anyone here knows anything about split shifts, they are obscene. There is a reason why they do not exist in industrial agreements: because they are, on the whole, awful for the worker. It continues:

Mr Davis’s submission revealed that in return for these cuts, which amount to 4 per cent of the nurses’ wage budget, nurses would get a pay rise of just 3.5 per cent per year.

I think we have done a lot better than those opposite did when they were at the helm. And this is probably the most concerning point – I know, all of that is concerning, but this also concerns me:

The government’s aim, revealed in the submission, is to have the crisis continue to a point whereby the industrial tribunal, Fair Work Australia, is either called in or steps in because negotiations have broken down and the nurses’ action is deemed harmful to public welfare.

Unbelievable. That was the tactic they employed last time, and as I say, the best predictor of future behaviour is past behaviour. So I grieve for Victorians and I grieve for everyone in the healthcare system, because should those opposite have the privilege to sit on this side of the chamber, I fear for our hospital system and everyone who works within it.

I am going to go back to the positivity I promised and talk about our health services plan, because with this funding that we have increased there comes a greater responsibility to continue to make improvements in our world-class health system. You never take the foot off the pedal. We have always got to keep trying to improve on what we are doing. That is why we welcomed the expert advisory committee’s *Health Services Plan* report and we accepted in full or in principle 26 of the 27 recommendations, because we are going to continue putting patients first.

We are going to deliver a more connected and a better health system through establishing local health service networks. The whole point of them is to support hospitals in fostering better partnerships. It makes sense that hospitals in a geographic area actually coordinate and talk to each other so that the patient is at the centre and their best outcome is foremost of the thinking and the actions undertaken by those hospitals. It is not about being their own fiefdoms where they will only go about and do whatever they think at that moment; it is about them actually collaborating to make sure that the patient outcome is priority number one.

We are establishing Hospitals Victoria to support frontline care by ensuring the ongoing sustainability of our hospitals. Victorians rightly expect funding to be prioritised for delivery of care. That is where the money should be absolutely going as the first priority. Hospitals Victoria will be a dedicated agency which will continue to streamline operational processes and reduce all the duplication where it does not make sense. We know duplication is unhelpful. We have to minimise it.

There are a few other things I really want to talk about. One of them is our priority primary care centres. I have one not far from me, and funnily enough, I had planned to go down and take a photo with the member for Bayswater, because it is actually located in the member for Bayswater’s electorate. We were going to catch up and have a little photo there. Unfortunately my plans were scuppered because my daughter broke her arm the night before our planned catch-up. I knew that we might have to wait some time in a hospital because of course it was late at night, as these things always happen at the worst possible time. I realised we have got a PPCC nearby. That is where we went, and it was fabulous. There was no waiting. In fact I had not even finished filling out the form by the time that the doctor had brought my daughter into the consulting room. I was still scribbling on it as we went there – that

is how quickly she was seen and diagnosed with the broken arm. It was strapped for the night, and in the morning off we went – X-ray, cast, the lot.

PPCCs, can I just inform you, Acting Speaker Edbrooke and the chamber, have expanded to 29 sites and have reached over 475,000 visits. That is 475,000 people who have gone along and received the urgent care – not lights and sirens critical care but the urgent care – that they need to receive on that day. That is an extraordinary number, and that is testament to the vision. I do recall that the member for Gippsland South was saying there is no vision; there is plenty of vision on this side of the chamber. We can see the solutions, and boy, when we put them into action things happen and they happen for the best. In addition to that, more than 338,000 patients have passed through our innovative virtual emergency department between September 2022 and June 2024. Member for Yan Yean, 338,000 patients – what a number – and 86 per cent avoided an unnecessary trip to hospital. I believe the member for Yan Yean has had a personal experience and sings the praises of virtual EDs. We are being innovative.

No-one enjoyed the pandemic – I certainly did not – but we have learned how to innovate as result of it. There have been silver linings to the pandemic cloud, and virtual appointments and telehealth appointments have been a boon for us here. Our virtual EDs – again, let us sing the praises of those. Positivity and facts – and we do not have to shout to get them across. Our \$1.5 billion COVID catch-up plan has been working. There has been a drop in the waitlist of more than 33 per cent since we launched it in April 2022. That is also an extraordinary figure. We all should be incredibly proud of it. I know that I am. It is the lowest that it has been since the prepandemic 2019–20 figures, and almost 210,000 planned surgeries were performed in 2023–24 – the highest financial year figure on record. That is extraordinary. Again we put our energies into driving those numbers down, and it worked.

The average emergency department length of stay for admitted patients between February 2023 and March 2024 was reduced by 55 minutes, and for non-admitted patients it was reduced by 14 minutes. Again we are getting on top of these things because we have as a Labor government always understood that everyone is entitled to exceptional health care, and that is why we will always back our nurses in and our paramedics. We will always put money into health care, because that is what we stand for. We are not going to be creating a secret plan to cut nurse numbers like the Baillieu government did. How ignoble of them – shame indeed.

We remain the national leader when it comes to transforming the delivery of women's health. Our women's health inquiry, with over 7000 submissions, has been extraordinary. I hosted two forums myself in my electorate. I was delighted to have the Parliamentary Secretary for Women's Health, the member for Northcote, come and join me at one, and the Minister for Housing and Minister for Equality in the other place came and joined me for the other. They were two of probably the most powerful sessions of any kind of forum I have ever been a part of. The raw emotion in that room but then also the gratitude from women who had a place – and sometimes for some of them it was the first opportunity ever – where they got to speak about their experience with pain and be heard and be held by everyone in that room were some of the most potent things. I have actually had women come up to me in the street, and also at the supermarket, and thank me for hosting those forums.

Lauren Kathage interjected.

Daniela DE MARTINO: No, I do not actually want to take credit. It speaks more to the fact that we as a government through our women's caucus, because we believe in women in politics, are developing great policy and putting it into practice. We want to be heard and the Victorian people want to be heard, and as a government we listen. We genuinely consult with people. Even when we know that maybe we are not going to share the same opinion, we go out and we listen, and with the stories we take on we develop good, real policies to make this place better than we found it. That is why I am here. That is why we are here. I do, as I said, grieve for Victoria if those opposite do get the privilege to sit on this side, because my concern is it would be cuts, cuts, closures and cuts, and wouldn't that be a disastrous day for us all.

Youth justice system

Brad BATTIN (Berwick) (17:10): The first question for this grievance debate will be quite simple: how many times should a young violent offender in Victoria get bail to go out and reoffend? Is it one, two, three, eight, 12? These are numbers that have been reported when young violent offenders have gone out and reoffended.

Members interjecting.

Brad BATTIN: The member for Yan Yean should have listened very carefully to the member for Monbulk then about trying to yell out and yell someone down while they are speaking and showing that respect when I am talking about people on bail and about people like Ashley Gordon, and I will go straight to Ash Gordon, who was a member of our community. The member for Warrandyte would know this very dearly because of the fact that he was killed by people on bail, and that should not happen anywhere in our state. Just three months prior, these offenders were charged with violently attacking someone in their home and were bailed, and the reality is this has been happening in Victoria because the bail laws here were weakened. Both of them were charged with aggravated burglary and going into the house of Ashley Gordon. I am going to go through some of the quotes from the papers.

Police will allege he was involved in a confrontation where he was injured and died at the scene.

This is not something that should be happening here in Victoria. This is a young man, a doctor, a professional, who whilst in his own home tried to confront people coming into his house with machetes. It is simply not the state that we want to live in, and we have to ask why these young offenders were out on bail at the time. As reported on Friday 17 May:

Ashley Gordon, 33, died following a confrontation with two teenagers who allegedly broke into his house in the Melbourne suburb of Doncaster on January 13.

The family of Dr Gordon said two 16-year-olds have been charged with murder and are in custody awaiting trial.

Dr Gordon's sister, Natalie Gordon, said the family and the people of Morwell, where her brother grew up, were still struggling to make sense of what happened.

"This has affected more than our family," Ms Gordon said.

"This has affected his patients, his friends – it's reached our entire community."

This family is calling on the government to make change, and they get offended when they read comments like this:

Attorney-General Jaelyn Symes said the government took youth offending seriously.

"While Victoria has one of the lowest rates of youth offending in Australia, Victoria Police has identified a cohort of young people who are driving an increase of repeat offences," she said.

If it is the case that it is a small cohort, as the government keeps referring to, I would say it would be easier to reduce that crime and target the services to those young people. As a report in the *Age* goes on to state:

Two teenagers charged with the stabbing murder of Doncaster doctor Ash Gordon allegedly showed a bloody knife to a friend.

...

"After, when the two offenders allegedly came back to the house ... they allegedly showed him the weapon, the bloody knife ...

So now we have got two young people who were bragging about the fact that they have murdered someone in the Doncaster community. If you think that is the worst it gets:

Dr Gordon's grieving mother Catherine said she was woken by a call from his housemate, who was forced to deliver the news.

These are direct quotes from Dr Ashley Gordon's mother:

"He said that Ashley had gone. And I said gone where? He's gone. He's no longer with us," Mrs Gordon told A Current Affair.

"I said, 'Don't lie, you're joking.' And I hung up on him. Then the detective rang and I told him that I didn't believe him ... So then I hung up on him.

"We saw the police car coming up, and I just prayed to God they'd just keep going. I didn't want them to turn into the driveway, but unfortunately, it happened."

...

Dr Gordon's father Glen said the Victorian government's move toward softening bail laws for youth offenders was a "cowardly response".

"The Victorian government's a disgrace, they should get out of office if that's the way they're thinking," Mr Gordon said.

Speaking directly to the Premier in another article on 4 July 2024, Ms Gordon demanded Jacinta Allan take action:

"Man up. Stop giving us empty promises. Start taking action. Stop saying that it takes a long time to get these things across the line," she said on Thursday.

"Push harder because one day it is going to be your family that is affected by it and I really hope you do something before.

"I feel heartbreak for this man's family, anger that they're not listening. They're not doing anything, they're talking a lot but they're not doing anything,"

"They'll probably continue to say there's no problem until their families are directly impacted by it."

There are so many quotes that go on with what the family of Dr Gordon said.

Unfortunately I think the worst case from this is that it is not a one-off death here in our state. William Taylor was killed by a 17-year-old in a stolen car. The 17-year-old was freed on bail straight after this accident. Police gave evidence specifically attaching him to the crime, yet he was released on bail. The police went and checked up on him, and just 48 hours later he had breached those bail conditions and was unable to be located. Victoria Police do absolutely everything they can to ensure they protect the community. They went out of their way then to use the resources they have to identify and find this 17-year-old, and they did. Unfortunately this young man was put on bail again after he had breached those bail conditions. We have got a court working within the system of the bail conditions implemented by this government. They cannot make up bail laws. A magistrate cannot change their decision based on what they think at the time. They have to work within the letter of the law of what they get. When we talk about Mr Taylor it is very important we put on record as well here Mr Taylor's family and the comments from them:

"Will was a much loved son, brother, partner and friend," the family wrote in a statement.

"He was a quiet, intelligent and thoughtful young man who loved his sport.

I grieve for that family here in Victoria.

I say again, if it was just two, it is two too many, but now we have got a third, and it is Davide Pollina, who was just 19, who died in the early hours of Sunday morning in Preston when he was hit by a BMW – a stolen BMW – stolen by youths. The quote from his sister:

"It's unfair my brother lost his life," she said.

...

A furious family friend told the Herald Sun: "It's devastating for (his parents) Nicola and Eleanora as they came here for a better life and now they've lost their son, all because a 16-year-old (allegedly) wants to steal a car and have some fun. It's bad. He was a really nice young man."

Faiza Mahat, whose 25-year-old brother Khalid Mahat was stabbed to death by a group of suspected teenage gang members in Heidelberg West, told the *Herald Sun*:

... young criminals were not being held to account.

“They get released (bailed) because they’re young, but it doesn’t matter if you’re young,” Ms Mahat said.

“Everybody has been a teenager and we never would have committed this kind of evil stuff. It’s really hard. It’s an ongoing issue and there needs to be tougher laws. I hate to be in Melbourne because of this. It’s really sad.”

...

“It’s traumatising, to be honest. I just remember everything that happened to my brother,” she said.

“Every time we see someone that’s lost their life in the way that my brother did, or who has been hurt, it breaks our hearts.

“I never want anyone else to go through that again.”

These are ongoing crimes here happening in this state. The government changed the bail laws, which allowed so many of these offences to continue because these kids are getting bail. I know the Premier came in here today, and she wants to stand in this place and say, ‘We’re going to toughen the laws.’ First of all, you will never get a pat on the back from me for trying to rectify the problem that you created. You should just do that because it is the right thing to do. What is worse than that is the member for Malvern has approached the government – we have sat in meetings with them – and said, ‘You’re not going far enough.’ We have had comments on the radio from Justin Quill saying it is not going far enough. We need legislation with the original bail laws in place. The one thing we can all agree on is that two years ago we were not hearing in the media about young offenders on bail killing people or young offenders on bail eight times doing aggravated burglaries. We started to hear that when the government softened the bail laws. That is why crime is out of control. It is as simple as that.

We can talk about a 1000-page document which the government is pretending is going to fix the world. Half of it is a doorstop. It has got nothing in it that is going to make a difference. But the one thing they can do is reintroduce section 30B to the Bail Act 1977 so anyone who has committed an indictable or a serious indictable offence has the additional charge of committing an indictable or serious indictable offence whilst on bail. It makes your test to get bail harder. We have got people here who I will say would most likely still be alive, but the offenders who were involved had committed serious offences and continued to get bail here in our state. It goes on and on and on. Other crimes – ‘Teen allegedly in stolen car travelling 150 kilometres per hour days after getting bail over Beach Road cyclist hit-run’ was in the *Age* on 28 March 2024. The article says:

A 14-year-old accused of urging his friend to run down Beach Road cyclists was involved in a police pursuit in a stolen car and caught smoking drugs within days of being granted bail.

...

The 14-year-old was already on three counts of bail, the court heard, and back in the community for just three days when he allegedly fashioned a bong at his residential care home and consumed cannabis with another resident.

On Wednesday, he allegedly absconded from care at 12:30 am and was found in a stolen Mercedes-Benz seen travelling upwards of 150 km/h before being involved in a police pursuit which ended at Cheltenham when stop sticks were used.

...

He noted of particular concern was that the teen was accused of yelling, “hit him, hit him, hit him”, before the stolen car he was in struck cyclists on Beach Road, in Melbourne’s south-east, in January.

...

... Amid the laughter that followed ... one said, ‘oh f---, shit, my bad ...

It is not just a ‘bad’ when you run someone down intentionally on Beach Road, when you target a cyclist, an innocent person. These offenders here are 14 years old. We have had offenders here that are 13 that have been on bail. This government wants to raise the age of legal responsibility to 14. That

is their goal in the next term. I do not care what they have been saying in the media this week; that is purely because it is impacting them in the polls. They are an ideologically driven government that will aim to raise it to 14. The reality is they have said they have done the consultation. Well, let me assure you, that consultation forgot the Police Association Victoria. It forgot to actually go to Victoria Police, who were openly saying they did not want to raise the age. You could go back and even see that Shane Patton said:

... the frustrations were being felt by police officers, who arrested young offenders only to watch as they were then granted bail.

Then they do it again and they have to charge them again. Of course members get frustrated," he said.

I was so disappointed to see the Chief Commissioner of Police yesterday standing side by side with the government in relation to these changes when it comes to bail when he knows it will not fix the problem. The chief commissioner does not want the age raised, and he has said that publicly. Now he has come in here and stood side by side with it. You cannot have a government go out and politicise, like they have in the past, the chief commissioner. We have got to have respect for the Victoria Police. We have to make sure that Victoria Police are at the centre of our community safety. We all know Steve Bracks putting the epaulets on a chief commissioner was the first sign of the politicisation of Victoria's police force. I am very proud of and I love Victoria Police. But let me assure you, when you have a chief commissioner who goes out and stands side by side with the government on a policy that he has openly criticised in the past, it is nothing short of disappointing.

The police association do not support raising the age. The Victorian Liberals and Nationals do not support raising the age. What we do support is returning to the bail laws that were there in the past that the Chief Commissioner of Police, that the police association and every person on this side supported. We want to make sure that those bail laws are in place to protect the community, because at the end of the day it is not about any single person sitting on the government benches, it is not about any person sitting on our side, it is about the families of Ash Gordon, it is about the families of William Taylor and it is about the families of Davide Pollina. If we cannot focus on those families and listen to them, who are saying it is a cowardly response to keep bail laws weak, then we have failed in this place. We must be passionate about what we do in this place when it comes to protecting the community.

To come in here, like the member for Bayswater did, and say that the opposition never delivered a police officer in our time in government is nothing short of misleading the entire community. We proudly delivered 2000 Victoria Police and over 900 PSOs, because that was about keeping the community safe. We will continue to keep them safe rather than coming in here for political pointscoreing. But the political point I want is to fix the bail laws, and let us lock these kids up so they do not commit these violent crimes.

Youth justice system

Nina TAYLOR (Albert Park) (17:25): I will admit that my grievance is perhaps contextually going to make sense in the current circumstances, because on the one hand I am grieving the fact that the Libs do not want to raise the age to 12 and also the hypocrisy of their Shadow Minister for Youth Justice, who is on the public record as supporting raising the age to 14. I can actually reference the particular article, dated 27 May 2021: 'Liberal MPs break ranks in push to raise age of criminality to 14'. So that is a bit confusing, and I wonder whether they are saying one thing and doing another. They were talking about ideology, but where do they sit on this issue? They do not know. It is very perplexing. Maybe on the one hand it is 'Tough talk, tough talk', but deep down maybe their shadow youth justice minister actually has another position. This was in the *Age*, so that is a well-known publication in the state of Victoria and it was stated on record. At the time it was reported that the shadow youth justice minister the member for Gembrook, now the member for Berwick, and:

... a former police officer and former Liberal spokesman for youth justice; former president of the upper house Bruce Atkinson; and former Liberal spokesman for child protection Nick Wakeling have split from

their party's official position, urging the government to end the 'draconian' law and keep children under the age of 14 away from the criminal justice system.

I am just pointing out the hypocrisy of that, the confusion that is emerging here, not knowing what to believe. We do not exactly know what to believe in these circumstances. So that is my grievance here, and I am laying it on the table quite clearly. It is deeply disappointing because on the one hand the Shadow Minister for Corrections has previously been pro raising the age to 14, and now he cannot find himself able to raise the age to 12. Shame on the division that exists with those opposite who are calling out the sensitivity of the issue. We are very mindful of that sensitivity.

What this really is about is that the age that we are talking about when we propose raising the age has not been randomly selected; there has been a lot of careful research and consultation in this regard because of the serious nature of the matters that we are referring to. It is all about investing in our young people and doing what needs to be done to get them off a life of offending. That is the objective, is it not: keeping them out of the juvenile justice system and all the while perpetuating and embedding community safety and the best interests of Victorians. I know as a government we have worked tirelessly to bring forward this set of reforms from prediversion to parole, driven by the expert advice of the professors of the Armytage–Ogloff review. So certainly there is extensive research and evidence that is backing these decisions, not randomly assigning an age-appropriate approach. And that is what it is about. It is really looking at a developmentally appropriate approach.

I am going to speak further to that issue because it is not resiling from accountability, not at all. I think that is a very important distinction here. No-one is resiling from consequences as such, but we are making sure that the consequences are age appropriate so that we keep our community safe. Sometimes one might think 'If we do X, we'll deliver Y' – and I will explain that in a moment – where actually the opposite can be true, particularly when we are looking at 10- and 11-year-olds. Really what the bill is doing is providing comprehensive pathways to address the root causes of youth offending and maximising options for diversion. I know that when you go to the bill itself you can see the intricacies and the detail in terms of the various steps to enable police to be very specifically supported in that regard to ensure that we are very carefully and prudently diverting those young people aged 10 and 11 from, one, a life of offending, but moreover incarceration. That will not lead to safer outcomes for community.

Of course there will always be the need to address harmful behaviours, so I just want that to be absolutely clear. This is not about in any way resiling from the significance or the impacts of behaviour that is harmful. On the contrary, it is not in anyone's interest to be enhancing bad or harmful behaviour. On the other hand, what it is about is looking at the evidence, as we have done and continue to do, and making sure that the treatment, so to speak, or the solutions provided actually help by on the one hand enhancing community safety, diverting young people from what might otherwise end up being a very tragic life of crime, but also keeping our community safe.

Coming back to the issue of raising the age, we of course are the first – we will be, I should say; the bill is obviously still being debated, and so here I am talking more about the broader concepts that underpin the rationale that is driving these reforms. Victoria will become the first state to raise the age of criminal responsibility from 10 to 12. Whilst you might say, 'Okay, it's a number, 10 to 11,' and so forth, what we are really saying is these young children do not belong in custody. But I want to explain that further. Those kinds of statements cannot be left hanging, so to speak, because it is very important that the full thread and chain of diversion is well articulated in the chamber, otherwise you can leave a very open-ended statement that is subject to being manipulated in a way that is counterproductive and might actually cause some concern to those in the community. That is the opposite of what I am intending to do here owing to the very sensitive nature of the matters that we are transacting.

So why are we doing this? We are doing these reforms because it is the right thing to do, and I should say not only for the children involved but because it actually is the best thing for the safety of the community. That might seem like an ironic statement, but not at all, because when you look to the

evidence you can see the rationale that underpins these specific reforms within the age group that I am talking about.

The evidence is clear that the younger a child is when they are first sentenced, the more likely they are to reoffend and reoffend more frequently, violently and, sadly, as adults. Focusing on helping these children address the underlying causes of their offending and getting them on the right path will keep the community safer in the long run. There is more to this matter, so again that is not the end of that sentence. I am being very, very prudent in the way that I am transacting this because of the potential ramifications for how these particular reforms may or may not be interpreted and the conclusions that one may draw as a result. On the one hand, we know that serious offending by 10- or 11-year-olds is very rare, as is a situation where a 10- or 11-year-old would come before our courts – thankfully so – and it is rarer still that a child that young would receive a custodial sentence. I should note also – and I think it is very important in this debate, when we are thinking about where things stand at present – we thankfully do not have any children in the system of this age, and with these important reforms we will never again either, so that is certainly a paramount consideration as well.

In the rare situation in which a 10- or 11-year-old does engage in criminal activity, obviously it stems from something going terribly wrong in their lives. If we think back even in the chamber, it is hard to reflect, but I think at 10 or 11 I was fortunate enough to be playing with friends and doing sports and having great education and other things that were stimulating, and I had parents who knew where I was and were taking care of me.

There are so many aspects to this issue, and I think in our party, Labor, we recognise that raising a well-rounded individual goes through everything, from investment in early childhood education, which is a paramount priority for our state, to prioritising education per se, and you see the latest reforms with regard to phonics and making sure that no-one slips to the cracks when it comes to having the best possible chance at being literate and being able to expand their choices in life through a great education. Also, with the investment in family violence arguably Victoria is leading the way. I am sorry that family violence persists. We know that for police it can take up to 60, 65 per cent of police time in terms of having to manage this great scourge on our society, and of course it is not exclusive to Victoria. But this is all the more reason why we are tackling these matters head-on when we recognise the holistic elements when we are looking at the contribution to what drives a person to be the best possible, most well rounded and balanced individual they could possibly be or alternatively where life does not follow a healthy pattern to the extent that they may cause harm to themselves or others, which is obviously a very tragic outcome.

Coming back to the purpose of my grievance, there may be some who disagree with raising the age, as I pointed out in the chamber – although it is a bit confusing where they sit – and want this so-called tough-on-crime approach with young children, but the evidence tells us that this approach does not work. That was the point I was making from the outside: sometimes X does not lead to Y, particularly when we are talking about children of 10 and 11 at such a vulnerable age. This is because very young children typically lack the maturity to form criminal intent, and their charges end up being withdrawn or not proven. That surely is counter-productive in the long run.

If we do not focus on helping these children get on the right path now, we end up paying for it with our criminal justice system needing more resources to go into policing their behaviour as adults to keep the community safe, and there we have this very dangerous and counter-productive cycle. But you will note that I have not been flippant when it comes to referencing the specific age groups that we are talking about when it comes to raising the age, because such delicate decision-making is contingent upon evidence-based reforms.

Coming back also to that other concern that may be considered: raising the minimum age does not mean the child escapes consequences, and I think that is extremely important when we are looking at community safety. It is entirely appropriate and expected that children will be held accountable for their behaviour, particularly where this leads to serious harm. What raising the age does is recognise

that the criminal justice system as it stands is not the most appropriate way to hold a young child to account. What does work is developmentally appropriate and necessary supports that put a stop to their harmful behaviour. No-one is suggesting that harmful behaviour be allowed to continue. It does need to be stopped, as this is the overarching objective of the legislation, because ultimately we want on the one hand to be absolutely backing in community safety – it is of paramount importance – and, two, a victim-centred approach. The consideration of the impact on victims is absolutely paramount with any such reforms with regard to community safety, but so is interfering, interrupting, diverting from a very tragic life of crime and making sure that young Victorians get the right support to enable them to have productive and positive lives that are in the best interests of community and not the reverse. Hence our education, child protection and youth justice systems have a number of programs of supports in place to support young people struggling with trauma, challenging behaviours and complex issues.

The ACTING SPEAKER (Paul Edbrooke): Before I call member for Warrandyte, I will just remind members of the principle of sub judice, where if matters are under judicial consideration they are therefore prohibited from being talked about in public.

Government performance

Nicole WERNER (Warrandyte) (17:40): I rise to grieve on behalf of all Victorians who have been abandoned by a government that has forgotten them, a government who cares more about protecting union thugs than protecting hardworking families. People in my community have been shocked and dismayed when they have turned on the news to find out that their taxpayer money is not funding schools and hospitals but rather is funding the bullying and intimidation of CFMEU thugs. While I do not have enough time today to speak about every life and every business that the CFMEU has destroyed or enough time to speak about each of the more than 170 contraventions of section 500 of the Fair Work Act 2009 that the CFMEU has committed or the 50 court proceedings for their bad behaviour that the Premier has ignored, I do want to speak about just one family and specifically a mother by the name of Tammie Palmer in my electorate, who has bravely spoken out about the effect of union thuggery on her life.

Her son Ben Nash was an 18-year-old with a future full of promise, a young Gunditjmara man who was eager to make his mark on the world. Tragically, Ben's first day on a CFMEU government worksite turned out to be his last. On the night before his 19th birthday Ben died from an overdose, a death following the bullying and intimidation of CFMEU thugs. Ben was targeted not just for his background but for his choice of attire, a shirt from a small Indigenous construction firm he had worked for previously. It was well publicised on *60 Minutes* and on the stream of media that followed. It was reported that Ben was locked in a shed for 3 or 4 hours. A young man struggling with mental health issues was subjected to an environment that should have been a place of opportunity, not torment.

I grieve for the family of Ben Nash from my community. I grieve for his brave mum Tammie Palmer, who courageously spoke out against the union thuggery and who, in the face of the threat of the CFMEU, said on *60 Minutes* when she was questioned if she was afraid about any backlash from speaking out:

They can't hurt me more than I'm already hurting.

I grieve for a family that has lost their brother, their cousin and their nephew and for a community that has lost their mate. I grieve for North Ringwood footy club who have lost one of their boys, and I grieve for my friend Tammie Palmer who has lost the light of her life, her son. Hers was the realist of costs, the human cost of her 18-year-old son's life. He did not get to live to see his 19th birthday, because on the morning of his birthday they were unable to wake him when they found him deceased in bed. That is the cost of the thuggery. That is the cost of the bullying and that is the cost of the endemic CFMEU corruption in our state.

Meanwhile the CFMEU has denied these claims, much like the Premier denies claims that she knew about the criminal and thuggish behaviour of the CFMEU. The Premier after going into hiding for three days after Ben Nash's story came out spluttered like a broken record when she was asked why it took her more than a year to respond to a whistleblower's warning about CFMEU intimidation tactics on Victorian construction sites:

... what – what – what – what have you got that shows that they were put to me in writing?

Because of course the Premier was sent a letter while she was the Minister for Transport Infrastructure in April 2022 – which she would only respond to a year later in April 2023 – by an Indigenous labour hire firm claiming that the union officials were threatening violence and blacklisting non-preferred firms from state and federally funded projects. To quote the letter to the Premier, this is what they wrote:

These are supposed to be government jobs for Victorians, free for tender and free of coercion where businesses are free to engage with other entities without fear of retribution ...

We can't go to clients, they don't want IR problems; we can't discuss it with the union, or the bodies who are supposed to keep a leash on this behaviour out of fear of business collapse or personal ramifications.

Where is the safe place? Why as an employer should we be threatened with violence, and why should this violence take place in front of employees?

These are the questions that Victorian construction workers and tradies are asking today, still, because so long as Premier Jacinta Allan is Premier of this state and her CFMEU buddies are allowed to run amok, there is no safe place for our tradies, and that is simply not good enough. It is why the *Australian Financial Review* wrote of the CFMEU scandal that:

Of all the senior Labor politicians around the country, Allan is the one who is most exposed by this scandal.

The Premier has tried to hoodwink the Victorian people and deflect blame for her shoddy work by saying she had referred a warning to Victoria Police; however, as reported in the *AFR*:

The referral pointed to an "anecdotal" suggestion of a "small number of possible" incidents and expressly stated there was no evidence it was widespread or systematic.

So I will put it simply for the people of Victoria: the Premier is so interlinked with the CFMEU that she is practically a card-carrying member. This is of course the Premier with perhaps the worst CV in history – Minister for Public Transport from 2014 and then the Minister for the Suburban Rail Loop from 2020, as well as of course the minister responsible for delivering the Commonwealth Games, and those are obviously going so well here in Victoria! In 2018, when she was the minister responsible for the SRL, she said the total cost for the entire SRL project would be \$50 billion. Then later the PBO estimated the cost of constructing just the SRL East and North to be \$125 billion – more than double. Now the Parliamentary Budget Office has revealed that the cost of just two-thirds, not even the entirety, of the SRL is expected to reach a massive – you hear it here – \$216.7 billion. So it has gone from \$50 billion to \$216.7 billion of Victorian taxpayers money. That is shameful, all while Victoria racks up the highest debt in the nation – as we have heard so many times, more than New South Wales, Queensland and Tasmania combined – paying \$25 million in interest per day. My goodness! And who is paying for it? The Victorian taxpayer, who I am speaking to today – through the Acting Speaker, of course.

This is a project that the Premier was responsible for when she was the Minister for Transport and Infrastructure, this is a project that she was responsible for when she was the Minister for the Suburban Rail Loop and it is a project that she is responsible for now that she is the Premier. While it is in part the CFMEU's fault that these costs have exploded, it is also the Premier's weak attitude. You cannot blame them for asking for near infinite money to build this project, but you can blame the Premier for her blasé, weak attitude that this project will 'cost whatever it costs' and will go ahead come what may, all while future generations are plummeted into a record level of debt. We are talking about our children and our children's children, who are going to inherit this historic level of state debt. Where is

the fiscal responsibility in our state? Labor cannot manage money and cannot manage projects, and it is up to every future Victorian to pay the price.

But of course Premier Jacinta Allan was not only the Minister for the Suburban Rail Loop, as I have been talking about, she was also the Minister for Commonwealth Games Delivery, and what a pathetic failure of government policy that was. Need I remind Victorians that they spent more than \$589 million to not host – let me make that clear, to not host – the Commonwealth Games. Victorians, that is over \$1.6 million a day for a calendar year of your money that has been wasted on a fake election promise. Our amazing results at this year's Olympics have renewed a sense of national unity I have not seen since the Matildas tore up the field. I commend all our amazing Victorian and Australian athletes, but I know that Victorians are disheartened that our athletes will not be able to show off their amazing skills on their own home soil because this government does not believe in its ability to run an event and clearly does not believe in our athletes either. I grieve for our local athletes. I grieve for our state that was made the laughing-stock of the world, and I remember when they cancelled the Commonwealth Games wondering why they did not just run it on a smaller scale in Victoria. Then I realised that the only reason why those opposite ever wanted to hold the games in the first place was to mislead and deceive voters at the 2022 election, to promise them the world – new housing, new stadiums, new investment in rural Victoria – which many Victorians understandably supported, only for them to turn around once they were elected and cancel the games, not deliver the houses and continue to fail the Victorian people.

I also grieve for the Victorians suffering under a government that is weak on crime. Recently I had the privilege of hosting a community safety and crime prevention forum in the suburb of Doncaster East, driven by the escalating concerns of our constituents. The decision to convene the forum was not taken lightly. It was a direct response to a troubling trend we have seen in our electorate: a staggering 48 per cent increase in burglaries with an alarming 78 per cent rise in incidents reported in Doncaster East alone. These statistics, while alarming, are more than just numbers; they represent real people in my community. My office has been inundated with calls and emails from local residents deeply concerned about the surge in violent crime and home invasions – stories like that of Alice Skordakis, who bravely spoke to the *Herald Sun* recently and spoke out about a terrifying situation where three armed invaders broke into her home whilst her 14-year-old was home alone. Imagine this: you have just left your 14-year-old daughter home alone, and as soon as you have left three armed intruders break in. In a frantic attempt to protect herself your daughter runs upstairs to her bedroom, struggles to lock the door, her heart racing with fear as the intruders force their way in and then follow her up the stairs, trying to break down her bedroom door. It is every parent's worst nightmare, and thankfully Alice's daughter is safe and okay, although traumatised after having to lock herself in her bedroom to stay safe while these invaders tried to break down her bedroom door and then further traumatised when their family home was broken into again just four weeks later.

Another victim of this government's soft-on-crime attitude is Dr Ash Gordon. As has been reported and as the member for Berwick spoke about, one of the accused perpetrators was out on bail at the time of Dr Gordon's death. The member for Morwell would know this all too well, because the family is from his electorate. Dr Ash Gordon was 33 years old – that is my age – with all of his life before him before he was allegedly callously murdered by this thug. There were warning signs, and this tragedy could have been prevented. The perpetrator was out on bail when he committed this offence. I have actually spoken to the affected family, who were subject to a machete attack and who reached out to me when they realised that the same 16-year-old that attacked their family member and attacked them with a machete was out on bail thanks to the Allan government and their weak bail laws. It was this family that reached out to me, and as been reported in the *Herald Sun*, these victims have called out the Allan Labor government. I remember the day that I got that phone call from this family who said that it was a Facebook Marketplace incident that went wrong where they were chased down by a

thug wielding a machete. It was the same 16-year-old that allegedly went on to commit this murder. The victims have called out Allan Labor government, and they have said this:

The Allan government and the justice system have blood on their hands ...

That is what the family said. This 16-year-old violent offender should not have been out on bail when he then went on to allegedly murder Dr Ash Gordon. So I grieve for the families who no longer feel safe, I grieve for the families who now have an empty seat at Christmas dinner because of CFMEU thuggery, I grieve for the victims of crime killed by those who the government has let out on bail and I grieve for Victorians, who are sick and tired of this failing, ailing and corrupt Allan Labor government. Victorians deserve better than this.

Leader of the Opposition

Tim RICHARDSON (Mordialloc) (17:54): I grieve today for the people of the electorate of Hawthorn and Victorians who were sold a dud by the Leader of the Opposition, who has vacated the field, and his values and what people were promised in fireside chats in the lead-up to the last state election: a progressive leader that was going to be Malcolm Turnbull like but is a *Malcolm in the Middle* dud. We are at the moment not far away from not the race that stops the nation but the case that stops the nation. We have got 800 hours until Oprah Winfrey would be saying, 'Everyone gets a subpoena! You get a subpoena, you get a subpoena – every single person gets a subpoena!' There are 21 witnesses from Moira Deeming in the other place and eight from the Leader of the Opposition, of which some are frontbench shadow cabinet members. I mean, if there was ever a time to settle your grievances, this would be the moment.

Brad Rowswell: On a point of order, Acting Speaker, the member for Mordialloc should know that if he is going to raise such claims against the Leader of the Opposition, that must be done by substantive motion, not in the form of a grievance debate. I would ask you to counsel the member on his feet.

Tim RICHARDSON: On the point of order, Acting Speaker, this is publicly on the record. There are no imputations made about whether there is guilt or innocence. The fact is people are being subpoenaed. That is publicly on the record. There are cases afoot. There is no reference to how those cases are playing out other than the fact that there are cases underway.

The ACTING SPEAKER (Paul Edbrooke): Thank you, member for Mordialloc. I will rule on the point of order. There is no point of order.

Brad Rowswell: On a further point of order, Acting Speaker, I would ask you to pay careful attention to the member on his feet and what he is saying, as sub judice may be a consideration that he needs to take into account.

The ACTING SPEAKER (Paul Edbrooke): On that point of order, I have reminded people of the principle of sub judice, and I do not believe the member for Mordialloc is anywhere near breaching that principle.

Tim RICHARDSON: That is the reality that we find ourselves in here – a Liberal Party so divided that they are going to take each other to court, a Liberal Party in so much turmoil that they are literally having fireside chats around who would be the best alternative leaders, a Liberal Party so divided that Shannon Deery literally does not have to write another story in the *Herald Sun* other than another leadership rumour and another pile-on and another background on the Leader of the Opposition and how he runs his show. When someone shows you their true self, when they reveal their true self, you believe them. When the people closest to you in your party cannot stand the sight of you – and we have got hundreds of hours of the most depressed looking people over there on that side who do not buy anything that the Leader of the Opposition puts forward – believe them.

The Hawthorn electorate will find that out in the time to come. We see an electorate where literally 772 people change their minds and the seat of Hawthorn changes hands. That was a teal vote that was

20 per cent, the Greens 11 per cent and the ALP 22 per cent. There are more progressives now in the seat of Hawthorn, and that is why the member for Hawthorn fronted up the nice middle-of-the-road centre-left vibes. 'I'm for treaty. I'm here for climate action. I'm here for trust and integrity.' Remember all those Raf Epstein chats? You know, 'Get me on, I just want to have a little yarn. I'm just that small-l liberal that is not offensive at all.'

Wayne Farnham: On a point of order, Speaker, the member is using the word 'you' a lot, which is a reflection on the Chair.

The ACTING SPEAKER (Paul Edbrooke): I remind the member that using the word 'you' is reflecting on the Chair.

Tim RICHARDSON: Jeez, the wet lettuce. You know the best defence is coming when they get you on a point like that. You know it is in full flight and you know it is hurting; that is when you get up.

Wayne Farnham: On a point of order, Speaker, he is defying your ruling.

The ACTING SPEAKER (Paul Edbrooke): The member for Mordialloc may continue.

Tim RICHARDSON: 'You know', as a colloquial term of knowing, is not actually reflecting. I do not want to go to dictionary definitions of the word 'you', but that is not reflecting on the Chair.

The ACTING SPEAKER (Paul Edbrooke): Through the Chair, please, member for Mordialloc. There is no point of order.

Tim RICHARDSON: We have a situation here where those opposite are literally on the court step in literally 800 hours time. The case that stops the nation. That is the position they are in. Let us see how we got to this. It goes back to actually the 58th Parliament when the member for Hawthorn got up for his maiden speech. He said:

As legislators I believe we must be able to put ourselves in the shoes of those we represent ...

It is an honourable statement, a statement that is true of everyone in this place. But with a median age of 34 in Hawthorn, with 45.6 per cent of people in the seat of Hawthorn renting and people wanting progressive and inclusive policies, which have seen the establishment of the teal political movement, which had its epicentre in the Hawthorn electorate and went after the former Treasurer Josh Frydenberg, we have an example here of a Leader of the Opposition who is an absolute straw man in values and policy. We see someone who came forward and who was in support of treaty in the lead-up to the state election, who said he was for standing with First Nations peoples and abandoned that policy as quickly as he could. The Leader of the Opposition did not actually come out after the state election and change that, it was not until he was put forward after the Voice representation, after the vote, after it went through this Parliament on multiple occasions.

Even his own party members backgrounded him during March 2024 when they said:

... issues raised by MPs included –

the member for Hawthorn's –

... lack of consultation, poor communication and bungled handling of major policy decisions ...

such as the walk away from supporting the treaty with First Nations people. At least the member for Kew had the guts to come out and say she supports a Voice to Parliament, step up against the trend and show courage and conviction to represent her electorate and her people. It is a pity that across the neighbouring electorates there is an absolute gulf and deficit and no courage whatsoever to even front up to the First Peoples' Assembly and show them the decency to say why it had changed. The Leader of the Opposition scurried away and said to media before the First Peoples' Assembly –

Brad Rowswell: On a point of order, Acting Speaker, again, reflections on other members of this place such as the ones that the member for Mordialloc is currently making must only be made by substantive motion. I would ask you respectfully to counsel the member for Mordialloc, please.

Tim RICHARDSON: On the point of order, Acting Speaker, the member for Sandringham is the one that is trying to defend the Leader of the Opposition in points of order, but let us be clear: this is substantive debate and policy. I know they are trying to protect the record, but they are the facts that play out. This is substantive policy. If you want to protect against that, then you are really losing the plot.

The ACTING SPEAKER (Iwan Walters): I will rule on the point of order. There is no point of order, but I will encourage the member for Mordialloc to ensure that his comments do remain appropriate.

Tim RICHARDSON: Mind you, I have got a bit for the member for Sandringham about the hero Premier and Treasurer at his fundraiser a little while ago, Dom Perrottet – that great, sophisticated Liberal leader who was put up there as the next saviour. There was a bit of a bromance between our Premier and their Premier. I will get to a bit of that soon, because with some of Dom Perrottet's comments it is really interesting that the member for Sandringham would get him along to a fundraiser, after what he said about cost escalations and major projects. We might just leave that to the back of the program for the member for Sandringham. With such a forward-thinking leader like Dom Perrottet, who talked about eastern seaboard contracts and governments under pressure with cost escalation and the need to push forward to get those projects done on behalf of their communities regardless of budget impacts, it is very curious that the aspiring Shadow Treasurer, which the member for Sandringham is, would have him at a fundraiser when on the record he talked about the impacts of debt and the power of investing in infrastructure that is of generational significance.

The Leader of the Opposition is all at sea on climate action. His is an electorate that wants to see investment in renewables. Thirty-four is the median age, as I said before. When you see the polling and the satisfaction surveys and the interest in renewable energy, when you see that this is the epicentre of the teal movement, you know they want to see action on climate change. It is what the Leader of the Opposition strongly put forward in his campaign for the seat of Hawthorn, decided by just 772 constituents. What has been the journey to that point? Not really backing renewables and then supporting the nuclear position of Peter Dutton federally. We see the huge impacts that this would have on costs, the bill escalations and the impact that this would have into the future. When you stand for nothing, no-one can support you. When you show your values up close to your electorate and to Victorians, they will not trust you. When you change just based on the ebbs and flows of the wind, like crossing live on a weather report, then people will not respect you into the future.

But let us just go through then the trust and integrity issues that we see right here and what we see of reflections going forward. Remember that maiden speech reference I made before – the second real statement that stands out for me is that the Leader of the Opposition said:

The motto I often recite in my mind, as a reminder –

and you know this would have been done in the mirror as a practice –

is this: politics is not about me –

it is about the people –

it is about you.

Well, there could not be a further statement from how the Leader of the Opposition carries himself in policy – abandoning treaty, abandoning meaningful climate action and then those in his party having the most dangerous reflections on him. It starts with the member for Polwarth, who innocently said, 'He's the best leader we have today' – I mean, you are not meant to say the quiet bit out loud – or during that wonderful 7000-word –

Brad Rowswell: On a point of order, Acting Speaker, I was just wondering when the member for Mordialloc was going to move on to comments about me.

The ACTING SPEAKER (Iwan Walters): The member for Sandringham knows that is not a point of order.

Tim RICHARDSON: In Sandringham it is all about him! He has got the number one seed at the table – the absolute number one seed in Nepean. I tell you what, when the member for Nepean put on the Olympic suit the other day with the gold medal, yellow tie, I had goosebumps. I am going to say, I was a bit excited. I thought, ‘This is leadership. There’s gravitas, there’s power, there’s leadership here.’ Just ask him: in a recent *Herald Sun* piece the member for Nepean is ‘Ready to serve’. I would have loved to have seen the clips. We all get the clips. We got the clips. Our WhatsApp chat went off its chops; it was absolutely lit. You should have been in there, member for Nepean. There were 5000 comments: ‘Was this sanctioned?’ Louise Staley, the former member for Ripon – you could imagine what Louise was thinking: ‘Oh my goodness. I’ve got to show John this.’ You know when you do the 4 am ‘Here are all the clips’? The fireside chat that the Leader of the Opposition had was maybe about 1500 words. The member for Nepean’s keeps going. You scroll; you have got to put the iPad on charge to keep going. It is just absolutely massive. But power to him, because he does have a bit of institutional strength. He has got the former Treasurer on board as his backer.

I do love some of the reflections that were put forward by the member for Nepean:

I have a vision of how I think Victoria should look. I just don’t know when that opportunity is going to present itself to be able to deliver that.

When you say you have got a vision and you have got the Leader of the Opposition there, the inverse of that is he does not have a vision. When you do not say, ‘The member for Hawthorn’s and my vision as a shadow cabinet minister is so grand and so amazing’, but you say, ‘I want to put forward my vision’, you are saying that your side does not have any vision.

I loved some of the family shots. It was a beautiful piece. Some of us here could not dream of column inches like that. I did like the honesty – the real, strong honesty that was put forward by Britt, the member for Nepean’s partner, who said:

... he is inherently loyal ... to the ... Liberal Party ... for as long as that needs to be.

Now, that is a tennis reference, right? When you front up to that and you see that, you go, ‘The cat’s out of the bag. The member for Nepean’s on the charge.’ She said later on that when the time comes he will definitely put his hand up. He is only 36. Maybe when he is 37 he will have a crack, but he is absolutely up for the charge. It just shows that they have such a deficit on that side that they are literally puff-piecing themselves and trying to put themselves forward, opinion piece after opinion piece.

Then there is the massive amount of leaks. There is not a week that goes by that they are not leaking like a sieve. You have got Jeff Kennett. The former Premier has gone from ‘The trial of the century is a bad thing’ to ‘It’s going to be a good thing because we get to figure out who’s not being loyal and who’s not part of the team. We are.’ On 16 September I am literally going to go to the public gallery. I am going to be lining up with so much media there, just wanting to watch, just like Moira Deeming from the other place was in here watching over the chamber today. That sort of presence is going to be ratings galore, like we have not seen since *Postcards*. It is that kind of ratings bonanza that we have got ahead of us. So I grieve for the people of Victoria if they ever have to front up to the absolute charlatan that is the member for Hawthorn and Leader of the Opposition.

Question agreed to.

*Bills***Prahran Mechanics' Institute Repeal Bill 2024***Second reading***Debate resumed on motion of Melissa Horne:**

That this bill be now read a second time.

Vicki WARD (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (18:09): It is great to take off from the member for Mordialloc and his impassioned speech that gave us a bit of joy this afternoon. Thank you very much for sharing.

I absolutely rise in support of this bill, which will dissolve the Prahran Mechanics' Institution and Circulating Library and provide for the transfer of property, rights and liabilities to the Prahran Mechanics' Institute's successor body, the PMI Victorian History Library. Acting Speaker, I do not know if you were in the chamber earlier today when we heard the member for Yan Yean talk to this bill and to her fantastic mechanics institute in Mernda. Why that meant so much to me is that we used to live in the pub opposite that mechanics institute many, many, many years ago, and as a kid I used to wonder what a mechanics institute is. I could not figure out who the mechanics were, why they were not working on cars and what was going on, so it started my fascination with mechanics institutes, what they actually mean and what they do.

The Prahran Mechanics' Institute is one of nearly a thousand that were set up in our state, and there are around about 562 remaining today. They began in 1800, when Dr George Birkbeck of the Andersonian Institute of Scotland gave a series of lectures to local mechanics, 'mechanics' meaning artisans or people working with their hands – working men of course. From this sprouted the mechanics institutes, which were seen as a mechanism to deliver technical and moral education to skilled working-class men. While there are those historians who see the evolution of mechanics institutes as creating a genteel working class, many working-class men took advantage of the education offered without, I am happy to say, 'compromising their class interests'.

Historians of colonial mechanics institutes have explained their popularity in this country by pointing to their civic character, suggesting that they more closely resembled community centres utilised by both working- and middle-class men. What I am pleased to note is that in Victoria women became a part of the story of our mechanics institutes, particularly when it came to funding, which I will come back to.

The Prahran Mechanics' Institute is Victoria's second-oldest library, which is pretty cool. I would like to think that my working-class ancestors, who lived in Prahran for many years, availed themselves of the services of the PMI in the 1800s. In Australia, Hobart had the first mechanics institute, set up in 1827, and in Victoria the institutes' history begins near this place, at the Athenaeum just down the road, which was the first mechanics institute, set up in 1839. The *Port Phillip Gazette* suggested that the institute would 'spread an eager and praiseworthy desire for self-improvement throughout the community'. We need to also note that by 1841 the Athenaeum had become the first collecting institution in Port Phillip, which meant that it displayed the material culture and even the remains of Wurundjeri Woi Wurrung and Bunurong Boon Wurrung in display cabinets around the lecture hall. This was not long after Batman and his band of opportunists found their way to Melbourne to begin the colonisation of these traditional lands of the Kulin nation. That was before this place was built. It is extraordinary to think that in less than 10 years collections of First Peoples were underway, and it speaks very clearly to the speed through which dispossession occurred. This example is just one of the markers of the connection to our history that mechanics institutes give us.

Mechanics institutes reflect much of our social history as a country and as a state. By 1860 the colony had over half a million settlers, and one MP – I have to say he was a Liberal MP – commented about mechanics institutes that they were 'a distinguishing feature in all newly-proclaimed townships and

municipalities'. It should also be noted that in the census that year the Aboriginal population was reported at just 1869.

Mechanics institutes were so popular in Australia that by 1900 we had more per head of population than did Britain. We also saw the steady inclusion of women in local mechanics institutes – again another reflection of how the mechanics institutes reflected our society and what was happening at the time and help us understand our history. We have reports of some mechanics institutes noting that:

... before the ladies gave their support the attendance at the weekly meetings and lecture was small.

Indeed at one meeting it was recognised that:

Accommodating women in the institution was, the speakers argued, crucial to the success of future generations ...

I think it is something that we could argue in this place too. An important reflection of society, of business and of government, the inclusion of women is indeed crucial to the success of future generations. This is not to say that there was not also displeasure expressed by some men at women occupying space within the mechanics institute, and I am sure that there are plenty of women in this place who are familiar with that complaint. I want to add an anecdote about a regional mechanics institute, where it was noted by the menfolk:

... That the pages of the Ladies Suggestion Book be pasted together and a notice written on a fresh page requesting the ladies not to allow the Book to be made the receptacle of idle and impertinent remarks.

How very dare they! Many mechanics institutes were seen to provide women:

with opportunities and platforms for public and political engagement, while also revealing the acts of resistance to institutional forms of surveillance and moral policing.

There was absolutely an evolution of the mechanics institutes whereby they not only provided educational and recreational spaces for the working class but also were captured by the middle class, who saw them as 'respectable alternatives to venues such as the public house'. This was one of the advantages of having women involved in mechanics institutes, as the presence of women could be seen to elevate the standards of the place – something I would probably argue also applies to this place. The Beechworth mechanics institute honourable secretary observed at the institute's third anniversary the:

... immense influence exercised by the ladies in the success or decline of an institution of this nature.

He further noted that:

... before the ladies gave their support the attendance at the weekly meetings and lecture was small.

At this event other speakers spoke of how the crucial presence of women would lead to the success of future generations. Some mechanics institutes would have a room put aside for 'lady members' which would offer them privacy. Some would be provided with journals such as *Ladies' Magazine*, *Victoria Magazine*, *The Queen*, *London Society* and *All the Year Round*. What is important about *Victoria Magazine* is that it was very involved in the women's rights movement in the United Kingdom. There were of course other print items that were also there at a number of mechanics institutes, advocating for women's rights. I do not know how much work has been done to fully understand the role of mechanics institutes in Australia's being one of the first nations in the world to allow women the vote, and it would be very interesting to know more.

Of course the women at the mechanics institutes were not given equal status with their male subscribers. For example, it seems common for the newspapers to have been stolen from reading rooms and taken into the ladies' room. It was such a problem that one of our regional mechanics institutes had a sign stating:

... the committee is not in a position to supply the daily papers to the ladies' room ...

and that:

... the removal of copies from the desks in the reading room cannot be permitted.

At any time of fiscal restraint women were sought to undertake fundraising but also suffered the consequences of budget cuts – sounds a bit like the opposition. Rooms for women were sometimes commandeered to be used as storage when needed, meaning that they were unusable for the women. Sometimes the gas lights and the fire were not allowed to be used for months by women when funds were tight. But for males – subscribers and non-subscribers – of course that challenge did not arise.

And of course there were complaints by the menfolk of the noise that women could make. An annoyed subscriber wrote to a regional newspaper:

... ‘annoyance to ladies was caused by the misbehaviour of certain young men’ and it was resolved that the president of the institute would ‘communicate with the friends or employers of some of the offenders’.

...

The recesses on the northern side of the library are often used by youths as a place in which to secret themselves from the secretary’s view for the purpose of having a ‘lark’ with the girls, who stand with their backs against the bookshelves on the opposite side, and who thereby prevent subscribers from having recourse to many of the literary works.

Outrageous stuff.

The mere fact of a number of young girls having free access to its shelves and reading the works of ‘Ouida,’ and other abominations of a similar nature, where young minds are perverted by being introduced to the ‘scenes’ behind the scenes of theatre (and, such a theatre as could only exist in the imagination of a novelist), the billiard-room, the racecourse, the gambling hell, and heaven knows where besides, may account for the fact that it was found necessary to paint the walls of a certain portion of the ladies’ rooms black so that the disgraceful (to use the mildest term) pencil marks made by these juvenile larrikinesses might not shock the sight of modest women.

All hail the mechanics institutes.

Martin CAMERON (Morwell) (18:19): I rise with anticipation at getting through the Prahran Mechanics’ Institute Repeal Bill 2024. I have been waiting patiently for nearly two days now to be able to stand up and work my way through the bill. It has been great listening to other members on their feet who have actually had the time to be able to give a little bit of a history lesson on what the Prahran Mechanics’ Institute Repeal Bill is about and who have been able to talk about their own mechanics institutes or buildings that are in their local area.

It would be remiss of me and the wrong thing to do if I did not actually go through the purpose of the bill, because I think we all really need to make sure we know all this. The purpose of the bill is to repeal the Prahran Mechanics’ Institute Act 1899 – and I think the Leader of the Nationals when he spoke said this is one of the oldest acts that is currently here on the books in state Parliament; to dissolve the Prahran Mechanics’ Institution and Circulating Library incorporated, established by the Prahran Mechanics’ Institute Act 1899; and to provide for the transfer of property, rights and liabilities to the Prahran Mechanics’ Institute’s successor body, the PMI Victorian History Library Incorporated, which is an incorporated association under the Associations Incorporation Reform Act 2012. So it is great to get that on the record.

As we heard from the member for Prahran, the Prahran Mechanics’ Institute is used for various different activities, and it is great to know that it is still going to this day. The mechanics institute is a 170-year-old community-owned and run library specialising in Victorian history. It is the state’s second-oldest library, making it a place for learning, research, knowledge sharing and community engagement, and it is a vital source of research material and education for those interested in Victorian history. We have a lot of people that are interested in history. I note the chair of my committee, the member for Wendouree, is a history buff, so I know that she would have enjoyed being able to get to the base of the Prahran institute repeal bill. The Prahran Mechanics’ Institute is where the collections

of the Mechanics' Institutes of Victoria, the Cinema and Theatre Historical Society and the Victorian Railway History Library are located as well.

The decision was taken in 1899 to transfer the Prahran Mechanics' Institute from the previous trustees to a body established for its proper administration due to concerns about mismanagement, the poor state of the library and buildings, and the reduction in membership to only 10 members. So even way back then they had concerns and had the foresight to make some changes, and this is what we are doing with this bill again today – making sure that we make changes so they can go forward and be there for another 170 years.

As a result of this history, the Prahran Mechanics' Institute Act 1899 does not provide the governing committee with the powers to make financial decisions, so we are changing that in the best interests of their members. The act has required an amendment each time the committee has sought to purchase or sell land or change the composition of the committee. There is no longer a requirement for the institute to be restricted by legislation. So that is the base and a little bit of what this repeal bill is going to do.

As many other members have said, in their electorates – and also in my electorate of Morwell and throughout the Latrobe Valley – we have older mechanics institutes. The buildings are still there, but they are used for other purposes. I know from talking to my father and mother that they used to have dances held at some of these mechanics institutes, so you can see by that what the Prahran institute is being used for today. Back in the day when they were courting, they used to be able to use these mechanics halls for purposes of dance and other functions.

We have the Morwell mechanics institute. It was a valued asset used for public functions, council meetings back in the day and formal occasions, which I spoke about, and as a library it was home to more than 2000 books. The mechanics institute in Morwell also doubled as a movie theatre, and it was housed alongside the clerk of courts, a masonic lodge and a welfare centre. So these mechanics institutes and buildings have had great value to the communities over the journey, and it really was a quintessential community hub. Sadly, though, the Morwell Mechanics Institute no longer stands today, as it burnt down in a huge fire in 1935.

The Traralgon Mechanics Institute was home to all sorts of events, from dance concerts to fashion parades, and at one point it even housed a shoe factory on the second storey of the hall. It was a grand old building and, like many mechanics institutes, was a wonderland of books for people of all ages to go and read and spend time there. As we have heard, a lot of these mechanics institutes back in the day were libraries for people to go and sit, relax, read and educate themselves.

There is a Narracan mechanics hall, but with the redistribution of places the Narracan one was in the City of Moe. And Moe is now in my electorate, so bad luck to the member for Narracan – I have actually taken that one into mine. The Moe one was built in 1905 to replace an earlier hall at Narracan East. In August 1978 the ownership of the building was transferred to Old Gippsdown and the building was shortly moved to that site. Old Gippsdown still stands today in Moe. I recommend if you are travelling through the area and you want to give yourself a step back in time, get to the Old Gippsdown site in Moe. It is now used as a meeting place for a variety of local societies and currently houses Freemasons memorabilia. It is also available for public hire, and it is great to see all these years later that these halls are still being used and playing a big part in our local communities. In 1971 a collection of over 2300 books, which had been gathering dust in the library in the anteroom on the northern side of the institute, was donated to Old Gippsdown, so it is great that they are there as well.

Now to Glengarry. Glengarry is a beautiful little country town in my electorate, and the Glengarry Mechanics Institute is a much-loved community asset. It has been a pillar of the Latrobe Valley community since 1927. While it no longer operates as a mechanics institute, it was refurbished back in 2022, so only a couple of years ago a lot of work was done on it. It is a real asset and a showpiece for not only the people of Glengarry but the wider community of the Latrobe Valley and Gippsland,

which is great for them. As I said, while it is no longer a mechanics institute as such, new floors were put down and it has a new kitchen, acoustic panelling and a new sound system. A lot of bands and shows have come into the area, and out in Glengarry they do a lot of functions for the community and they do hold them at the Glengarry Mechanics Institute.

Like a lot of other places, the Glengarry Mechanics Institute was once home to a library and a picture theatre, and now, as I said, it has live music and countless community events there, so it was sort of the forerunner to a lot of our neighbourhood houses that we do have now. Back in the day the mechanics institutes were such a huge part of the local community. They were places for people to go and gather, spend their time and educate themselves. We heard from the last speaker on the government side that they were places for women to also be able to go and socialise back in the day. Although this is an institution that we do love – *(Time expired)*

Iwan WALTERS (Greenvale) (18:29): I am very grateful that you have afforded me the opportunity to speak this evening on the Prahran Mechanics' Institute Repeal Bill 2024. While it is a bill that is quite limited in scope, I think it is quite momentous that we are in fact repealing the oldest act on the Victorian statute book, one that predates the establishment of Australia itself.

The Prahran Mechanics' Institute Act 1899 – there is actually something revealing in the fact that it was brought to this place and enacted in 1899. As the member for Morwell said, its *raison d'être* was the fact that the PMI at the time only had 10 members and had fallen into a state of disrepair and mismanagement. 1899 came at the end of what could be termed a really long associative boom in Australia, whereby there was mass participation in organisations like mechanics institutes as well as friendly societies and the sorts of things which were precursors to what might be termed the modern welfare state, with the kinds of functions that government took upon itself to provide for the community through the 20th century. There had been that boom in the era immediately after the gold rushes of the 1850s and then through the second half of the 19th century, but the combination of the waxing and waning fortunes of associative bodies like mechanics institutes, coupled with the period after the land boom ended in Victoria in the 1890s, meant that bodies like the Prahran Mechanics' Institute were struggling, and so the Parliament at the time took it upon itself to oversee the management of the PMI. Of course today, as the member for Prahran touched upon in his contribution earlier, the PMI is a thriving body that really has no need for an act of Parliament to oversee what really should be the proper role and functions of a functioning administrative committee of the PMI; with the repealing of this act they will indeed get that responsibility back.

In my contribution – it has been a wideranging debate, and I have no intention of curtailing that expansiveness in my contribution – I think it is worth recalling and reflecting upon the immense contribution that mechanics institutes played in the 19th century to social capital in Australia and indeed, as members from across the house have spoken about, particularly in rural areas where they still make that contribution today. Mechanics institutes in places like Tallarook and throughout the Goldfields – Kilmore, for example – are still at the very hub of community, the very heart of community. They are places for social gathering. They remain repositories of local history. In the 19th century they were immensely significant as providers of education where the state did not yet have a fully formed role. Of course Victoria is and should be rightly proud of this status. It is the jurisdiction that was the first in the world to move towards a system of universal, compulsory and free education for primary school students. There was much more piecemeal provision of education at other stages of life, bearing in mind that it was a time when the vast majority of the population were what might be termed working-class people; there was a very small professional middle class and an even smaller, very significant landowning class, but most people were to one extent or another working-class artisans who relied upon organisations like the mechanics institute not just for education but for bonds to be created between them.

There is an extraordinarily rich history of academic literature pertaining to both mechanics institutes of the time but also those friendly societies I spoke of earlier, which provided, in effect, insurance against harm and against risk for people in an era when government did not do that and where people

were, without the provision of friendly societies, exposed to catastrophic risk that they and their families could not afford. The reason for this really rich academic literature is in part because the records of mechanics institutes and friendly societies are in and of themselves incredibly rich. They are rich repositories that illustrate who was joining these organisations, what their backgrounds were and the kinds of relationships they had with each other, and so from the perspective of an economic and social historian they provide an extraordinary insight into the nature of society as it was at the time. While this is superficially a bill of very limited scope, I think it points to something very profound in our economic and social history as a state and a jurisdiction and the importance of vocational training as it was in the 19th century and indeed continues to be in Victoria thanks to the work of this government. The Leader of the Nationals and the Minister for Prevention of Family Violence both talked about how mechanics institutes had their origins in Scotland, and again that is not a coincidence.

It really stems, in I think quite a linear fashion, from the Scottish Enlightenment of the 17th and 18th centuries, where philosophers like David Hume and Adam Smith, writers like James Boswell and then inventors like James Watt, who in effect created the modern steam engine, as well as others like Thomas Telford, an extraordinary engineer, really provided an immense contribution to what we might call our own culture and civilisation in the modern world – that scientific, empirical method that led to real advancements in science, engineering and knowledge of the world. A lot of that originated in Scotland, and so it is no surprise that in 1821 in Edinburgh and in 1823 in Glasgow the first mechanics institutes appeared. And of course they exploded, as one historian has put it, like a process of spontaneous combustion across what was of course then the British Empire. That is obviously how those mechanics institutes found their way to Australia and in particular to Victoria.

I am someone who was born just down the A68 and across the Cheviots from Edinburgh in the home of the birthplace of the railways, where men – as the Minister for Prevention of Family Violence commented, they were invariably men who were members of these organisations in the early days – self-made, self-taught men like George Stephenson invented transformative devices like the steam engine, which had such a profound consequence on the economic development of the 19th century of industrialisation not just of northern England but of Victoria. The member for Murray Plains, the Leader of the Nationals, talked about the nation-building role the Victorian railways played in the 19th century. I feel that there is an incredibly important lineal thread between that era of the Scottish Enlightenment through the creation of the mechanics institutes and to Australia.

Indeed having just achieved representative government in the 1850s, Australians and Australian governments, including in Victoria, were very anxious to ensure that their societies be uplifted. What better way than to encourage reading and the higher pursuits that mechanics institutes afforded? The member for Geelong is not here, but one of her predecessors, in fact the first member for Geelong, a gentleman called Alexander Fyfe, who was the member for Geelong between 1856 and 1857 – so in the very first iteration of this Legislative Assembly – argued that mechanics institutes were ‘national blessings’ with a ‘tendency to improve the mental and social condition of the community’. Alexander Fyfe sounds like quite a decent fellow actually. He was one of the first gold diggers at Ballarat. He was the secretary of the anti-gold license committee and I think very saliently contributed to the legal expenses of Peter Lalor, so good on him.

The reason that I think his contribution is relevant is because it points to the role that mechanics institutes played in an era where government did not assume in and of itself a significant role in terms of the provision of education and training. Mechanics institutes filled that void. They not only created social capital and connections between citizens of what were then very small but rapidly growing towns across the colony of Victoria, but they provided the education that so many people depended upon, as I say, in that era when government did not have the role that it does today.

Notwithstanding the fact that government has assumed obviously much more of a role for education, it is my enduring passion in life to ensure that it continues to play that role, making sure that people have the opportunity to pursue vocational education regardless of their stage of life because that is the key to enabling productivity at a societal level but also to ensuring that people who are impacted by

economic change have the chance to retrain, reskill and access new and better jobs. But even with government assuming that role, mechanics institutes are still an incredibly important part of our state. As we have heard from members across the house, those mechanics institutes in small country towns, in suburbs and indeed just down on Collins Street at the Athenaeum are still important parts of our communities. So I commend this bill to the house, and I wish the members of the Prahran Mechanics' Institute a very happy future in continuation of their good work.

Kim O'KEEFFE (Shepparton) (18:39): Today I rise to stand and make a contribution on the Prahran Mechanics' Institute Repeal Bill 2024. I wish to acknowledge the lead speaker the Leader of the Nationals for his compelling and in-depth contribution and for sharing such a broad history of the Prahran Mechanics' Institute and much more. I will also include some of the wonderful mechanics institutes in my electorate very shortly, but I will first speak to the bill.

The bill before the house is for an act to repeal the Prahran Mechanics' Institute Act 1899, to dissolve the Prahran Mechanics' Institution and Circulating Library incorporated and to provide for the transfer of property, rights and liabilities of that entity to the PMI Victorian History Library Inc. and for other purposes. Clause 4 provides for the repeal of the Prahran Mechanics' Institute Act 1899, which will enable the PMI Circulating Library to be managed by the PMI Victorian History Library. Clause 5 provides for the dissolution of the PMI Circulating Library and once abolished its members cease to hold office, and any rules and regulations made under section 5 are revoked. Clause 6 provides for the transfer of the property rights and liabilities of the PMI Circulating Library to the PMI Victorian History Library on the repeal of the PMI act 1899.

The bill does not alter the position or rights of any party to the lease, and importantly, the employees of the PMI Circulating Library continue to be employed by the PMI Victorian History Library on the same terms and conditions, with their accrued entitlements to employment benefits and without breaking continued service. However, this does not prevent the terms and conditions of transferred employees from being later altered by or under any law, award or agreement to enable, for example, the employees to renegotiate their contracts or enter into an enterprise bargaining agreement.

In regard to taxes, no stamp duty or other tax is chargeable under any act in respect of anything effected by or done under this bill or in respect of any act or transaction connected with or necessary to be done by the reason of the bill. The purpose of this is to ensure that the PMI does not incur any tax liabilities as a result of the transfer of property due to the operation of the bill. The bill also provides a regulation-making power to deal with transitional matters for a period of two years. This is to ensure that if any additional matters arise from the succession that have not been addressed in the bill they can be dealt with through regulations.

The Prahran Mechanics' Institute was first established in 1854, some 170 years ago – in fact the library celebrated its 170th birthday in February this year. The Prahran Mechanics' Institute is a community-owned and run library that specialises in the history of Victoria. In addition, the PMI has served the Prahran community and more broadly the Victorian community as a central resource for research into the state's history. To date the library has over 40,000 books for loan, many of which are not available for loan anywhere else in the state. Furthermore, the PMI provides a professional information service to its members and organises educational activities, including lectures, seminars and competitions, to encourage and facilitate the study of history. The Prahran Mechanics' Institute is also home to the collections of the Mechanics' Institute of Victoria, the Cinema and Theatre Historical Society and the Victorian Railway History Library.

The Prahran Mechanics' Institute is Victoria's second-oldest library and is also the only mechanics institute in Victoria that is governed by its own act of Parliament. The decision was taken in 1899 to transfer the Prahran Mechanics' Institute from the previous trustees to a body established for its proper administration, due to concerns about mismanagement, the poor state of the library and buildings and the reduction in membership to only 10 members back then. As a result of history, the Prahran Mechanics' Institute Act 1899 does not provide the governing committee with the powers to make

financial decisions for its members. The act over time has required an amendment each time the committee has sought to purchase or sell land or change the composition of the committee. It is clear from this that it is no longer appropriate nor necessary for the Prahran Mechanics' Institute to be bound by legislation that restricts its activities. As the successor body of the Prahran Mechanics' Institute the PMI Victorian History Library is an incorporated association under the Associations Incorporation Reform Act 2012 and has a constitution in place to guide the board going forward.

In my electorate we have many historic mechanics institute buildings, which have been well utilised by the community. They are all historic heritage buildings with long histories. We have lost a lot of heritage – probably something that has not been raised enough today in the chamber – many buildings over time, and it is a good reminder that we must protect our heritage and our history. As I said, in my electorate we have many historic mechanics institute buildings, and they have been very, very well utilised by the community. For example, in Mooroopna we have the original mechanics institute right in the main street, which was built back in 1875. However, the building has succumbed to floods and is at present in McLennan Street. The site back in 1906 was actually moved. In 1920 a smaller hall, which is now known as the MG O'Brien Hall, was purchased and shifted and placed to the east of the hall. The original hall was replaced in 1933 by a cement structure largely funded by the Back to Mooroopna community. In 1974 and after being flooded to a depth of 25 centimetres across the floor, it was significantly renovated. The side hall, MG O'Brien Hall, was replaced in 1953, and this site was also largely funded by another Back to Mooroopna event. From the onset a library was established, and it continued to serve the community for a long time and for lots of different purposes. The mechanics institute today is still situated in the main street of Mooroopna in McLennan Street, where many people coming across the Peter Ross-Edwards Causeway from Shepparton are greeted front and centre with such an amazing building.

In Shepparton the mechanics institute has served the community since 1877. Currently the mechanics institute site has office space as well as community meeting rooms for groups such as the Shepparton Chess Club and the Goulburn Valley Quilters. The hall can be utilised as a lecture theatre and for music recitals and has a place for small stage performances and a meeting area. It is a very old building but very significant, sitting right in the main street of Shepparton.

In Tatura, one of our other smaller towns, the mechanics institute was first built in 1882 and was the first public building in Tatura. It immediately became the centre of community activity in the rich farming locality of Tatura, which often is known as the jewel in the crown of the Goulburn Valley. The first church services were held there along with school classes and all community public meetings. Along with this, it has also held the library and was also an entertainment hub for the community right up to and during World War I. After World War I ended, the community leaders of the day decided to build a commemorative hall to the fallen from the local area, and so the idea for another hall next to the mechanics institute was formed. Both of these buildings sit very proudly right in the main street of Tatura. Just recently we had the Tatura art show held at the new building. It was a significant time where the history of both halls was actually recognised through art and painting.

In another small town, Nathalia, currently the Nathalia and District Historical Society is partly housed in the former mechanics institute, built in 1887. The society commenced in the 1960s when a group of local people decided to protect the history of the area so it was not lost to future generations. In Wunghnu, another small little community, the first Wunghnu Mechanics Institute opened on 5 June 1887 – a brick building with a two-storey section at the front. The building was not to last long, for soon after the front section was burnt down, and by mid-1889 the mechanics institute committee was making moves to reconstruct either a single- or a two-storey new front to the institute. The current building dates from that exercise, and at the time of its completion it contained the original hall. The library, meeting rooms, reading room and upstairs billiard room still remain today.

In Numurkah the first subscribers to the Numurkah Mechanics' Institute met on 21 June 1882 and the building was constructed within the following year. The Numurkah Mechanics' Institute was the site of the first Church of England service in the town ahead of the construction of the church and was also

used as a courthouse and a venue for balls, concerts, lectures and the Numurkah Dramatic Club, fire brigade concerts and the choral union. The Numurkah shire also met there before the shire hall was built back in 1889. The site was associated with a wide variety of cultural, social, religious, recreation and political events and groups from the earliest period of the town's history. The building was constructed by TE Draper, initially with a single storey. A second storey that included a billiards hall was added in 1887. The site was then gifted by the institute to the shire in 1938 and auctioned by them in 1957 when it was valued at £18,000. It was eventually sold for £16,250 and used as a hardware shop. Sold again, the building remained a hardware shop until 1980. The building has since been renovated but retains a few original features, such as the timber ceiling and pressed metal rear wall surroundings that were once the stage.

In recently visiting Numurkah, I took note of the actual building, and it has a retail store in the building now. When you look above those rooflines you see such a lot of history. As I said, it is so critical that we maintain the heritage buildings within our communities, something that has been neglected and lost over many, many years. I did not get to speak much on the bill, but I think it has been great to hear the contributions today, and I will finish there.

Anthony CIANFLONE (Pascoe Vale) (18:49): I too rise to speak as the member for Pascoe Vale, Coburg and Brunswick West on the Prahran Mechanics' Institute Repeal Bill 2024. In doing so, I acknowledge I am not a parliamentary representative of the Prahran area, but I certainly do have a longstanding connection to the Prahran community, having spent many of my formative years, particularly through my university days, at the nightlife up and down Chapel Street back in the day – at Chasers to name just one. But I will leave that there. And the member for Narre Warren South would appreciate the live music scene along Chapel Street that I would have been listening to, given his drumming background.

But look, before I turn to the substance of the bill, I think is important to point out, for the sake of my community when I share this speech around, the role of mechanics institutes. We have heard a lot of different descriptions, but essentially the best way I think we can describe what the roles of mechanics institutes were fundamentally is by saying that before we had free TAFE we had mechanics institutes. That is probably one way to describe them. Mechanics institutes did begin as a model for free education for workers in Scotland and were established throughout Britain's colonies. Mechanics institutes opened in Australia in the early 19th century and were extremely popular, with one in almost every town in Victoria. They were places for community to gather and provided free education, with practical offerings like mathematics, mechanics, chemistry and drawing, which were growing skills for the workforce at the time. These institutes also had libraries and reading rooms to provide access to books and newspapers and had community hubs to host lectures, debates and other cultural events. Mechanics institutes were essentially precursors to public libraries and modern adult education, responding to the need for a skilled workforce and opening up these educational spaces to every person, regardless of their wealth or status.

With the rise of public libraries, technical colleges and other educational institutions in the 20th century, the role of mechanics institutes gradually reduced, and sites transformed for different uses over time. Some of these, as we have heard today, still function as mechanics institutes, halls or library sites. They continue to be places for the community to gather, and around 500 mechanics institutes remain in Victoria today.

In amongst this rich history and evolution of mechanics institutes across Victoria there was of course the establishment of the Prahran Mechanics' Institute. The PMI is Victoria's second-oldest library, celebrating 170 years in February this year – astonishing that it is still going strong. It is also the only mechanics institute in Victoria governed by its own act of Parliament, one of the oldest pieces of legislation in the Victorian Parliament, and if I am not mistaken, it is the oldest in fact still on the statute books. 125 years ago the 1899 act was introduced to address growing concerns that the PMI was being mismanaged and had fallen into a state of disrepair. At the time it was a local scandal, with

a sharp decline in membership and claims it was no longer acting in the interests of the community, and Parliament stepped in, as it should have, to put governance controls in place.

In 2024 the 1899 act imposes a number of restrictions that can no longer be deemed appropriate on the management and operation of the second-oldest library. When the governing body of the PMI have voted to make changes to their organisation, they have needed to seek amendments here in this Parliament. This is of course very time consuming and restrictive and an overly complicated task for what is essentially a not-for-profit community organisation. As someone who has been the chair of the Reynard Street Neighbourhood House and been the founder of the Oxygen youth committee and many other community groups in my area, I just cannot imagine the red tape involved in making a decision at that local level and then having to come to Parliament to get that support. The institute has sought to repeal the Prahran Mechanics' Institute Act 1899 of course. They have asked for this to allow them to better utilise their assets and make decisions in their own interests, and this bill will ensure that they are able to do that.

It is also across my community that mechanics institutes have had a very longstanding history and role in fostering local community resilience and wellbeing. I will just turn the house's attention to Coburg. There are four institutes that I will try to touch on as part of my contribution. The first is the Coburg Mechanics' Institute and Free Library, which was originally located on Sydney Road and established in 1891 but then again in 1908. It was founded following a meeting of 15 residents in the then shire hall in August 1891, who resolved to establish the Coburg Mechanics' Institute and Free Library. Their efforts saw the opening of the institute on 17 October 1891 by David Methven MLA. There were 90 members and the library consisted of 67 subscribers and 117 books, purchased by subscription and a council donation of £25. Twelve months later there were 490 books. The institute received government grants in 1892 and again in 1893, and in its first year the institute rented Mrs Mead's cottage near the corner of Bell Street and Mary Street, presumably staying there for its short life, according to this research here, as it appears nothing came of efforts to erect a building, in spite of a £500 donation – a building grant – from the Coburg council in 1891. The *Coburg Leader* reported in March 1893 on the theft of daily and weekly journals from the library by individuals who 'sneak them under the table and after quietly folding them, slyly put them into their pockets. They rise from their seats, nod "Adieu" to the librarian and leave the institute after the committal of the most despicable action simply to save a few paltry pence.'

Member numbers then dropped from 90 to 32 in the first 12 months, and in 1894 it was decided to close the institute and free library. Efforts to re-establish the Coburg Mechanics' Institute and Free Library commenced in 1908, with a bazaar held in the public hall raising enough funds to allow a site to be purchased on Sydney Road. Nothing happened again until 1910, when Mayor Ernest Aikman called the committee together and submitted a scheme for building a brick hall with a stage, dressing rooms, reading rooms, lodge, anterooms and a shop. However, nothing happened for a further six years, and the *Coburg Leader* asked whether the land was going to be utilised for the purposes for which it was intended or left unimproved and neglected. Then in 1919 the 700-strong Coburg branch of the RSL, with many First World War returned servicemen, sought to establish its own clubrooms. After unsuccessful efforts to take over the property of the then defunct mechanics institute, the servicemen set themselves up in TR Congleton's old premises on the corner of Sydney Road and Munro Street, with the RSL now proudly situated on 323 Sydney Road, Coburg. It is actually the oldest longest running RSL sub-branch in Victoria. It is older than the Shrine of Remembrance in fact.

Today the modern Coburg Library, which celebrated its 70th anniversary just last year, is on the corner of Victoria Street, Louisa Street and Waterfield Street. In fact Merri-bek council, to their credit, have undertaken community consultation. They are very keen to look at building a new Coburg Library, again as part of ongoing Coburg revitalisation efforts, which I do look forward to working with them on and supporting them on over coming years. Some fun facts about the Coburg Library: in 1947 the Free Library Service Board Act 1946 provided council with a government subsidy on a pound-for-pound basis. Following receipt of 3000 signatures on a petition, council committed itself in 1950 to

fund a library on the town hall site. The new library was officially opened by Sir John Latham on 11 July 1953. A children's library was opened in the same room early the following year and in 1956 given its own building nearby. In 1981 council bought the old Safeway supermarket in Victoria Street and by 1983 had converted it into the new library, where it still stands today. Last year of course, as I mentioned, it celebrated its 70th birthday.

Coburg Library, along with Campbell Turnbull Library, Brunswick Library and the new Glenroy learning centre in the member for Broadmeadows's electorate, do an amazing job in helping support our communities' outcomes indeed. Just some loan statistics: in 2022–23 there were 1.1 million library loans, including over 853,000 physical items and over 271,000 e-resources. In 2023–24 that increased – and it continues to increase – to over 1.2 million loans of library materials, including both physical and e-resources. They do an amazing job in terms of bringing in the community, particularly with non-English-speaking families and children and story times, which are magnificent. My two daughters made the most of them when they were a bit younger.

I will not have time to get into detail about the other remaining three mechanics institutes, but essentially we did have another three, one of which is still active. The only one in fact that is still active is in Brunswick. Firstly, we also had the Moonee Vale Mechanics' Institute once upon a time that was established in 1904 in Brunswick West when Moonee Valley was very much part of Brunswick West. The legacy of that is the Campbell Turnbull Library, which opened in 1982 on Melville Road and Irvine Crescent, on the corner. It is going 42 years strong for my community in Brunswick West. We had the Brunswick Mechanics Institute as well that was established on the corner of Sydney Road and Glenlyon Road. It was first established in 1868 and is actually still standing there on the corner and is very much utilised by the community for arts, cultural and many other community events to this very day. We also did have the Brunswick School of Design that was opened in 1870 at the same site as well. Of course I commend the bill in that respect, and I very much wish the Prahran community all the best with this bill.

Daniela DE MARTINO (Monbulk) (18:59): With the remaining 43 seconds on the clock I would like to say that this has actually been a surprisingly enlightening debate. I learned a lot about mechanics institutes throughout this. I had no idea what an integral part of learning for adults these institutions actually provided. I have got to say I walk away with a great appreciation for the role that they played, especially amongst townships. I would like to shout out that Olinda Mechanics Institute was the first place where the Melbourne International Film Festival was held in 1953. It originated there at that fine institute. We still have the Kallista one, which we have just backed with a Tiny Towns grant to uplift this beautiful building, and I commend this bill to the house.

Business interrupted under sessional orders.

Adjournment

The DEPUTY SPEAKER: The question is:

That the house now adjourns.

Hurstbridge rail line

Matthew GUY (Bulleen) (19:00): (771) My matter tonight is to the Minister for Public and Active Transport and concerns express train services on the Hurstbridge railway line. The reason the member for Bulleen would raise this is of course that we are in the City of Manningham, the only municipality in Melbourne without trams or trains, and as a consequence people in the electorate of Bulleen will frequently use either Heidelberg station, if they are at the Bulleen end of the electorate, or my family, who are at the Templestowe end, will use Montmorency station. Therefore what occurs on the Hurstbridge line, which impacts of course the City of Banyule and the Shire of Nillumbik, directly relates to our access to the city.

Having grown up in Montmorency, I know exactly about the Hurstbridge line and what it used to have for many, many decades, which was express services, particularly in the morning. The morning peak was not just express from Clifton Hill to Jolimont – which it was for many, many years, but recently under this government that has been abolished and it now stops at all those stations, such as West Richmond, North Richmond and Victoria Park – but also had express services which used to run to Heidelberg and then express to Ivanhoe and then express from Ivanhoe to Clifton Hill. Those services have now been abolished, and that of course adds time to the morning peak timetable, which then means there are people at the back end of the line in terms of geography – the northern end of the line, from Greensborough North and Heidelberg North – and the minister at the table, the Minister for Development Victoria, representing Bundoora, would be well aware of this. People who are getting on at Rosanna or at Macleod or at Watsonia had an express service in the morning, but they have now been scrapped. My action tonight for the minister for public transport is to reinstate those express services on the Hurstbridge line, particularly on the weekends but also in peak times.

Mt Rothwell

Ella GEORGE (Lara) (19:02): (772) My adjournment matter is for the Minister for Environment, and the action I seek from the minister is to visit Mt Rothwell, a sanctuary for endangered animals in the Lara electorate. Mt Rothwell is a beautiful place where you can see some of Australia's most threatened fauna. It was established for the management of high conservation value species breeding and research programs, with a focus on Victorian species and species indigenous to the basalt plains, grasslands habitats and woodlands. The best time to see the site is at dusk and into a bit of dark, as that is when the animals really come to life. At dusk the eastern barred bandicoots, eastern quolls, long-nosed potoroos, eastern bettongs and rock wallabies emerge and the landscape comes to life with wonderful interactions amongst all in the 500-hectare sanctuary. The site is also beautiful during the day when you can see so many critically endangered southern brush-tailed rock wallabies and a huge array of aerial raptors. It will be wonderful to have the minister visit Mt Rothwell and see the important work they are doing, and I look forward to hosting him.

Hume Freeway–Glenrowan Road, Wangaratta

Tim McCURDY (Ovens Valley) (19:03): (773) My adjournment is to the Minister for Roads and Road Safety, and the action that I seek is for work to be undertaken to reduce the risk of accidents on the first and main exit ramp of the Hume Freeway at Wangaratta. When vehicles exit the freeway at Wangaratta they are doing about 110 kilometres an hour, and they are still doing about 100 by the time they hit that exit ramp. Glenrowan Road comes in just near that intersection. If you are sitting at that intersection and you cannot see a car coming and you take off, a car zooming in at 110 or 100 kilometres an hour really is a recipe for disaster and playing Russian roulette. Many residents of Glenrowan are concerned about it. They obviously travel into Wangaratta a lot. Ian Dickson in particular navigates this intersection regularly, as do many others. I certainly implore the minister to intervene and take the appropriate measures to make sure that this intersection becomes a safer one.

Clyde North mobile phone coverage

Jordan CRUGNALE (Bass) (19:04): (774) My adjournment matter is for the Minister for Government Services. Can the minister please provide an update regarding new, upgraded and issued permits for mobile towers in Clyde and Clyde North. Good connectivity is crucial for access to health care, education and emergency services, and with the changing landscape of employment many are able to work from home and run their businesses out in the field. My community continually raise the need for better coverage. While telecommunications is a federal responsibility and the placement of towers is subject to council planning, I am proud that our government has stepped in to deliver a \$540 million Connecting Victoria program to fast-track better mobile and broadband connectivity in as many places as possible. It was wonderful to join with the minister and colleagues a few weeks ago at Ramlegh Reserve with the new tower switched on and an uplift seen in the immediate area. With

more coming, I am keen to hear of those that will significantly improve connectivity for the estates of Eliston, Hartleigh, Riverfield and Edgebrook.

Croydon electorate roads

David HODGETT (Croydon) (19:05): (775) My adjournment this evening is for the Minister for Roads and Road Safety, and the action I seek is for priority to be given to permanently fix the large number of potholes in the roads as well as the overgrown and rubbish-laden centre median strips in and around the Croydon district. One of the regular complaints raised with my office is the appalling state of the VicRoads-managed roads and centre median strips in the area. I have written to the minister on several occasions to raise the lack of any maintenance on the median strips and have received a stock-standard response that effectively states that this is not a priority for the government.

If this is the case, I would therefore hope that priority be given to the incredibly poor state of our roads, particularly Hull Road. Hull Road is a major connecting road from Croydon to Mooroolbark and is used by cars, trucks and buses all day, every day. The road condition deteriorates daily and is seriously dangerous to drive on, particularly when drivers are swerving to avoid potholes, which can cause damage to their vehicle, and sometimes swerving onto the wrong side of the road. Local online public noticeboards are littered with irate drivers who cannot understand why proper repairs are not carried out. Randomly, road crews will come along and fill the holes with a temporary solution, but with the amount of traffic that travels this road every day this only lasts a couple of days before the holes reappear.

The district of Croydon is the gateway to the Dandenongs, and with the current poor state of the median strips and the degrading roads this gateway is currently not looking its best. Minister, I urge you to make the roads you are responsible for in Croydon a priority and fix them.

Mordialloc electorate level crossing removals

Tim RICHARDSON (Mordialloc) (19:06): (776) My adjournment this evening is to the Minister for Transport Infrastructure. I am wondering if the minister can update my community on the progress towards making the Frankston train line level crossing free. We took a policy in 2014 to remove 50 level crossings by 2022. At the time we had a number of people, including those opposite, who said this would not be possible for the future, and now we are embarking on the journey towards a level crossing free Frankston train line.

When we consider the journey of infrastructure spending and the jobs that that underpins in our state, it has been a significant time in the south-east with the construction of the Mordialloc Freeway completed in 2021, which was talked about and put on the map by the former Hamer government decades ago, became a reality under the Andrews government and is now taking over 60,000 vehicles each and every day.

The level crossing removals that we have seen: we started in the member for Bentleigh's electorate by removing North Road, Ormond, McKinnon Road and Centre Road, and the birthday celebrations that happened around those level crossing removals were fantastic. Then we saw Mentone and Cheltenham level crossings removed, and then we embarked on removing Bonbeach, Chelsea and Edithvale, which service my communities. Just recently we saw the most magnificent milestone, the opening of Parkdale station and the new sky rail level crossing removals at Warrigal Road and Parkers Road, making our community safer and more accessible. We brought the transport infrastructure minister out; he made a Rick Springfield reference. He was up and about; it was great to see. There was so much excitement and hope and purpose.

There is still a lot of work to do, and we give a shout-out to our residents in Parkdale, Mentone and Mordialloc who each day front up in the street to support the traders who have been impacted during these works. But once we are done, once the roads are fully line-marked and asphalted again and once

parking is accessible, this will be one of the best places to come and visit along the Frankston train line.

We will be embarking very soon on the Mordialloc level crossing removals. We will see McDonald Street level crossing removed and we will see Station Street, Aspendale, going – next to Mordialloc College – as we move through those communities. We have talked for a long time about those level crossing removals as well, and it will make it safer and more accessible in our community.

Importantly, I want to give a shout-out to the thousands of workers whose livelihoods, pay packets, support for their families and future super outcomes are on the back of these projects. They have helped build each and every day a better community in my patch, and I give a shout-out to all those people who have been working on these projects sometimes around the clock, sometimes doing significant shifts in support of our community and underpinning their livelihoods as well. We see what is being achieved by the hundreds of workers that have been at Parkdale who supported our traders, who have a pathway of jobs into the future with Metro Tunnel and the Suburban Rail Loop being completed, and we appreciate all that they have done.

Government performance

Gabrielle DE VIETRI (Richmond) (19:09): (777) My adjournment is for the Premier, and the action that I seek is to stop breaking promises. On election night in 2022 the former Premier declared that the Labor government would deliver each and every one of its promises, so let us take a look at them.

They promised to keep young people out of the criminal justice system by raising the age of criminal responsibility to 14, but just this week they have turned their back on that promise, caving in to media and conservative pressure instead of listening to the advice of legal and health experts, of the Yoorrook Justice Commission and of First Nations groups. This heartless decision will put more Victorian kids, especially First Nations kids, in prison. This is a complete betrayal.

Labor promised to make our bail laws fairer, yet they abandoned part of their own bill just before it was due to be debated – the part that would have made it easier for children on minor charges to get bail so 12-year-olds would not have to go to prison without a sentence.

Labor promised to save lives by opening up more medically supervised injecting rooms, but despite even having bought a building in the CBD for it – and against the recommendations from health experts, from a former police commissioner and from 78 community organisations in the face of undeniable evidence that this saves lives – they reneged. Instead the Premier has said that Victoria will never get another supervised injecting room under her leadership.

At the federal level Labor has walked away from the promise to protect our LGBTIQ+ community from discrimination. Labor also promised a new hospital in North Melbourne, a sick pay guarantee and to strengthen anti-corruption – scrapped, all of them. Aircon in public housing towers – well, we would need to have public housing in the first place for that one to be possible. And, guess what, public and community housing at the Fitzroy Gasworks – cancelled. In fact the only promise that the Premier has kept is to demolish public housing, and if anything, they are overcommitting on this one. They are rushing ahead as if funding their next election campaign depended on it.

It is clear that Labor makes all sorts of promises, especially before an election. And to be honest we do not actually expect them to have to keep every single one of them, but this is extraordinary. This is unheard of. How do Labor expect us to trust anything they promise when their track record is so abysmal – when they have betrayed the public so wholly across so many promises? Where once we saw Labor rolling out progressive reforms on a semiregular basis, under this Premier each one has been upended, sending Labor lurching further and further to the right. My only question left is: what promise will they break next?

The DEPUTY SPEAKER: Before I call the member for Glen Waverley, member for Richmond, the action you mentioned did not seem to relate to government administration. Are you able to rephrase your action to relate to government administration?

Gabrielle DE VIETRI: My action is: follow through on the policies that have been announced through legislation.

Ngarrak nakorang wilam

John MULLAHY (Glen Waverley) (19:13): (778) My adjournment matter is directed to the Minister for Environment, and the action I seek is for the minister to join me for a sod turn at ngarrak nakorang wilam park. ‘Ngarrak nakorang wilam’ is Wathaurong language and means ‘mountain meeting place’. I take special pride in knowing that we have found such a fitting name, one in the language of the traditional owners of the land. Formerly known as Healesville freeway reserve, this expansive piece of land is larger than 18 MCGs worth of parkland, and clearly it would be an incredible waste if this magnificent space was underused. The Allan Labor government is stepping in with a \$10.5 million investment, transforming this area into amazing open space. New parking, new public toilets, new signage and improved lighting are just some of the upgrades that will make this park a more visible and accessible place. There is so much more: new barbecues, new picnic facilities, new bike trails, new playgrounds and play spaces, new gardens, new plants and new vegetation. It is vital that we have green and open spaces for our community to enjoy. It is good for the environment, it is good for jobs and it is good for bringing people together. I want to thank everyone involved in making this project a reality. I know that the Glen Waverley district residents and surrounding suburbs of Forest Hill, Vermont and Vermont South are incredibly excited about this project. What a win it is for the residents of the Glen Waverley district and Melbourne’s east, and it is a win that is proudly being delivered by the Allan Labor government.

Country Fire Authority Montrose brigade

Bridget VALLENCE (Evelyn) (19:14): (779) Montrose CFA fire brigade is an exceptional local fire brigade. Captain Rob Waters, the brigade management team and the crew of volunteer firefighters work tirelessly to keep our community safe. Montrose fire brigade does exceedingly well in managing an increasing volume of call-outs and now needs a new pumper to ensure it can continue to do the important work of fighting fires, given the complex needs of Montrose and surrounds. The matter I raise is for the Minister for Emergency Services, and the action I seek is for the minister to provide funding for a new pumper for the Montrose CFA brigade.

Montrose fire brigade has rightly sought clarification on the consultation and decision-making process behind the Allan Labor government’s recent allocation of 25 new pumpers across Victoria – which will only go a small way to replacing this ageing fleet – noting that Montrose fire brigade missed out despite being top A priority listed. Residents are concerned about the Labor government’s decision to prioritise the replacement of pumpers at certain brigades ahead of Montrose brigade despite Montrose being listed as a top priority for replacement in the Country Fire Authority’s strategic district 13 plan.

Some brigades receiving new pumpers as part of this recent allocation have vastly lower call rates per year compared to Montrose and response areas that do not present as high a risk profile in terms of industry or structure. Montrose fire brigade has had a 30 per cent increase in call volume over the past two fiscal years, with financial year 2023–24 surpassing 300 calls. In addition, Montrose’s response area includes a high concentration of industrial sites, a quarry, approximately 3500 residential homes and also major state government roads, all of which contribute to significantly higher operational demand.

Montrose fire brigade supports Fire Rescue Victoria and services additional critical areas, including Mooroolbark, Kalorama, Mount Dandenong, Lilydale, Bayswater and the Basin. They have been patient for years now in waiting for a much-needed new pumper to address their growing workload and the frequent equipment failures of their existing appliance. On behalf of the Montrose fire brigade

and the entire Montrose community, I seek this action from the minister and hope the supply of a new pumper for Montrose can be confirmed without too much more delay and as a matter of priority.

I want to take this opportunity to thank Montrose CFA brigade members for their dedicated service to our community. It was a pleasure to join them at the brigade dinner recently. Congratulations to John Tasker for being awarded Montrose firefighter of the year, and congratulations to captain Rob Waters on his amazing contribution in leading this brigade for a decade – a tremendous achievement.

International tertiary education

Nick STAIKOS (Bentleigh) (19:17): (780) My adjournment matter is for the attention of the Treasurer, and the action that I seek from the Treasurer is that he considers the findings and recommendations of my parliamentary intern's report titled *International Tertiary Education in Victoria: Immigration Policy Impacts on Post-Pandemic Recovery*. I am a former parliamentary intern. I completed my internship back in 2007, and I am in good company because former Premier Daniel Andrews was also a parliamentary intern. There have been a handful of us that have gone on to become members of Parliament. But I reckon an even better intern than I was is my current intern Mr Corey Child, a student at Monash University. Corey is in the gallery tonight, and he will not mind me pointing out to the house that Corey Child is the grandson of Joan Child, the first female Speaker of the House of Representatives. And let me tell you that Corey has produced a ripper report on the international student market here in Victoria.

Melbourne is consistently ranked as the best student city in Australia, and it is currently fifth best in the world. I think one of the main reasons for that is not just that we have two universities in the top 50 in the world but also because we are one of the most multicultural places on earth. When our international students choose Melbourne and choose Victoria for a place to study, they know that they will be welcomed by a vibrant diaspora, and that is why we have many Indian and Chinese students here studying at our institutions.

This report, I have to say, has really highlighted some of the issues that we need to focus on when it comes to preserving our international education market. This report points out that from the 1980s there has been significant funding that has funded research from our international education students – from full-fee-paying international students. Up until the 1980s, 80 per cent of operating budgets of universities were government funded. That has since fallen to half that amount. We do rely significantly on our international students for the cutting-edge research of our institutions, not just in Victoria but right across the country. The report also raises concern about policy changes at a federal level that have the potential to undermine this important work. I ask that the Treasurer consider the findings and recommendations of the report.

Responses

Colin BROOKS (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (19:20): The member for Bulleen raised a matter for the Minister for Public and Active Transport in relation to improving express services on the Hurstbridge line. The member for Lara raised a matter for the Minister for Environment, asking that he visit the Mount Rothwell sanctuary for endangered animals, and I am sure that the minister will be keen to visit. The member for Ovens Valley raised a matter for the Minister for Roads and Road Safety, seeking that the minister undertake safety works at the exit ramp from the Hume Highway where it meets the Glenrowan Road in Wangaratta. The member for Bass raised a matter for the Minister for Government Services, seeking an update on telecommunications permits in her electorate.

The member for Croydon raised a matter for the Minister for Roads and Road Safety around fixing potholes and improving centre median strips in the Croydon electorate. The member for Mordialloc raised a matter for the Minister for Transport Infrastructure, seeking an update on that incredible upgrade of the Frankston line, making it level crossing free. The member for Glen Waverley raised a matter for the Minister for Environment, seeking that they join him for a sod turn at the ngarrak

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nakorang wilam park. The member for Evelyn raised a matter for the Minister for Emergency Services to provide funding for a new pumper at the Montrose fire brigade. The member for Bentleigh raised a matter for the Treasurer, seeking that the Treasurer considers the findings of his parliamentary intern's report on the international student market, and we will make sure that matter is referred.

Deputy Speaker, I will ask that you consider the matter raised by the member for Richmond. The issues contained in that adjournment item were varied. They would usually be considered as separate items rather than combined under one broad topic. I think if that adjournment, despite the fact that the member may have concerns in those areas which she wishes to raise, is allowed to stand it would set a precedent for people to come in and, under a broad topic, bundle up a whole range of issues. I think that would make the adjournment debate quite different to the way we have always seen it. I raise that as a point of order for you, Deputy Speaker, to take under consideration either now or in a future ruling.

The DEPUTY SPEAKER: On the point of order, there was an action that related to the items you suggested. I think we can review the transcript and report back. The house stands adjourned until tomorrow morning.

House adjourned 7:24 pm.