



Hansard

LEGISLATIVE ASSEMBLY

60th Parliament

Thursday 12 September 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

Peter Walsh

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 ⁵	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	Prahran	Greens	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 ⁶	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 Resigned 7 July 2023

⁶ 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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Thursday 12 September 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, orders of the day 3 and 4, will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 2 pm today.

Documents**Documents****Incorporated list as follows:**

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT – The Clerk tabled:

Advancing the Treaty Process with Aboriginal Victorians Act 2018 – Advancing the Victorian Treaty Process – Report 2023–24

First Peoples' Assembly of Victoria – Report 2023–24

Statutory Rules under the following Acts:

Fences Act 1968 – SR 84

Human Source Management Act 2023 – SR 85

Water Act 1989 – SR 86

Subordinate Legislation Act 1994 – Documents under s 15 in relation to Statutory Rule 84.

Motions**Member conduct**

John PESUTTO (Hawthorn – Leader of the Opposition) (09:33): By leave, I move:

That this house acknowledges that the coalition has repeatedly sought to work with the Labor government to ensure that incitement is not tolerated in this chamber but that the Premier has refused to stand up or act.

Leave refused.

Housing

Daniela DE MARTINO (Monbulk) (09:34): I move, by leave:

That this house notes that, while the member for Hawthorn has been focused on court, the Allan Labor government has delivered 206 new homes in his electorate.

Leave refused.

Victoria Police

Brad BATTIN (Berwick) (09:34): I move, by leave:

That this house supports Victoria Police members in their response to the violent protests in Melbourne and thanks each and every one of the front line for turning up to work, understanding the risk to themselves, to protect our community.

Leave refused.

Member for Richmond

Brad BATTIN (Berwick) (09:34): I move, by leave:

That this house condemns the member for Richmond for inciting violence through her social media platforms and then attending Parliament in an attempt to blame the hardworking frontline Victoria Police members for the violence her friends are inflicting on those police members and police horses.

Leave refused.

Brad BATTIN: I move, by leave:

That this house condemns the member for Richmond for inciting violence on Victorian streets via her social media and calls on the member to make a decision for her future: is she a member of this Parliament or a thug on the streets supporting the assaults on frontline police?

Leave refused.

Liberal Party

Anthony CIANFLONE (Pascoe Vale) (09:36): I move, by leave:

That this house:

- (1) agrees with the comments from the member for Berwick, who has no idea what the standards are in the Liberal Party; and
- (2) condemns the Victorian Liberal Party for spending more time focused on themselves than the Victorian people.

Leave refused.

Suburban Rail Loop

John PESUTTO (Hawthorn – Leader of the Opposition) (09:36): I move, by leave:

That this house:

- (1) notes Standard & Poor's, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Melton to listen, do the right thing and get on with airport rail.

Leave refused.

Liberal Party

Dylan WIGHT (Tarnait) (09:36): I move, by leave:

That this house notes that a former member for North-Eastern Metropolitan Region had to move halfway across the world to escape the dysfunction of the Victorian Liberal Party and is still being dragged back here into their mess.

Leave refused.

Suburban Rail Loop

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

That this house:

- (1) notes Standard & Poor's, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Niddrie to listen, to do the right thing and to get on with airport rail.

Leave refused.

Liberal Party

Tim RICHARDSON (Mordialloc) (09:37): I move, by leave:

That this house:

- (1) condemns the member for Hawthorn for spending more time and focus on court than in his local community; and
- (2) notes the comments by the very insightful member for Polwarth, who is devastated at the consequences of the Leader of the Opposition's ineptitude.

Leave refused.

Suburban Rail Loop

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

That this house:

- (1) notes that S&P, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Ivanhoe to listen, do the right thing and get on with airport rail.

Leave refused.

Liberal Party

Iwan WALTERS (Greenvale) (09:38): I move, by leave:

That this house:

- (1) condemns the member for Hawthorn for spending more time focused on court than representing his local community;
- (2) agrees with the comments from the very experienced member for Rowville, who cannot believe how badly this has been handled; and
- (3) notes that the member for Hawthorn is not fit to lead a state if he cannot lead his party.

Leave refused.

Members interjecting.

The SPEAKER: Order! The member for Cranbourne is warned.

Suburban Rail Loop

David SOUTHWICK (Caulfield) (09:39): I move, by leave:

That this house:

- (1) notes S&P, RedBridge, Resolve, the *Herald Sun* and the *Age* call on the Suburban Rail Loop to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Bentleigh to listen, do the right thing and get on with airport rail.

Leave refused.

Liberal Party

Michaela SETTLE (Eureka) (09:39): I move, by leave:

That this house notes:

- (1) the comments from the fast-rising member for Nepean, who thinks the opposition is not a viable option for Victoria; and
- (2) the member for Hawthorn is not fit to lead a state if he cannot lead his own party.

Leave refused.

Suburban Rail Loop

Michael O'BRIEN (Malvern) (09:40): I move, by leave:

That this house:

- (1) notes Standard & Poor's, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the SRL to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Cranbourne to listen, do the right thing and get on with airport rail.

Leave refused.

Premier

Michael O'BRIEN (Malvern) (09:40): I move, by leave:

That this house condemns the Premier for hypocrisy in boasting about local jobs on Labor's Big Build despite the *Age* reporting on 15 June 2021 that she agreed to purchase Victorian train parts from KTK Group, a Chinese company 'implicated in human rights violations and abuses ... targeted at Muslim minority groups'.

Leave refused.

Liberal Party

Lauren KATHAGE (Yan Yean) (09:41): I move, by leave:

That this house:

- (1) agrees with the comments from my friend the member for Eildon, who thinks that the member for Hawthorn needs to get his act together and get on with it; and
- (2) notes the member for Hawthorn is not fit to lead a state if he cannot lead his own party.

Leave refused.

Paul EDBROOKE (Frankston) (09:41): I move, by leave:

That this house:

- (1) notes the member for Bulleen's comments where he called members of his own caucus terrorists;
- (2) condemns the Victorian Liberal Party for spending more time focused on themselves than the Victorian Liberal people; and
- (3) notes that the member for Hawthorn is not fit to lead the state if he cannot lead his own party.

Members interjecting.

The SPEAKER: The member for Bulleen can leave the chamber for half an hour.

Matthew Guy interjected.

The SPEAKER: The member for Bulleen can leave the chamber for an hour.

Matthew Guy interjected.

The SPEAKER: The member for Bulleen can leave the chamber for an hour and a half.

Member for Bulleen withdrew from chamber.

Suburban Rail Loop

Brad BATTIN (Berwick) (09:42): I move, by leave:

That this house:

- (1) notes S&P, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and airport rail to be prioritised; and

- (2) calls on the Premier and the member for Narre Warren South to listen, do the right thing and get on with building the airport rail.

Leave refused.

Liberal Party

Kathleen MATTHEWS-WARD (Broadmeadows) (09:43): I move, by leave:

That this house notes:

- (1) the comments from the member for Croydon, who thinks the opposition's behaviour has been absolutely appalling; and
- (2) the member for Hawthorn is not fit to lead a state if he cannot lead his own party.

Members interjecting.

The SPEAKER: The member for Laverton can leave the chamber for an hour and a half.

Member for Laverton withdrew from chamber.

The SPEAKER: This is unacceptable behaviour in the chamber this morning, which I expected given it is the last day before the break.

Leave refused.

James Newbury: On a point of order, Speaker, for clarification, is it within the standing orders for the government to deny leave to their own Labor Party member?

The SPEAKER: Anyone can deny leave for a motion by leave.

Members interjecting.

The SPEAKER: Order! Leader of the Opposition! Members will be removed from the chamber without warning.

John Pesutto: On a point of order, Speaker, I seek clarification. I believe I had the call. Leave had been granted. I was on my feet. I had been speaking for about 15 seconds or so.

The SPEAKER: I was also on my feet, Leader of the Opposition, and the house did not look at me. I have ruled on this. Leave was denied.

Members interjecting.

The SPEAKER: The member for Berwick can leave the chamber for half an hour.

Member for Berwick withdrew from chamber.

Suburban Rail Loop

Cindy McLEISH (Eildon) (09:46): I move, by leave:

That this house:

- (1) notes S&P, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Yan Yean to listen, do the right thing and get on with airport rail.

Leave refused.

Members interjecting.

The SPEAKER: The member for Polwarth can leave the chamber for half an hour.

Member for Polwarth withdrew from chamber.

Liberal Party

Nick STAIKOS (Bentleigh) (09:46): I move, by leave:

That this house:

- (1) notes the comments from the member for Southern Metropolitan in the other place that there is a pattern of defiance in the Liberal Party;
- (2) condemns the Victorian Liberal Party for spending more time focused on themselves than the Victorian people; and
- (3) notes that the member for Hawthorn is not fit to lead the state if he cannot lead his own party.

Leave refused.

James Newbury: On a point of order, Speaker, on standing order 115, the government is putting up members to move motions, and then is denying their own members leave. How can we maintain order in this chamber when the government will not even debate the motions they are moving?

Members interjecting.

The SPEAKER: Order! How can we maintain order in this house when members will not obey any rules in this house? I am extremely disappointed with the behaviour this morning. Anyone can deny leave. Leave has been denied to the member for Bentleigh.

Ella GEORGE (Lara) (09:48): I move, by leave:

That this house:

- (1) agrees with the comments from the Leader of the Nationals, who said some members of the Liberal Party needed to take a cold shower; and
- (2) condemns the Victorian Liberal Party for spending more time focused on themselves than the Victorian people.

Leave refused.

Suburban Rail Loop

Brad ROWSWELL (Sandringham) (09:48): I move, by leave:

That this house:

- (1) notes S&P, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and airport rail to be prioritised; and
- (2) calls for the Premier and the member for St Albans to listen, do the right thing and get on with airport rail.

Leave refused.

Liberal Party

Josh BULL (Sunbury) (09:49): I move, by leave:

That this house:

- (1) notes that the members of the opposition have described the member for Hawthorn's leadership as 'messy'; and
- (2) condemns the Victorian Liberal Party for spending more time focused on themselves than on the Victorian people.

Leave refused.

Suburban Rail Loop

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

That this house:

- (1) notes S&P, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and airport rail to be prioritised; and
- (2) calls for the Premier and the member for Mordialloc to listen, do the right thing and get on with airport rail.

Leave refused.

Liberal Party

Luba GRIGOROVITCH (Kororoit) (09:49): I move, by leave:

That this house notes:

- (1) the comments from the federal opposition leader, who thinks the opposition needs to 'sort this mess out'; and
- (2) the member for Hawthorn is not fit to lead a state if he cannot lead his own party.

Members interjecting.

The SPEAKER: Order! The member for Sunbury can leave the chamber for half an hour. The member for Tarneit can leave the chamber for half an hour.

Members for Sunbury and Tarneit withdrew from chamber.

Labor Party

James NEWBURY (Brighton) (09:50): I move, by leave:

That this house condemns the Leader of the House for gagging her own members and the Labor Party for being scared to debate their own motions.

Leave refused.

National Party

Steve McGHIE (Melton) (09:51): I move, by leave:

That this house notes that the Victorian Nationals would be more effective as members of the crossbench rather than shackled to the dysfunctional Liberals.

Leave refused.

Suburban Rail Loop

David HODGETT (Croydon) (09:51): I move, by leave:

That this house:

- (1) notes that Standard & Poor's, RedBridge, Resolve and those well-respected newspapers the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Bayswater to listen, do the right thing and get on with airport rail link.

Leave refused.

Liberal Party

Chris COUZENS (Geelong) (09:52): I move, by leave:

That this house:

- (1) notes the member for Gippsland East joked that members of the Liberal Party need to learn to 'play a team sport'; and

- (2) condemns the Victorian Liberal Party for spending more time focused on themselves than the Victorian people.

Leave refused.

Suburban Rail Loop

Danny O'BRIEN (Gippsland South) (09:52): I move, by leave:

That this house:

- (1) notes that Standard & Poor's, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Laverton to listen, do the right thing and get on with airport rail.

Leave refused.

Liberal Party

Katie HALL (Footscray) (09:53): I move, by leave:

That this house:

- (1) condemns the member for Hawthorn for spending more time focused on court than his local community;
- (2) speaking of courts, notes the member for Nepean has indicated that he is ready to serve, and we have heard so much about his excellent serve; and
- (3) condemns the Victorian Liberal Party for spending more time focused on themselves than the Victorian people.

Leave refused.

Suburban Rail Loop

David SOUTHWICK (Caulfield) (09:53): I move, by leave:

That this house:

- (1) notes that S&P, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Eltham to listen, do the right thing and get on with airport rail.

Leave refused.

James NEWBURY (Brighton) (09:54): I move, by leave:

That this house:

- (1) notes that Standard & Poor's, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Carrum to listen, do the right thing and get on with airport rail.

Leave refused.

Sam GROTH (Nepean) (09:54): I move, by leave:

That this house:

- (1) notes that S&P, Redbridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Hastings to listen, do the right thing and get on with airport rail.

Leave refused.

Members interjecting.

The SPEAKER: The member for Brighton is warned.

Tim BULL (Gippsland East) (09:55): I move, by leave:

That this house:

- (1) notes that S&P, RedBridge, Resolve and the *Herald Sun* and the *Age* call for the SRL to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Oakleigh to listen, do the right thing and get on with airport rail.

Leave refused.

Bridget VALLENCE (Evelyn) (09:55): I move, by leave:

That this house:

- (1) notes that Standard & Poor's, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and the airport rail to be prioritised; and
- (2) calls on the Premier and the member for Monbulk to listen and do the right thing and get on with the airport rail.

Leave refused.

Bridget VALLENCE: I move, by leave:

That this house:

- (1) notes that Standard & Poor's, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Pakenham to listen and do the right thing and get on with the airport rail.

Leave refused.

Jade BENHAM (Mildura) (09:56): I move, by leave:

That this house:

- (1) notes that S&P, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Tarnait, who is not here unfortunately, to listen, do the right thing and get on with airport rail loop.

Leave refused.

Tim McCURDY (Ovens Valley) (09:56): I move, by leave:

That this house:

- (1) notes that S&P, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Preston to listen, do the right thing and get on with airport rail.

Leave refused.

Tim McCURDY: I move, by leave:

That this house:

- (1) notes that S&P, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and the airport rail to be prioritised; and
- (2) calls on the Premier and the member for Mill Park to listen, stop yelling, do the right thing and get on with the airport rail.

Leave refused.

MOTIONS

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Legislative Assembly

Thursday 12 September 2024

Nicole WERNER (Warrandyte) (09:57): I move, by leave:

That this house:

- (1) notes that S&P, RedBridge, Resolve and the *Herald Sun* and the *Age* call for the SRL to be paused and the airport rail to be prioritised; and
- (2) calls on the Premier and the member for Box Hill to listen, do the right thing and get on with the airport rail.

Leave refused.

Chris CREWTHER (Mornington) (09:58): I move, by leave:

That this house:

- (1) notes that S&P, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the SRL to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Frankston to listen, do the right thing and get on with airport rail.

Leave refused.

Martin CAMERON (Morwell) (09:58): I move, by leave:

That this house:

- (1) notes that S&P, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the Suburban Rail Loop to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Macedon to listen, do the right thing and get on with the airport rail.

Leave refused.

Kim WELLS (Rowville) (09:59): I move, by leave:

That this house:

- (1) notes that S&P, RedBridge, Resolve, the *Herald Sun* and the *Age* call for the SRL to be paused and airport rail to be prioritised; and
- (2) calls on the Premier and the member for Sunbury to listen, do the right thing and get on with airport rail.

Leave refused.

Housing

Cindy McLEISH (Eildon) (09:59): I move, by leave:

That this house condemns the Allan Labor government for hiding nearly 10,000 Victorian Housing Register families from their published housing waiting list and its failure to add extra homes to the Homes Victoria public housing stock despite spending \$3 billion on the Big Housing Build.

Leave refused.

Middle East conflict

David SOUTHWICK (Caulfield) (09:59): I move, by leave:

That this house:

- (1) commemorates the 12-month anniversary of the 7 October Hamas terror atrocities;
- (2) grieves for the lives lost and more than 100 hostages still in Gaza;
- (3) is appalled by the rise of antisemitism; and
- (4) stands with the people of Israel and Victoria's Jewish community at this difficult time.

Leave refused.

Labor Party

James NEWBURY (Brighton) (10:00): I move, by leave:

That this house condemns the Premier for putting her backbench up to move motions in this house but being too scared to allow them to debate them.

Leave refused.

David SOUTHWICK (Caulfield) (10:00): I move, by leave:

That this house condemns the Labor members for focusing more on the opposition than governing for the benefit of all Victorians.

Leave refused.

Emma KEALY (Lowan) (10:00): I move, by leave:

That this house notes the Labor manager of government business has today gagged female Labor members from debating their own motions while allowing Dorothy Dixers in question time by the disgraced Labor members for South Barwon and Ringwood.

Leave refused.

Business of the house**Adjournment**

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (10:01): I move:

That the house, at its rising, adjourns until 15 October 2024.

Motion agreed to.

Members statements**Njernda Aboriginal Corporation**

Peter WALSH (Murray Plains) (10:02): Njernda Aboriginal Corporation in Echuca has lost another CEO, and there is concern amongst those that rely on the services of Njernda's medical centre and Njernda's family services division that they are the ones who miss out because of this issue. There has been a revolving door of CEOs at Njernda in recent years. I have been sent a petition signed by more than a hundred members of Njernda asking for an extraordinary general meeting of the Njernda membership so they can find out how their corporation is being managed or, most likely, mismanaged. Several years ago the Office of the Registrar of Indigenous Corporations, or ORIC, did an investigation of Njernda and placed it into administration for a period of time, but unfortunately nothing appears to have changed since that time.

While the board and management play musical chairs, it is those who rely on the services of Njernda that miss out. As one of the locals who dropped off the petition to my office said, 'We are concerned that again resources and energy is going into internal arguments rather than helping the most vulnerable in the community.' They believe Njernda could be doing so much more for their community if they stopped these arguments and focused on their role of service delivery.

If an extraordinary general meeting is not held, I ask the Minister for Treaty and First Peoples to step in and assist at ORIC, again appoint an administrator to Njernda to get to the bottom of what the members are concerned about with the dysfunction of the corporation and, most importantly, make their findings available to the membership. Njernda's role in the community is too important not to have it functioning properly. As I said, the most vulnerable in the community are those that miss out.

Nicole French

Ben CARROLL (Niddrie – Minister for Education, Minister for Medical Research) (10:03): I rise today to give a special acknowledgement of one of my constituents, Nicole French. Nicole owns Exercise for Rehabilitation & Health in Keilor Road. First established in 2006, her practice offers a collaborative approach to physiotherapy and exercise physiology, addressing early management of injuries and preventative health as well as longer term and more complex rehabilitation needs.

Some congratulations, and first a belated one: Nicole was awarded in 2023 the Australian Women's Small Business Champion Award in recognition of her outstanding contribution to health programming, delivery and innovation. From humble beginnings, Exercise for Rehabilitation & Health now employs 20 members and has an onsite general practitioner. I have been there and met the wonderful staff that are employed by Nicole. When I first met Nicole in my electorate office she said, 'It's not about what I want to do, it's about what the community needs,' and here she is with Exercise for Rehabilitation & Health.

The second congratulations comes in that Nicole was awarded \$250,000 from the Royal Australian College of General Practitioners Foundation to carry out her important work in the area of diabetes. There is really important work Nicole is doing that is making an incredible difference both to our community but more broadly in medical research and medical science going forward for many, many Victorians. Nicole's work actually takes pressure off the health system as well as relieving patients of the financial burden that can be incurred from consistent specialist appointments. One more time can I say congratulations to Nicole and to all of her team and thank her for choosing to call Niddrie home.

Milk bank

Chris CREWTER (Mornington) (10:05): You might find it strange for a bloke to get up to talk about milk banks, but this is a very important topic for the health of our future generations. Let us step back. Evidence shows that breastmilk is best for babies, ahead of formula, for a whole range of health, growth and immunological reasons. The WHO recommends exclusive breastfeeding for the first six months, a minimum of one year breastfeeding and optimally two years breastfeeding.

Many women breastfeed either directly or via express. However, not all women can breastfeed or sufficiently breastfeed. That often means in many cases that formula is the only choice. In other cases mothers express more than they need for their own baby or babies, either throwing it away or storing it in the freezer, often not knowing what to do with it. That happened with my own wife Grace and our first daughter Yasmin.

My colleague David Davis in the other place did a great job in government setting up a milk bank in Victoria, but it has since had insufficient investment and rollout across Victoria under this state Labor government. I recently had the opportunity to join David and others to see Israel's milk bank. It is amazing and should be replicated here in Victoria and indeed across Australia. If we do so, we will resolve the situation where women may need access to breastmilk or may have an excess that they can donate, which will help the health of future generations.

Construction industry

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (10:06): I was very pleased to join local construction workers at Ison Road in Werribee last week to celebrate the launch of Victoria's *Building Equitable Futures Strategy*. The Allan Labor government is building a new road overpass bridge across the Melbourne–Geelong railway line at Ison Road, extending the road south towards Browns Road to provide a vital link to the developing residential areas of Wyndham West and to the Princes Freeway from Melbourne and Geelong and removing another level crossing from metro Melbourne.

I was joined by women working on that site in engineering, design, environmental sciences, labouring and project management, including a young builders apprentice. This project is setting a high standard,

with over 30 per cent women working onsite. These are numbers we want to see replicated across the industry. At the moment the number of women working in civil construction sites sits at around the 14 per cent mark, but onsite the number is closer to 2 per cent. We are committed to achieving gender equality in the workplace, and we are making progress in many ways. However, we are not there yet in construction, an industry that many women have felt uncomfortable entering or in which they have experienced such a poor workplace culture that they do not want to stay. The Allan Labor government is building a Victoria for the future, one where all Victorians benefit from these fantastic projects and have the opportunity to work in the jobs that will get us there.

Gippsland's Biggest PJ Day

Danny O'BRIEN (Gippsland South) (10:08): I wore my dressing gown to work last week as part of Gippsland's Biggest PJ Day to raise awareness and funds for an important charity, A Better Life for Foster Kids. I joined organiser Andrew Williamson and the kids at Araluen Primary School in Sale to promote the day. A Better Life for Foster Kids is an amazing charity, and it is no surprise its tireless founder Heather Baird has been nominated as a World Kindness Day finalist by Black Pepper. Good luck, Heather.

South Gippsland Dairy and Farming Expo

Danny O'BRIEN (Gippsland South) (10:08): Our dairy farmers are facing some challenging times at the moment, but the season is magnificent according to those I spoke to at last week's South Gippsland dairy expo in Korumburra. It was a great industry event, supporting and showcasing our world-class dairy industry and superbly organised by the Strzelecki Lions Club as usual. When South Gippsland dairy farmers are happy after winter you know it has been a bit dry, so I am pleased there was a bit of rain across the rest of Gippsland last night.

Community safety

Danny O'BRIEN (Gippsland South) (10:08): Finally, I stand here in solidarity with Victoria Police and all honest, respectful and law-abiding Victorians, and I condemn the violent thugs causing trouble in the city this week. I have no doubt there were some present passionate about peace, some naive fools and a cabal of radical anarchists. Clearly many of the latter, arriving with masks, goggles and projectiles, came with no other intention than to attack police and cause mayhem. That they and their actions are supported by the Greens political party and in particular the member for Richmond is no surprise but, nonetheless, despicable. The Greens stand condemned for stoking these fires of division, hate and anarchy.

Growing Suburbs Fund

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (10:09): I am pleased to report on the completion of two successful projects in my electorate of Mill Park. These projects were completed thanks to \$975,000 from the Allan Labor government through the Growing Suburbs Fund delivered by the very able Minister for the Suburbs as well as with contributions from the City of Whittlesea. The Mill Park Reserve Connecting Shared Trails project has successfully created accessible walking and cycling paths, linking various community facilities for residents of Mill Park and surrounding areas. The Riverside Community Activity Centre and reserve upgrade has enhanced the functionality and efficiency of facilities and now offers improved connections to the recently upgraded playground area. Critical upgrades to the outside ramp and outdoor areas make it a more inviting place for families, local groups and the wider community to come together in and enjoy the beautiful natural surrounds. Importantly, the activity centre has now gone all electric as part of these upgrades, making it cleaner and cheaper to run and helping to tackle climate change.

Udaya Sports & Arts Club

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (10:10): I also attended a wonderful event hosted by the Udaya Sports & Arts Club earlier this month. The event celebrated the annual harvest festival of Onam, which is a major event in the Malayalee community. I was honoured to be the chief guest and to be asked to light the ceremonial lamp to officially inaugurate the event. I would like to thank executive committee members president Nazar, secretary Bibin and committee member and organiser of chief guests Ankitha Sreedhar for their invitation.

Knox council elections

Kim WELLS (Rowville) (10:11): At the end of October Knox council will hold its council elections, and voters in the Rowville electorate will play a significant role. The council elections will decide the direction of the council for the next four years. I would like to remind the ratepayers in the Rowville electorate that before they cast their vote they should focus on what matters to the ratepayers and what role council should play in the lives of each ratepayer. For starters, back to basics – rates, roads and rubbish.

Under the current Knox City Council we have had to endure the axing of the Australia Day awards. There is no question that next on the Knox council chopping block will be the Australia Day citizenship ceremony. My office has received numerous complaints about the fortnightly bin collection, with most residents wanting to go back to the weekly bin service, and the haphazard management of our crumbling roads. Therefore I would like to encourage all council voters in Knox to take the time to research the local candidates for their wards and see what they stand for and what they would do for the City of Knox. It is time for a different direction, because wokeness is strangling the current Knox council.

Community safety

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (10:12): The behaviour we saw at the Melbourne Convention and Exhibition Centre yesterday was appalling. These hypocrites claim to support peace and advocate against violence, but they behaved in a way that was anything but peaceful, throwing rocks at police officers and horses, throwing acid and spitting at them. It was disgusting, and they are criminal acts. There were 42 arrests; there will be more. Twenty-seven police were injured. Victoria Police were there to keep everyone safe and secure and to preserve the right to peaceful protest, and we cannot thank them enough for their service in the face of such behaviour. We appreciate the work they do day in, day out.

I wish everyone in Parliament felt the same way about our police. But not content with their members skipping Parliament to join these protests, the Greens political party have now tried to force IBAC into furthering their political stunt with an inquiry. Let me be clear: the government and I utterly back Victoria Police's response yesterday. We have been crystal clear that those who are coming to a legitimate event to be idiots will be dealt with swiftly by police, and that is exactly what we have seen. I once again urge people who come to the city to cause trouble, to terrify people, to wear masks to hide their identity and to cause violence and trouble to stay away, otherwise you will be dealt with.

If you see a member of Victoria Police in the coming weeks, stop to thank them. Stop to thank them and the families who support them. They are great Victorians. They do a great job. They are highly trained and highly resourced. We thank them every day for the work that they do, and we will not stand for violence and bad behaviour in our state.

Stella Barton

Sam HIBBINS (Pahran) (10:13): I rise to congratulate Windsor local Stella Barton, who competed in the para-equestrian with her stallion Lord Larmarque, aka Bug, in the Paralympics, competing in the grade 1 individual freestyle dressage. The emotion from Stella and everyone

watching after her final ride was so evident to all, as they eventually finished in an impressive 7th place. Stella is a well-known local who is also a passionate advocate for accessible public transport. Stella, everyone in Prahran is so proud. Congratulations on a fantastic performance.

Cost of living

Sam HIBBINS (Prahran) (10:14): It is time for our governments to stand up and step in to take bold action to tackle the cost-of-living crisis, not shrink from the crisis, not be small government, not backflip, not throw communities under the bus like the federal government did with the census question, similar to the state government backflipping on criminal justice law reform, backflipping on banning duck shooting, backflipping on gas and backflipping on the safe injecting room and drug law reform. Victorians need an interventionist approach to the economy to stop unlimited rent rises, to stop supermarket price gouging, to make profiteering corporations pay their fair share of tax and to help people in need.

North East Link

Colin BROOKS (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (10:15): The North East Link is the biggest ever investment in road transport in the north-eastern suburbs. This project, to build the missing link in our freeway network, has been put in the too-hard basket for too long. For years local roads had become rat runs for traffic between the northern ring-road and the Eastern Freeway. Locals in the Bundoora district know that in the long term the North East Link will be of incredible benefit to our local community, getting around 15,000 trucks off our local roads. However, in the short term construction on such a scale does have its impacts. That is why an important part of the project is the \$10 million North East Community Fund, supporting local initiatives and building upgrades in the suburbs most affected by construction.

I have been able to see for myself some of the fantastic results of this fund. Last Friday I saw the new undercover learning area at Streeton Primary School in Yallambie and an outdoor area upgrade at Skye Children's Corporative in Macleod. And over the last two funding rounds in my electorate alone the fund has supported the school communities at Watsonia Primary, Watsonia North Primary, Watsonia Heights Primary, the Concord School, Apollo Parkways Primary, Greensborough Primary and St Mary's Catholic primary school. There have been meeting room upgrades at local churches, kitchen upgrades at local football clubs and much, much more. Through this fund the North East Link is delivering a legacy of more than just transport benefits. School, sporting and community groups that I represent will enjoy its benefits for years to come.

Sarah Kelly

Brad BATTIN (Berwick) (10:16): Today I would like to make Sarah Kelly famous, not because she is a mum, a daughter or a wife but because she is currently living with stage 3 brain cancer and she knows the outcome from this cancer is probably not great. She is a fantastic lady who came into my office and went through the statistics of brain cancer that I was not aware of – that brain cancer kills more people under 40 than any other cancer, that survival rates have not changed in 30 years and 80 per cent of people still die from it and that brain cancer kills more kids in Australia than any other disease.

She is an amazing person who came in and started raising money. She wanted to raise \$5000 for the Brain Cancer Centre. We went in and met up with Misty Jenkins and spoke with them about the current work they are doing in heading towards human trials that could genuinely make a difference when it comes to people living with brain cancer here in Victoria. In that work we are at nearly \$30,000, which means there are five more experiments that the Brain Cancer Centre can do. But if we can get up to \$45,000 – and I ask if anyone in here would like to put in – it means we can put a postgraduate on for 12 months, and that will make a big difference. The little bit that I could do, as well as raising money, was work with Sarah. I said that if we raised more than \$5000 – obviously we are at nearly \$30,000 – I would get a tattoo in honour of all people who have died or who are living with brain cancer here in

our state, designed by someone who donated. I want to thank them for their donations, and on Tuesday the 17th, if anyone wants to join me, I will be at Skin Architecture in Berwick getting that tattoo designed by one of our local members.

Williamstown Community and Education Centre

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) (10:18): For 50 years the Williamstown Community and Education Centre has been serving, supporting and informing our community. From its beginnings in 1974 in Williamstown North, the centre has expanded to include classes and services across three locations, including Spotswood and Altona North. The centre found a champion in former Premier, member for Williamstown and fellow Thompson Street resident Joan Kirner. Joan pushed for the centre to find its permanent home at 14 Thompson Street, which is now known as the Joan Kirner house.

This is the heart of the organisation, where I was lucky enough to join the community celebrating its 50th birthday last week. The centre was full of memorabilia, as well as current and former staff, including centre manager Mark Brophy, former centre manager Jill Bilston and longstanding program coordinator Lynn Hewitt. I would like to thank current staff Lara and Talia, board president Sonja, all the board and all the staff for making the celebration a huge success. The centre is a home away from home for many attendees, with many being around for more than 15 years now. In the last year alone the centre has provided over 25,000 hours of training, and it plays a really valuable role for people across the western suburbs. Over the last 50 years the centre has grown significantly and plenty of positive stories have come out of it. I thank everyone involved and look forward to another 50 years.

Torquay planning

Richard RIORDAN (Polwarth) (10:19): I rise this morning to again put on the record the very, very strong concerns of the Torquay North community about the Mind Australia–Haven Foundation 12-unit mental health facility that they plan to build in a suburban street. It is great this morning to see the Minister for Planning is here. She will be hearing directly some quotes from surveys and from feedback around the community that say, ‘We know our community needs this facility. We fully support having this type of care located in our community, but we don’t support putting it on such a tiny parcel of land next to a school.’ The reason this is inappropriate is because we are putting 12 self-contained units on a parcel of land. There will be no outdoor space and no car parking. We are literally building a large two-storey block smack bang in the middle of a rural, regional country town street. There is no parking. There are only two car spots in the street available. There will be visitors. Many of the residents slated to be in this premises will be coming from outside the Torquay area. They will have visitors and family and friends coming to visit them. There may even be specialists and therapists coming to visit them. There is no access. It is poorly located. This government cancelled the Torquay community health centre. There is a parcel of land nearby that would be more suitable and provide a better opportunity for those residents to live in.

Western Freeway noise mitigation

Steve McGHIE (Melton) (10:21): For the third time I am raising the Silverdale noise mitigation wall that the Melton City Council have neglected to build. Residents have put up with excessive noise from the Western Freeway for too long. In 2018 the council allocated \$2.1 million to build the wall, bringing joy to the Silverdale estate community, who felt their voices were finally heard. However, in a disappointing turn of events the Melton City Council withdrew their commitment to building the wall, showing utter contempt and disregard for these rate-paying residents, citing cost increases. I have seen the council’s legal advice, which states that the developer and council have an obligation to build it and could face a class action from these residents, but without a litigation fund, how could these rate-paying residents afford a class action should it come to that?

I have met with a number of these families who are directly impacted by the noise pollution from the Western Freeway. They are hardworking and honest people who have worked hard to have a home in Melton, but right now they are being left behind by the Melton City Council, who are taking their rates and ignoring their broken promises. The council is trying to pass this issue to the state rather than meet their own obligations. Residents should lobby candidates in the upcoming council election to get the commitment to building the wall reinstated. If the current councillors will not advocate for these ratepayers at Silverdale, they do not deserve to be re-elected. The Melton City Council has a surplus of over \$300 million, yet they cannot spend \$6 million on this wall to improve the health and welfare of their residents.

Taxation

Nicole WERNER (Warrandyte) (10:22): I would like to cast the government's mind back to 2014, when the night before the election the then opposition leader went on 7News to make the promise to every Victorian that he would not increase taxes or introduce any new taxes. Well, what an absolute crock. Since that day the Andrews and Allan Labor governments have had 10 years, 10 budgets and not one, not two, not three but 54 new or increased taxes, with number 55, the tourism tax, being introduced this week. Why would that be? Because thanks to the corruption and ineptitude of the Andrews and Allan Labor governments, Victoria is steeped in the worst debt in the nation, where every single hour our taxpayers here are paying more than \$1 million in interest on this debt.

Welcome to Victoria, where Victorians pay taxes they would not pay anywhere else in Australia: say, for example, you send your kid to the wrong school, you have got to pay the schools tax. If you go away for the school holidays, you have got to pay the tourism tax. If you go on vacation for too long, you have to pay the vacant home tax. If you go to the beach, you have to pay the beach tax. If you get sick, you have got to pay the health tax. If you get too sick, you have got to pay Labor's new death tax. Well, I had better start preparing my next speech on Labor's new oxygen tax. Victoria, you deserve better than this pack of crooks who have indebted and bankrupted our state.

Djerring Flemington Hub

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (10:24): I was delighted with the fact that the Djerring hub celebrated its first birthday on Monday. The Djerring hub is a facility that services the Flemington public housing community. It was funded jointly by the City of Moonee Valley and with \$5 million from the then Andrews Labor government. It is something that my wife when she was on council pursued incredibly hard and with great vigour with the late Jim Cusack, who was also a councillor at Moonee Valley at the time. We have made sure that now in Jim's memory the foyer is named Jim Cusack Foyer, which is a fitting tribute.

Maribyrnong Park Football Club

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (10:24): This Saturday will see the Marby Lions take on West Coburg for the premiership. Brodie Holland, a fantastic AFL player, is the great coach at Marby. Go, Marby. I hope you bring it home.

Essendon North Primary School

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (10:24): I am really thrilled and delighted that Essendon North Primary School is in my electorate. This is a great school community well led by Kate Barletta, an outstanding principal. Kate has worked really closely with the community. The school used to have houses. They were originally named after early Victorians – white Victorians, I hasten to add – and then they became colours. What Kate did is she thought, 'No, we can do better.' She engaged the school community and she engaged an Indigenous artist called

Daen Sansbury-Smith, and together the students have worked on creating new designs, new jumpers and new shirts for each of the four houses. This is going to be fantastic for the community.

Clyde Primary School

Jordan CRUGNALE (Bass) (10:25): Stars shine bright across Bass when it comes to young people being positive change makers and showcasing their brilliance. Clyde Primary's Georgia, Avii and Reyansh wrote to me, having done some incredible investigative work and research which caused a positive stir at both the minister's office and the Department of Education. As a result of their formidable detective skills, we were made aware that our flag protocols need to be updated on the website to actually reflect the directive all government schools were given, which was to include the Torres Strait Islander flag as the third official flag. I met with them and all the school leaders, and I loved hearing what sparked this research interest and how they all worked together. Inquisitive, proactive, leading by example – you are absolute assets to your school and community.

Wonthaggi Primary School

Jordan CRUGNALE (Bass) (10:26): Wonthaggi Primary stepped up and went all out in this year's parliamentary prize, joining 200 schools across Victoria and over a thousand entries. Twenty-three students made 90-second videos covering topics from cost of living, mental health, footy fees and mobile coverage to climate. They received the Alicia Katz Award for outstanding school contribution, named in honour of the first female candidate to stand for Victorian Parliament. It is a recognition of courage, tenacity and impact – a bus trip to Parliament, a photo with the Speaker, smiles abounded, a trophy and a cheque for \$1000. Congratulations, team, and teachers too. Keep raising those voices high and bringing about positive change.

Yan Yean electorate projects

Lauren KATHAGE (Yan Yean) (10:27): It has been a massive week of delivery in my electorate of Yan Yean, and there was jubilation in Mernda and Doreen with the announcement that the Bridge Inn Road upgrade is finishing early. It is going to be ready by Christmas, and people are so excited.

We also got underway with the sod turn for our brand new stadium in Mernda. Early works have started, and this council-delivered project, backed with state government money, is going to mean our netballers are the happiest netballers in the state. I cannot wait to see that come up out of the ground.

There are all sorts of things to play with in Mernda and Doreen and we have got a new playground and splash park coming in Doreen. This is going to be in the Mamma Knows North blogs. Everybody is going to be there, having barbecues and birthday parties, enjoying summer and having fun in the splashy, wet mega playground. We are getting ready to start construction next month. Deputy Speaker, you are personally invited to come for a splash.

Of course just today we released the designs for the Wallan East primary school – a brand new primary school for a brand new community. The designs look beautiful. But more importantly, it is going to be an absolutely conducive space for our youngest Victorians to learn and to develop. I look forward to seeing those gates open in 2026.

Broadmeadows electorate arts events

Kathleen MATTHEWS-WARD (Broadmeadows) (10:28): Last week we celebrated the magic of books with Book Week, and this week we celebrate the magic of the arts. It was such a joy to watch the kids at Hume central college shine during their wonderful performance of *Alice in Wonderland*, the kids at St Dominic's were so excited to show us their fabulous creations at the art show and Father's Day breakfast and the performance of the Malayalee community at the Onam celebration at Glenroy College was just incredible – even the dads performed a choreographed number. Glenroy's very own Annie Jones treated us to a marvellous rendition of *Holdings out for a Hero* on *The Voice* last Sunday night, and I attended an outstanding showcase at the Mercy College performing arts concert. Thank you to everyone who generously shares their talents.

Broadmeadows train station

Kathleen MATTHEWS-WARD (Broadmeadows) (10:29): I also thank members of the Broadmeadows station working group, which I convene along with the Hume mayor Naim Kurt through the revitalisation board. To improve the cleanliness, amenity and safety of the area we are bringing all parties together who own and lease the land in the precinct, including government agencies, council, Metro Trains Melbourne and the private owners of the buildings. This model is based on the successful multi-agency group that I chaired to address some issues being experienced at Banksia Gardens housing estate. I thank the owner of the commercial building Peter Wu and manager Greg Cook for implementing some positive changes already. I also thank Alex Green and Justin Burney from the department, council representatives, local police and tenants including Northern Community Legal Centre, Jobfind and Brotherhood of St Laurence for their collaboration. Thanks also to Penola college for their contributions and for their openness to the idea of a bike path running between Broadmeadows and Jacana stations along the train line.

Clarinda electorate schools

Meng Heang TAK (Clarinda) (10:30): Congratulations to Clarinda Primary School and Westall Primary School for funding received under the Allan Labor government's planned maintenance program, PMP. These fantastic local schools will receive \$335,000 and \$56,000 respectively for high-priority maintenance. Clarinda Primary School has funding to address the outcomes of the ramp safety audit program. This program will include a rebuild of five ramps and partial rebuild of two ramps. Westall Primary School also has funding for ceiling replacement, roof works and switchboard works – a great result for both schools.

Moon Festival

Meng Heang TAK (Clarinda) (10:30): Finally, this will be a busy week for the Chinese community celebrating the Moon Festival – some would call it a thanksgiving festival – a rich tradition having been celebrated for around 3000 years. It marks the gathering of the harvest bounty, a time when the crops are ripe and the moon is full and bright. It is a time for gathering with family and friends and to look forward to a prosperous future. The Allan Labor government is committed to nurturing Victoria's vibrant multicultural and multifaith society. Deputy Speaker, with you and the member for Glen Waverley, we will be able to kickstart the Moon Festival over the weekend. For those who also celebrate, happy Moon Festival.

Thomas Mitchell Primary School

Belinda WILSON (Narre Warren North) (10:31): I am delighted to stand up and thank Thomas Mitchell Primary School for having me last week. They are a fabulous group of kids. I spoke to the whole of grade 4, over 120 of them, and they had incredible questions, which I was delighted to answer.

Narre Warren North electorate grand finals

Belinda WILSON (Narre Warren North) (10:31): We have also got a very big weekend in sport in Narre Warren North. I want to give a huge shout-out to the Narre Warren netballers, under-13 women, under-15 women and under-17s – all in the grand final this weekend. Lots of them are also heading in for the finals of the footy. Grand final week in Narre Warren North is very much alive.

Bills

Offshore Petroleum and Greenhouse Gas Storage Amendment Bill 2024

Statement of compatibility

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (10:33): In accordance with the Charter of Human

Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Offshore Petroleum and Greenhouse Gas Storage Amendment 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 Offshore Petroleum and Greenhouse Gas Storage Amendment Bill 2024.

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

Overview

The Bill amends the **Offshore Petroleum and Greenhouse Gas Storage Act 2010** (the Offshore Petroleum Act).

The amendments to the Offshore Petroleum Act will create specific provisions to permit petroleum production licensees to conduct underground petroleum storage and recovery operations, which includes:

- (a) The injection into and storage of petroleum into natural reservoirs from which petroleum was previously recovered for the purpose of later recovering it; and
- (b) The recovery of petroleum from a natural reservoir into which it was previously injected under (a); and
- (c) Any activity incidental to an activity listed in (a) or (b).

Human Rights Issues

Property rights, the right against arbitrary interference with privacy or home, Aboriginal cultural rights and the right against self-incrimination are human rights protected by the Charter that are relevant to the Bill.

For the following reasons, I am satisfied that the Bill is compatible with the Charter and, if any rights are limited, those limitations are reasonable and demonstrably justified having regard to the factors in section 7(2) of the Charter.

In practice, it is likely that many of the Bill's provisions regulate corporate entities rather than natural persons due to the nature of underground petroleum storage operations that require significant financial resources to carry out. Corporate entities are not considered a 'person' under the Charter and as such, do not attract the human rights specified in the Charter.

Property rights

Section 20 of the Charter provides that a person must not be deprived of that person's property other than in accordance with the law. This right is not limited where there is a law that authorises a deprivation of property, and that law is adequately accessible, clear and certain, and sufficiently precise to enable a person to regulate their conduct. International jurisprudence supports the view that a 'deprivation of property' may not be confined to situations of forced transfer of title or ownership but could include any substantial restriction on a person's control, use or enjoyment of their property.

Amendments in clauses 8, 9, 17, 19, 20, 21, 22, 23, 24, 25, 26 and 27 of the Bill may engage this right.

Significant risk of a significant adverse impact – approval of greenhouse gas operations

Clauses 8, 19, 20, 21, 22, 23, 24, 25, 26 and 27 of the Bill amend various sections of the Offshore Petroleum Act by adding underground petroleum storage operations as an activity that must be taken into account when considering whether certain greenhouse gas storage activities will create a significant risk of a significant adverse impact (SROSAI) to activities being carried out under a petroleum production licence.

The proposed amendments could potentially limit the property rights of the holders of greenhouse gas assessment permits, greenhouse gas holding leases and petroleum production licences if an activity proposed by these rights holders creates a SROSAI in relation to underground petroleum storage operations being carried out under a petroleum production licence. In these circumstances, the SROSAI could affect the rights holder's ability to obtain an approval to carry out key greenhouse gas operations or obtain a greenhouse gas injection licence.

However, a SROSAI will only arise if the proposed greenhouse gas operation will result in an increase in the capital costs or operational costs of an underground petroleum storage operation or a reduction in the rate of recovery or, the quality of, the petroleum recovered from an existing underground petroleum storage operation.

To assist in determining if SROSAI exists in relation to an application, I can refer the matter to an expert advisory committee for advice.

Should this situation arise, the approval or licence may still be provided if I am satisfied that the granting of the approval or licence is in the public interest and the holder of the petroleum production licence under which the underground petroleum storage operations are being carried out agrees to the grant of the licence or approval.

The intention of this framework is not aimed at preventing underground gas storage and greenhouse storage from occurring in the same area, but to ensure that the impact of any proposed project on any other operations in the area are considered and where it is determined that a proposed project may cause a SROSAI in relation to an existing operation, the parties work together to eliminate, mitigate or manage those impacts through commercial agreements. It is only in cases where agreement cannot be reached or the risks cannot be eliminated, mitigated or managed that an approval or licence may not be given.

While clauses 8, 19, 20, 21, 22, 23, 24, 25, 26 and 27 of the Bill may limit property rights under the Charter, this is unlikely to occur as any such limitation will be imposed on corporate entities that do not attract the human rights specified in the Charter. As such, these clauses of the Bill do not limit property rights under the Charter.

However, in the unlikely event that these clauses could limit the property rights of an individual, these limitations are reasonable and demonstrably justified having regard to the factors in section 7(2) of the Charter. In particular, the clauses' purpose of managing the rights of various individuals in circumstances where the rights of one individual have the potential to impact the rights of another individual.

Ownership of petroleum injected and stored in the seabed or subsoil

Clause 9 of the Bill amends the Offshore Petroleum Act by inserting new section 67A. New section 67A(2) provides that if a petroleum production licence is cancelled or surrendered, the Crown becomes the owner of any petroleum that has been injected into and is stored in a natural reservoir under the licence.

The provision is intended to ensure that any injected petroleum remaining in a natural reservoir after a licence is surrendered or cancelled is available to be recovered or otherwise dealt with by the government if necessary.

While surrender of a petroleum production licence is voluntary, cancellation can only occur if a licence holder has failed to comply with a condition of their licence, failed to comply with a direction I have given under the Offshore Petroleum Act, failed to comply with a specified provision of the Offshore Petroleum Act or the Regulations, failed to pay an amount payable under the Offshore Petroleum Act within the required timeframe or failed to carry out underground petroleum storage operations for a continuous period of more than 5 years.

Further, if a ground for cancellation exists, there is a procedure set out in the Offshore Petroleum Act which requires me to provide the licence holder with at least 30 days notice of my intention to cancel their licence giving the licensee an opportunity to make submissions which I must take into account before deciding to cancel the licence. I am also required to take into account any action taken by the licence holder to remove the ground of cancellation or to prevent the reoccurrence of similar grounds.

Should a decision be made to cancel a licence, there are provisions in the Offshore Petroleum Act which provide the ability for a licensee to seek review of the decision. In the case of a decision made by my delegate, a licensee can request that I review that decision and, in the case of a decision made by me, application for review can be made to the Victorian Civil and Administrative Tribunal.

In my view, given the above framework and the limitations on my ability to cancel a petroleum production licence, any deprivation of property resulting from the cancellation of a petroleum production licence by operation of the new section 67A(2) will be in accordance with the law. Laws which are confined and structured rather than arbitrary or unclear and sufficiently precise to enable affected rights holders to inform themselves of their legal obligations and to regulate their conduct accordingly.

As such, clause 9 of the Bill does not limit property rights under the Charter.

Interference with the activity of others in the offshore area

Clause 17 of the Bill amends section 276 of the Offshore Petroleum Act by inserting new section 276(2)(d)(iii), to ensure that an underground petroleum storage licensee does not carry on activities in the offshore area under their licence in a manner that interferes with certain activities, to a greater extent than is necessary for the reasonable exercise of their rights and performance of their duties.

Section 276 currently applies to a petroleum exploration permit, petroleum retention lease, petroleum production licence, infrastructure licence, pipeline licence, petroleum special prospecting authority, petroleum access authority and a petroleum scientific investigation consent. As such, the amendment imposes the same obligation on licensees carrying out underground petroleum storage operations as apply to others carrying out other activities regulated by the Offshore Petroleum Act.

Section 276(2) provides that a person carrying on activities under a permit, lease, licence, authority or consent listed in section 276(1) must carry on those activities in a manner that does not interfere with activities listed

in section 276(2), including navigation, fishing, conservation of the resources of the sea and seabed or any activities of another person being lawfully carried on by way of exploration for, recovery of, or conveyance of a mineral (whether petroleum or not), constructing or operating a pipeline or underground petroleum storage, to a greater extent than is necessary for that person's reasonable exercise of rights and performance of duties.

It is possible that clause 17 of the Bill may have the effect of limiting titleholder's property rights by restricting the use of their property in carrying out operations in accordance with their licence, lease or permit.

However, this obligation, which applies to all holders of licences, permits and authorities issued under the Act, is reasonable given that the offshore area is a shared resource to which various activities occur and where all users have an obligation to conduct those activities in a manner that does not interfere with the activities of others or interfere with the conservation of the resources of the sea and seabed.

I note that the obligation is not unlimited and permits some interference with the activities of others and to the conservation of the resources of the sea and seabed provided that it is to no greater extent than is necessary for the reasonable exercise of the rights and performance of the duties of the licence holder.

As such, clause 17 of the Bill does not limit property rights under the Charter.

Right to privacy

Section 13(a) of the Charter provides that a person has the right not to have their privacy or home unlawfully or arbitrarily interfered with. The right in section 13(a) of the Charter is relevant to section 649(2) of the Offshore Petroleum Act, whose operation is potentially expanded by clause 29 of the Bill.

Section 649(2)(b)(iii) provides that a petroleum project inspector may have access to any structure, vessel, aircraft or building that the petroleum project inspector has reasonable grounds to believe has been, is being or is to be used in connection with operations relating to the processing or storage of petroleum. Clause 29 of the Bill clarifies that the reference to the storage of petroleum in section 619(2)(b)(iii) includes underground petroleum storage as defined by a new definition that will be inserted into the Act by the Bill.

However, in those cases where section 13(a) is engaged, in my opinion, any interference with the right will be neither unlawful nor arbitrary and accordingly the right is not limited.

This is because access to any structure, vessel, aircraft or building used in connection with underground petroleum storage is an essential compliance mechanism for achieving the important regulatory objective of monitoring and enforcing compliance with the Offshore Petroleum Act. There are also important safeguards in place to protect against arbitrary exercise of the powers. In particular, section 649(2)(b) provides that the powers can only be exercised if a petroleum project inspector has reasonable grounds to believe the structure, vessel, aircraft or building has been, is being or is to be used in connection with underground petroleum storage.

While it is unlikely, the powers could be used to access residential areas which constitute an individual's home where a reasonable expectation of privacy may arise so as to engage the right in section 13(a). However, in my view, the right is not limited in such cases because any interference is neither unlawful nor arbitrary. This is because the interference is specifically authorised by the terms of the Offshore Petroleum Act, which importantly includes, pursuant to section 650, that entry to a residential premises is only permitted with the consent of the occupier or pursuant to and in accordance with a warrant issued by a magistrate (under section 653 on reasonable grounds supported by information on oath or affirmation).

Accordingly, I consider that clause 29 is compatible with the right to privacy.

Right to privilege 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 any incriminatory admission contained in material obtained under compulsion from that person in any subsequent criminal proceedings against the person, regardless of whether the information was obtained prior to or subsequent to the charge being laid.

The right in section 25(2)(k) of the Charter is relevant to section 722 of the Offshore Petroleum Act, whose operation is potentially expanded by clause 31 of the Bill. Persons may be subject to information gathering requirements under the Offshore Petroleum Act where the person has information or a document, or is capable of giving evidence, which relates to operations relating to the processing or storage of petroleum in the offshore area. Clause 31 of the Bill clarifies that the reference to the storage of petroleum in section 722 includes underground petroleum storage as defined by a new definition that will be inserted into the Act by the Bill.

Section 725(1) provides that requested information or documents must be produced even if this may tend to incriminate the individual or expose them to a penalty. However, section 725(2) provides a full immunity against both direct and indirect use of the information obtained against the individual in any criminal or civil proceedings (other than proceedings regarding failure to comply with a request for information, or proceedings regarding provision of false or misleading information).

Therefore, any limitation on the right to self-incrimination is clearly justified under section 7(2) as the full immunity in section 725(2) ensures that there is no possibility that an individual could be compelled to assist in their own conviction for an offence (or liability for a civil penalty) and further ensures that there is no adversarial relationship between the individual and the State when the individual is required to provide the requested information to the Minister or a petroleum project inspector which might otherwise attract the application of the self-incrimination right.

Accordingly, I consider that clause 31 is compatible with the right to privilege against self-incrimination section 25(2)(k) of the Charter.

Aboriginal cultural rights

Clause 13 of the Bill will provide the holders of petroleum licences to conduct the additional activity of underground petroleum operations. These operations involve the injection and storage of petroleum in a natural offshore reservoir, from which petroleum was previously recovered, for the purpose of later recovering it.

Section 19(2) of the Charter provides specific protection for Aboriginal persons, providing that Aboriginal persons hold distinct cultural rights and must not be denied the right, with other members of their community, to enjoy their identity and culture, maintain and use their language, maintain kinship ties, and maintain their distinct spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs.

The rights under section 19(2) are to be read broadly and are concerned not only with the preservation of the cultural, religious and linguistic identity of particular cultural groups, but also with their continued development. Aboriginal cultural rights are inherently connected to the relevant community and the traditions, laws and customs of that community. It can include traditional ways of life including practice of spiritual traditions, custom and ceremonies, and the maintenance of a cultural connection with land, including the use of natural resources and the preservation of historical sites and artefacts. Further, Aboriginal cultural rights co-exist with, and may extend beyond, rights in other legislative schemes, including the *Aboriginal Heritage Act 2006*, *Traditional Owner Settlement Act 2010* and *Native Title Act 1993* (Cth).

A critical aspect of the protection of the cultural rights under section 19(2) is participation in decision-making that affects the group. This would include decisions in relation to new activities that would impact the ability of Aboriginal persons to maintain their distinctive spiritual, material and economic relationship with the land and waters and other resources which they have a connection under traditional laws and customs.

The licensee facing provisions provided for in the Bill do not, in itself, affect the Aboriginal cultural rights protected under section 19(2) of the Charter. Rather, any impact upon cultural rights protected under the Charter would be as a result of the issuing of a licence, permit or approval or consent. To the extent that any activities undertaken pursuant to a licence or a permit may affect the enjoyment of cultural rights, in considering whether to grant a licence permit, approval or consent under the **Offshore Petroleum and Greenhouse Gas Storage Act 2010**, the Minister as a public authority will, pursuant to section 38(1) of the Charter, be required to give proper consideration to, and act in a way that is compatible with, human rights, including cultural rights under section 19(2) of the Charter.

That is to say, where there are cultural claims by one or more individual or Traditional Owner group in relation to the area the subject of a licence, permit, approval, or consent the Minister or relevant body is already obliged to consider whether the licence, permit or agreement grants rights to an area which may limit the cultural rights of individuals or groups with a claim to the area, including: access and use of the land and waters; the spiritual connection to the land, including the preservation of places of cultural or spiritual significance; participation in culturally significant or traditional practices on the land, including fishing, and exercising self-determination in relation to the management of country.

As such, to the extent that land and waters with which Aboriginal persons may have distinctive spiritual, material and economic relationships, may be impacted by the additional activities permitted in the Bill, there is, in my view, no limitation imposed by this Bill on the cultural rights under section 19(2) of the Charter.

Conclusion

I am therefore of the view that the Bill is compatible with the Charter.

Hon Lily D'Ambrosio MP
Minister for Energy and Resources

Second reading

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (10:34): 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 purpose of this Bill is to amend the *Offshore Petroleum and Greenhouse Gas Storage Act 2010* (Offshore Act) to clarify that the holder of a petroleum production licence is authorised to carry out underground petroleum storage operations. This involves the transfer of existing gas from onshore to an offshore reservoir to be stored for later access.

This Bill is intended to ensure that existing gas supplies can be stored and made available at a later stage during peak periods of high, unmet demand. The amendments do not authorise the production of new gas, nor do they affect existing bans on fracking or other forms of unconventional gas.

In March 2024, the Australian Energy Market Operator (AEMO) forecasted a peak gas supply shortage from as early as 2026 and growing in 2027. A tightening supply and demand balance and/or supply inadequacy would also place upwards pressure on wholesale energy prices in both the gas and electricity markets.

The amendments will, for instance, enable the Golden Beach energy storage project being developed by GB Energy Pty Ltd (GB Energy) to proceed with establishing essential storage infrastructure that can transfer onshore gas to be injected into a reservoir in the offshore gas field and made available for later recovery during peak demand periods. An underground petroleum storage project such as this could provide critical gas supply to meet Victoria's imminent energy needs.

Any project like this that proposes to establish and operate pipelines and other infrastructure to transfer onshore gas to offshore reservoirs for later recovery would need to undergo various environmental assessments and other regulatory approvals. This is likely to include an Environment Effects Statement (EES) process under the *Victorian Environment Effects Act 1978* and, if there is a potential to significantly impact a matter of national environmental significance, approval for a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). An approved cultural heritage management plan under the *Aboriginal Heritage Act 2006* would also be required if relevant. Licences would be required under the *Offshore Act and Pipelines Act 2005* for the construction and operation of onshore and offshore pipelines and associated facilities. Depending on the nature of the project, other statutory approvals or consents may also be required under the *Environment Protection Act 2017*, *Marine and Coastal Act 2018*, *Water Act 1989*, *Flora and Fauna Guarantee Act 1988* and other laws.

The measures in this Bill are designed to ensure energy security while the Victorian Government implements its Gas Substitution Roadmap to decarbonise the gas sector through electrification, energy efficiency and the transition to renewable energies.

I commend the Bill to the house.

James NEWBURY (Brighton) (10:34): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 26 September.

Building Legislation Amendment and Other Matters Bill 2024

Statement of compatibility

Sonya KILKENNY (Carrum – Minister for Planning, Minister for the Suburbs) (10:35): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Building Legislation Amendment and Other Matters 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 Building Legislation Amendment and Other Matters Bill 2024.

In my opinion, the Building Legislation Amendment and Other Matters Bill 2024 (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 purpose of the Bill is to amend the *Building Act 1993* (**Building Act**), the *Architects Act 1991* (**Architects Act**) and the *Victorian Planning Authority Act 2017* (**VPA Act**).

The Bill amends the Building Act to, among other things:

- give municipal and other relevant building surveyors additional powers to issue building notices and building orders so that building work is compliant, and that buildings and places of public entertainment are safe;
- enable circumstances to be prescribed in respect of which a relevant building surveyor must not issue a building permit;
- provide that a property owner who is required to carry out protection work may request an adjoining owner's name and address from a council for the purpose of serving a notice regarding that protection work;
- amend the limitation periods on the right to bring legal actions in relation to building or plumbing work in the Building Act to ensure the limitation periods are subject to recently amended powers in the *Victorian Civil and Administrative Tribunal Act 1998* (**VCAT Act**) enabling courts to extend those periods in certain circumstances;
- insert new offences for incorrect uses of compliance certificates for plumbing work; and
- insert additional regulation-making powers, including powers for prohibiting, and prohibiting a person from carrying out plumbing work in connection with, certain connections to reticulated gas, extensions to the capacity of existing reticulated gas connections, the installation and replacement of certain reticulated gas appliances.

The Bill also amends the Architects Act to support the effectiveness of the Architects Registration Board of Victoria (**ARBV**) by requiring annual renewal of approvals of partnerships or companies and annual renewal of architect registrations, including submission of annual declarations that registered architects are 'fit and proper' to continue their registered practice. The amendments also clarify the powers to prescribe fees charged by the ARBV.

Finally, the Bill amends the VPA Act to implement a recommendation of the Independent Broad-based Anti-corruption Commission to extend the period in which a proceeding for a summary offence under Division 4 of Part 2 of the VPA Act may be commenced, from 12 months to up to 3 years from the date of the alleged offence.

Human rights issues

The human rights protected by the Charter that are relevant to the Bill are the right to privacy in section 13(a), the right to freedom from forced work in section 11, the right to property in section 20 and the right to a fair hearing in section 24(1).

Right to privacy (s 13)

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

Proposed sections 84A and 84B of the Building Act

Clause 3 of the Bill inserts new section 84A into the Building Act, allowing a property owner who is required to serve a notice of proposed building work on the owner of an adjoining property to, after having taken reasonable steps to obtain the name and address of the owner of the adjoining property, make a written request to the relevant council to obtain this information. New section 84B allows the council receiving the request under section 84A to disclose the requested information if satisfied that the person will use the information for the purpose of serving the notice of proposed building work on the owner of the adjacent property.

In my opinion, new section 84B does not limit the right to privacy as protected by section 13 of the Charter because any interference is lawful and not arbitrary. Allowing councils to release personal information for the limited purpose of serving a notice serves the legitimate purpose of facilitating the service of building works notices on persons affected by the proposed work and potentially subject to any risks associated with that work. The release of this information is also reasonably necessary to, in said circumstances, allow a property owner that is legally required to serve the notice of proposed building work on the relevant adjacent property, to fulfil their obligations under the protective regime set out in the Building Act. In my view, section 84B is appropriately circumscribed so as to only allow disclosure of necessary, and limited, personal information to a property owner, where satisfied that the property owner will use the information for the specified purpose. Accordingly, the provision of the personal information in the prescribed circumstance is not arbitrary nor unlawful and I am satisfied that these provisions are compatible with the Charter.

Proposed sections 221ZZZV(1)(fa) and (fb) of the Building Act

Clause 38 of the Bill inserts new paragraphs (fa) and (fb) in section 221ZZZV(1) of the Building Act. Section 221ZZZV(1) provides for the matters in respect of which the Governor in Council may make regulations under the Building Act. New paragraphs (fa) and (fb) insert powers to make regulations for or with respect to prohibiting a person from engaging in a range of conduct relating to the connection and installation of reticulated gas and gas appliances.

It is an open question whether a person's right to privacy of home and property extends to freedom of choice in relation to connection and installation of such services and appliances. It is further arguable that such prohibitions may interfere with components of the privacy right that protect an individual's right to pursue work, free from restriction, in their chosen field of employment to which they possess qualifications, such as gas plumbing.

To the extent that the Bill providing the legislative basis for such regulations engages such rights, it does so for legitimate purposes, being measures necessary to realise the Government's legislated objectives to halve emissions by 2030, accelerate the decarbonisation of energy and protect consumers from a projected shortfall in gas supply.

Further, the nature and extent of any interference with rights will be determined by the content of any future Regulations, which will be subject to the requirement for the Minister to prepare a human rights certificate justifying any limitations on human rights. Accordingly, I am satisfied that these provisions are compatible with the Charter.

Proposed section 15C of the Architects Act

Clause 52 of the Bill amends the Architects Act to require that every year, when an architect applies for renewal of registration, the architect must give a written statement to the ARBV declaring that they remain a fit and proper person to continue practice as an architect, having regard to the probity matters set out in existing section 10A of the Architects Act. Presently, the fit and proper person consideration only applies when an applicant initially seeks registration as an architect.

As the statement must have regard to the factors set out in section 10A of the Architects Act (which includes the applicant's criminal history and professional history, such as whether the person has been the subject of a Victorian Civil and Administrative Tribunal or court order under specified building legislation), the expansion of this requirement may constitute an increased interference with privacy. The privacy right may also be engaged by the provisions allowing the ARBV to require applicants for renewal or reinstatement to provide further information or material which may be personal in nature.

In my opinion, these provisions are not unlawful or arbitrary. The purpose of the provisions is to provide the ARBV with the ability to assess whether a registered architect remains fit to continue practising as a registered architect and to improve public confidence in registered architects. The personal information required to accompany applications for renewal or reinstatement of registration is limited to what is strictly necessary for, or relevant to, the determination of the architect's suitability to practise as a registered architect. Additionally, as architects are already required to provide the required personal information when initially applying to the ARBV for registration or approval (as part of the special responsibilities and duties that apply to persons undertaking this regulated role), there is unlikely to be a reasonable expectation of privacy regarding the

provision of this information on the renewal or reinstatement of registration or an approval. Accordingly, I am satisfied that these provisions are compatible with the Charter.

Based on the above discussion, I consider the right to privacy in section 13 of the Charter is not limited by this Bill.

Freedom from forced work (s 11) and the right to property (s 20)

Clauses 5 and 6 of the Bill amend sections 108 and 111 of the Act, to empower a municipal or private building surveyor to serve a building notice, and subsequently a building order, on an owner if the surveyor is of the opinion that the owner's building, land or place of public entertainment, or building work that is being or is proposed to be carried out on the building, land or place, is a danger to the life, safety or health of any member of the public or of any person using the building, land or place or to any property. Under the new provisions, a building surveyor can make a building order to require the owner to take such action that the surveyor considers necessary to remove or to wholly or partially reduce, or to contribute to removing or to wholly or partially reducing, the circumstance giving rise to that danger. The purpose of these new powers is to ensure that buildings, land, places of public entertainment and building work (as the case requires) are safe for the public, users and property.

Clause 7 substitutes section 113 of the Building Act. New section 113(1) provides that building orders requiring an owner to carry out building work of a minor nature may be made if a municipal or private building surveyor is of the opinion that a circumstance referred to in section 106 of the Building Act exists. New section 113(2) provides that a building order requiring an owner to take certain action that is necessary and of a minor nature, may be made, if a municipal or private building surveyor is of the opinion that the owner's building, land or place of public entertainment, or building work that is being or is proposed to be carried out on the building, land or place is a danger to the life, safety or health of any member of the public or of any person using the building, land or place or to any property, that the action is necessary to remove or to wholly or partially reduce or to contribute to removing or to wholly or partially reducing that circumstance and that the necessary action is of a minor nature.

Section 11 of the Charter provides that a person must not be made to perform forced or compulsory labour. The protection against compulsory labour in section 11 of the Charter is limited in scope and does not apply to work or service that forms part of a person's normal civil obligations. This has been interpreted as including an owner's obligation to maintain their building in accordance with regulations. Further, an owner may engage another person to do the work. As such, clauses 6 and 7 of the Bill do not limit section 11 of the Charter.

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

It is possible that a building order issued under sections 111 or 113 may result in the deprivation of property or interfere with a person's enjoyment of their property rights. However, as any deprivation of property will only occur in the limited circumstances specified in the provisions, and for the purposes of properly regulating building owners and the building industry and protecting the safety of people using a building or doing building work, any such deprivation will not be unlawful.

As such, I conclude that the right to freedom from forced work in section 11 and the right to property in section 20 of the Charter are not limited by this Bill.

Right to a fair hearing (s 24)

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

Clauses 8 and 9 of the Bill amend sections 134 and 134A of the Building Act so as to enable the extension of the time period during which a legal action in relation to building work or plumbing work may be brought after the date of issuance of an occupancy permit or certificate of final inspection in respect of building work, or a compliance certificate in respect of plumbing work. New section 134(2A) provides that a building action may be brought more than 10 years after the date of issue of the occupancy permit in respect of the building work (whether or not the occupancy permit is subsequently cancelled or varied) or, if an occupancy permit is not issued, the date of issue under Part 4 of the Building Act of the certificate of final inspection of the building work if a court extends the 10 year limitation of action period that would otherwise apply in accordance with section 77 of the VCAT Act. Similarly, new section 134A(2) provides that if a compliance certificate is issued in respect of plumbing work under Part 12A of the Building Act, a legal action (including a counter claim)

for damages for loss or damage arising out of or concerning any defects in the work can be brought more than 10 years after the date of issue of the certificate if a court extends the 10 year limitation of action period that would otherwise apply in accordance with section 77 of the VCAT Act.

As these amendments have the effect of enabling a court to, in accordance with section 77 of the VCAT Act, extend the time period within which a person must bring a legal action in relation to building or plumbing work, the right to a fair hearing, which is concerned with procedural fairness, is promoted by removing what would otherwise be a procedural barrier to bring the claim after 10 years.

Conclusion

I am therefore of the view that the Bill is compatible with the Charter.

The Hon Sonya Kilkenny MP
Minister for Planning

Second reading

Sonya KILKENNY (Carrum – Minister for Planning, Minister for the Suburbs) (10:35): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

The Victorian government is developing a suite of reforms to Victoria's building system to ensure that Victorians can build, renovate or buy a home with the confidence that they will get what they paid for – an affordable, safe and comfortable home.

This Bill precedes future reforms that will progressively reshape Victoria's building system to strengthen consumer protections and improve oversight of new builds. It makes necessary amendments to support Victoria's Gas Substitution Roadmap, clarifies enforcement powers under the *Building Act 1993* and makes several miscellaneous improvements to the efficiency and operation of building legislation and other Acts amended by this Bill.

Legislative changes

The Bill will amend the *Building Act 1993* to:

- support implementation of key components of the Gas Substitution Roadmap;
- clarify the scope of a building surveyor's power to issue building orders;
- ensure courts can extend the limitations period for building and plumbing actions;
- support operation of the Building Amendment (Small Second Dwellings) Regulations 2023;
- make it an offence for plumbers to issue an expired compliance certificate;
- clarify that it is an offence for a person to perform the functions of a building surveyor under the *Building Act 1993* or the Building Regulations 2018 as well as under any other Act or Regulations;
- insert a new regulation making power to enable fees to be waived or refunded;
- require the Victorian Building Authority to have regard to a Minister's guideline when determining fees for licensed building employees;
- provide the Victorian Building Authority with the same flexibility to adjust the period of insurance coverage for practitioners operating under an automatic deemed registration as it provided to Victorian building and plumbing practitioners;
- streamline local council disclosure of an adjoining owner's name and contact details for the purpose of servicing a protection works notice;
- streamline processes for building surveyors to transfer their functions; and
- make several minor amendments to improve clarity and efficiency of the Building Act.

The Bill also amends the *Architects Act 1991* to:

- require architects to submit a fit and proper person declaration with their annual registration renewal;
- require approved partnerships and companies to renew their approval under the same process as registered architects; and

- clarify the Architects Registration Board of Victoria's (ARBV) ability to charge fees.

Finally, the Bill amends the *Victorian Planning Authority Act 2017* to implement the independent broad-based Anti-corruption Commissioner's recommendations to increase the timeframe for commencing prosecution of the Act's summary offences from 12 months to up to 3 years from the date of the alleged offence.

Amendments to the *Building Act 1993*

Enabling implementation of Building Electrification Regulatory Impact Statement outcomes in accordance with the Gas Substitution Roadmap

The Government is helping Victorians reduce their reliance on expensive fossil gas – easing the cost-of-living pressures on families and businesses.

In December 2023, Victoria's Gas Substitution Roadmap was updated and it was announced that options to progressively electrify all new and existing residential and most commercial buildings would be investigated in 2024, including through a regulatory impact statement process and public consultation.

The Bill enables the making of regulations that may expand the circumstances in which a relevant building surveyor must refuse an application for a building permit application. This will enable the inclusion of circumstances where an application for a new building permit would result in a new reticulated gas connection. The Bill also enables the making of regulations that may restrict the type of work that can be carried out in relation to reticulated gas connections and reticulated gas appliances in prescribed classes of buildings.

These regulation making powers will enable draft regulations and a regulatory impact statement to be released later this year for industry engagement and public consultation on options for the electrification of Victorian buildings, including understanding how we can support Victorians to transition to electric appliances as older gas appliances reach their end of life. Decisions have already been taken to exclude agriculture and industrial buildings and use of liquefied petroleum gas from this year's regulatory impact statement that is enabled by the regulation making powers in this Bill. Gas cooktops in existing homes, as well as gas appliances in existing commercial buildings will also be excluded from these requirements. The Bill does not prohibit or enable regulations to be made that can prohibit the maintenance or repair of a reticulated gas appliance.

This is a critical step towards facilitating a smooth transition away from relying on fossil gas to power our homes and businesses and towards more reliable, affordable, renewable energy.

Building orders

A key objective of the *Building Act 1993* is to protect the health and safety of people who use buildings and places of public entertainment.

Building orders are a key enforcement tool used by municipal building surveyors to achieve this objective.

A building order can be issued to owners of a building, place of public entertainment or land on which building work is or will be carried out and can require an owner to carry out building work, protection work or other work required by the Building Regulations 2018.

The Bill ensures that municipal building surveyors have power to issue a building order requiring owners to take any action that is necessary to remove, reduce or otherwise address (or any action that would contribute towards removing, reducing or addressing) a danger to life, safety or health of a person or property. The amendments will give the municipal building surveyors the necessary tools to help keep occupiers of, and visitors to, buildings safe.

The Building Appeals Board will continue to be the appropriate avenue for building owners to address any concerns about the requirements of a building order.

Building and plumbing action limitation periods

The Bill makes minor amendments to clarify that new section 77A of the *Victorian Civil and Administrative Tribunal Act 1998*, as recently amended by the *Justice Legislation Amendment Act 2023*, applies to the limitation periods specified in the *Building Act 1993*.

Matters in the building and property list of the Victorian Civil and Administrative Tribunal could potentially be transferred to the Magistrates', County or Supreme Court if VCAT considers that one of those courts is better placed to deal with the matter. Due to potential delays associated with such a transfer, there is a risk that consumers may lose their cause of action if the limitation period in the *Building Act 1993* is reached while the transfer is occurring.

To ensure that a person does not lose their right to take legal action as a result of a forced venue change, the Bill amends the *Building Act 1993* so that this limitation period falls within the scope of the limitation periods that may be extended under section 77A of the VCAT Act.

Ministerial guidelines for building accessibility

The *Building Act 1993* enables the Minister for Planning to make guidelines relating to the design and siting of single dwellings. The Bill amends that Act to extend this power to include accessibility requirements for single dwellings, including small second dwellings, to support operation of the Building Legislation Amendment (Small Second Dwelling) Regulations 2023.

These Regulations contributed to delivery of commitments in Victoria's Housing Statement. This included removing planning permit requirements for small second dwellings to encourage greater diversity, affordability, and equitable housing options over the next decade.

Proof of insurance for persons with automatic deemed registration

The Bill provides the Victorian Building Authority with flexibility to adjust periods of insurance coverage for practitioners operating under an automatic deemed registration.

This will not enable practitioners to work without the required insurance, but rather will overcome administrative issues in lining up insurance policies with the date that the notification that a relevant practitioner intends to work in Victoria is provided to the Victorian Building Authority. This amendment aligns with existing provisions in the *Building Act 1993* that enable the Victorian Building Authority to adjust periods of insurance required to be held by Victorian building and plumbing practitioners to reflect the period that the practitioner will be operating.

Authorising disclosure of adjoining owner contact details for service of a protection works notice

The Bill makes an amendment to provide clear authority for local councils to disclose the name and contact details of an adjoining owner for the purposes of a protection works notice.

The *Building Act 1993* requires an owner carrying out protection work in respect of an adjoining property to serve the owner of the adjoining property a notice of their proposed building work. In some cases, it may not be possible to readily locate the adjoining owner for the purpose of serving the protection works notice (for instance because they reside interstate and their contact details are not known). The consequence is that the adjoining owner will not be aware of the proposed work impacting their property, and therefore is not afforded the opportunity to agree or disagree to the proposed protection works.

Often, the owner or the relevant building surveyor approach the relevant council to request the adjoining owner's contact details for the purpose of serving a protection works notice. Privacy laws in Victoria already permit councils to share personal information about adjoining property owners for the purpose of serving protection works notices. However, in practice councils take different approaches to these requests, with inconsistent application of processes and requirements.

The amendments in the Bill provide a clear authority for councils to disclose the contact details of adjoining property owners for the purpose of facilitating the service of a protection work notice. The Bill further enables regulations to be made specifying what information and documentation must be contained in requests for contact details from councils. Such prescribed documentation may include statutory declarations confirming the specific purposes for which the information will be used.

Plumbing compliance certificates

The *Building Act 1993* and the Plumbing Regulations 2018 require licensed plumbers to certify completed work through issuing a plumbing compliance certificate. A compliance certificate must be issued for prescribed types of plumbing work and for all plumbing work with a value of \$750 or more.

The Bill amends the *Building Act 1993* to introduce a 12-month expiry date for the forms used to prepare plumbing compliance certificates to help mitigate incentives for plumbers to pre-purchase certificate forms to avoid potential future increases in price. The Victorian Building Authority will have the ability to extend the expiry dates for compliance certificates for a further 12-months.

The Bill will also make it an offence to issue a plumbing compliance certificate prepared using an expired compliance certificate form and will introduce a penalty for the issue of a compliance certificate that is not for the correct kind and value of plumbing work that it is issued for.

Fee-related amendments

The amendments in the Bill provide that the Victorian Building Authority, when determining fees under that Act for the licensing of any class of building employee, must have regard to a Ministerial Guideline. This amendment allows for a consistent approach for the determination of fees for the registration of building practitioners and licensing of building employees.

The Bill also amends the *Building Act 1993* and the Architects Act 1991 to allow a specified person or body (for example, the Victorian Building Authority or the Architects Registration Board of Victoria) to reduce, waive or refund a fee in whole or in part in prescribed circumstances.

Transfer of building surveyor functions

The Bill makes minor amendments to the *Building Act 1993* to streamline the process for a relevant building surveyor to transfer their functions to another building surveyor, either permanently or temporarily.

Minor miscellaneous amendments

The Bill makes several minor miscellaneous amendments to boost the clarity and operation of the *Building Act 1993*, including to:

- clarify when the deputy chair of the Building Advisory Board may act as Chair and streamline acting arrangements;
- update the name of a nominating member to the Building Regulations Advisory Committee from the Building Designers Association of Victoria to Design Matters National Limited;
- expressly apply certain provisions of the *Interpretation of Legislation Act 1994* to the Victorian Building Authority's sub-delegation powers;
- update references to clauses of the National Construction Code; and
- clarify that, for the purposes of the *Building Act 1993* and the offence against section 169D(1) of that Act, carrying out work as a building surveyor includes carrying out any functions conferred on a building surveyor or a relevant building surveyor under the that Act or the Building Regulations 2018 or under any other Act or other regulations.

Amendments to the Architects Act 1991

The Bill makes amendments to the Architects Act 1991 to strengthen the effectiveness of the Architects Registration Board of Victoria, which will support this regulator to uphold high standards of professional conduct in the architecture industry.

Annual renewal of registration and approval

The Bill replaces the existing annual fee for registration of an architect with a new annual renewal process for registered architects, approved companies, and approved partnerships. Existing provisions relating to the annual fee are inefficient and have resulted in an excessive administrative burden on the Architects Registration Board of Victoria. The new renewal process will streamline the Board's ability to enforce eligibility and continuing professional development requirements and remove entities that are non-compliant from the Register of Architects.

Instead of continuing in perpetuity, architect registrations and approvals will transition to an annual term based on the financial year. Under this simplified arrangement, a registration or approval will expire if the annual renewal fee is unpaid and a renewal application is not submitted. The Architects Registration Board of Victoria will no longer be required to initiate a suspension or costly disciplinary proceedings in order to deal with unpaid annual fees, allowing the regulator to better allocate its resources.

The new renewal process will incorporate an enhanced focus on the probity of registered architects with a requirement for registered architects to submit a statement that they remain a fit and proper person each year. The statement will ensure that any relevant probity matters are routinely reported to the regulator, ensuring the Architects Registration Board of Victoria is able to protect consumers and uphold the probity of the profession.

The renewal provisions provide fair opportunity to persons or entities that inadvertently fail to pay their renewal fees by the due date to maintain their registration or approval. Late applications will be allowed within a one-month grace period and a further two-month grace period will allow entities whose registration or approval has ceased to, in effect, restore their registration or approval. Additional fees will apply in these circumstances which are intended to serve as a disincentive for late renewal while also recovering the additional costs incurred by the Architects Registration Board of Victoria when following up and administering late renewal applications.

Further related amendments include a provision which clarifies that if a person's registration as an architect has ceased or is suspended, that does not preclude disciplinary proceedings from commencing or continuing in relation to conduct that took place whilst their registration was active.

Fees charged by the Architects Registration Board of Victoria

The Bill makes amendments to the regulation-making powers to prescribe fees for the purposes of the Architects Act 1991 to align with similar powers in the *Building Act 1993* and ensure that the Architects

Registration Board of Victoria can operate effectively on a cost-recovery basis. The Bill also allows regulations to be made providing for the reduction, waiver, or refund of fees, providing greater flexibility to the Board to support registered and approved entities in circumstances such as financial hardship.

Amendments to the *Victorian Planning Authority Act 2017*

The Bill will amend the *Victorian Planning Authority Act 2017* to implement the Independent Broad-based Anti-corruption Commissioner's recommendation to increase the timeframe for commencing prosecution of that Act's summary offences from 12 months to up to 3 years from the date of the alleged offence.

I commend the Bill to the house.

James NEWBURY (Brighton) (10:35): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 26 September.

Criminal Organisations Control Amendment Bill 2024

Second reading

Debate resumed on motion of Anthony Carbines:

That this bill be now read a second time.

Michael O'BRIEN (Malvern) (10:36): In rising to speak on the Criminal Organisations Control Amendment Bill 2024 it reminds me of the old Dolly Parton song *Here You Come Again*, because this is the third time that this government has sought to try and get right an unlawful association set of laws. The government tried in 2015. I quote from the media release from the then Attorney-General Martin Pakula, 'Tougher laws to stop bikie gangs in their tracks'. It sounds very impressive, doesn't it? It says:

Outlaw motorcycle gangs are the target of new consorting laws to be introduced in Parliament this week which will give Victoria Police stronger powers to target criminal networks.

It goes on to say:

These laws will help to ensure that Victoria does not become an attractive target for members of outlaw motorcycle gangs seeking to avoid new laws introduced interstate.

And then a quote from the then Attorney:

These anti-consorting reforms give police the powers they need to disrupt and dismantle criminal gangs.

...

These new laws will ensure our state is well-prepared to deal with the forms of organised crime facing us in 2015. We will find them out, stop them in their tracks and keep Victorians safe.

Oh, the testosterone dripping off those quotes! It is just extraordinary from the then Attorney-General. I am sure he puffed out his chest as he was writing that as well.

So the laws passed the Parliament. Three years passed, and then we got another press release, from the same Attorney-General no less, Mr Pakula, 'Strengthening laws to disrupt criminal gangs', this one dated 24 July 2018. It says:

The Andrews Labor Government is giving police the powers they need ...

There is that phrase again: 'Give police the powers they need'. I thought they did that three years ago. Anyway, it says:

The Andrews Labor Government is giving police the powers they need to disrupt serious and organised crime in Victoria through new laws introduced into Parliament today ...

...

These laws were developed in consultation with Victoria Police, and are designed to help police prevent serious offending by outlaw motorcycle gangs, organised crime families and small numbers of violent young people.

The quote from the Attorney at the time was:

We're strengthening these laws to give police the powers and resources they need to disrupt serious organised crime and keep the community safe.

That was in 2018. The first set of laws were introduced in 2015, then 2018. And then when we get to the Criminal Organisations Control Amendment Bill 2024, which is before the house now, and you refer to the second-reading speech for this bill, it says:

The scheme has not been used since it commenced in 2016.

That is how effective this government has been. This is how effective these laws have been. This is the second-reading speech:

The scheme has not been used since it commenced in 2016.

What an absolute farce. What a farce that this government has had 10 years in office, two goes at trying to get these laws right, and the scheme has not been used one single time. As for the government's claims or hopes, when these laws were first introduced the government claimed, as I said, that:

These laws will help to ensure that Victoria does not become an attractive target for members of outlaw motorcycle gangs seeking to avoid new laws introduced interstate.

Talk about missing the boat. Other states have cracked down on outlaw motorcycle gangs. Victoria has failed to do it. We have become the Switzerland of the country when it comes to being neutral territory where outlaw bikies feel safe to operate. They are safe to operate because they are safe, because we have ineffective laws written by an ineffective government that has failed to do anything for the last nine years. That is why we are where we are today. We have become Disneyland for bikies. That is what Victoria has become under Labor: Disneyland for bikies. And it is Victorians who are paying the price, because they are not just bikies riding around, going to pubs, making themselves feel tough – these are serious drug traffickers, drug peddlers, drug manufacturers. They are organised criminals. It is Victorians – innocent Victorians, ordinary Victorians – who are feeling the pain because of the crime that is being undertaken by these outlaw motorcycle gangs, and this government has sat by and sat on its hands for nine years and put ineffective law after ineffective law after ineffective law through this Parliament and done nothing. We get the same rhetoric: 'We will give the police the powers they need.' Clearly they have not, because the scheme has not been used one time, not once in nine years.

Police say they do not have the numbers they need. Forty-three police stations have closed this year alone, including my station in Malvern. It used to be 24 hours a day; now it is open 8 hours a day. Fortunately the crooks in Malvern, according to the government, only work business hours, so it does not matter. It does not matter if you need someone after hours, according to the government. They have not been giving police the powers they need. They have not been giving police the resources they need. They cannot even keep the cop shops open; 43 of them across Victoria have been shut down overnight across the state. But here we are with another attempt, and we get the same rhetoric: 'We are giving the police the powers they need, blah, blah, blah, blah, blah.' That is all we get from this government. Why should we actually have any confidence that the government is going to get this right this time when they have got it so abysmally wrong the last two times? This government should be embarrassed, embarrassed about the fact that for nine years you have had two sets of laws and they have never been used one single time. So as I said, and as Dolly Parton said, here you come again. We will see if this one works, if this one actually strikes a blow against outlaw motorcycle gangs.

There are five aspects to the bill before the house today. The first is to make changes to the unlawful association scheme in part 5A of the Criminal Organisations Control Act 2012. It also provides for the

Independent Broad-based Anti-corruption Commission to have oversight functions, and I will come to that shortly. The bill seeks to replace the scheme for making declarations and control orders with a scheme for making serious crime prevention orders. The bill seeks to prohibit the public display of the insignia of certain organisations. The bill also seeks to prohibit adult members of certain organisations from entering certain areas at Victorian government worksites.

Let us go through these issues in turn. In terms of unlawful association, I have already discussed how appallingly bad the government's past attempts at having workable UA schemes have been, so this is the government's next go. They are lowering the threshold in terms of committing an unlawful association offence. At the moment there needs to be associating three times within three months or six times within a 12-month period. This bill reduces that threshold to one occasion only. The bill redefines the term 'associate with' to clarify that an accidental meeting or communication will not be an association for the purpose of these provisions. The bill provides for a number of exemptions from the unlawful association scheme. For example, there is an emergency services volunteering exemption, there is a welfare services access exemption and there is an Aboriginal and Torres Strait Islander cultural practices and obligations exemption.

Some of those, I think, do make some sense. We do not want to discourage people from accessing health or welfare services that they need because of the danger they may meet somebody in doing so with whom they are required to not associate. I do not know that the Mongols or the Bandidos are likely to join the CFA or the SES en masse and create their own little branches for the purposes of trying to get around these laws, but the exemptions seem to be drafted in such a way as to avoid them being used or abused because they do not apply where there is an ulterior purpose.

The bill sets out what is an applicable offence and raises the maximum penalty threshold. It used to be an offence punishable by five years if it was an applicable offence. Now it is punishable by at least 10 years imprisonment, so it narrows the scope for the use of these powers. This is an interesting thing about what the government has done in this bill. While it has lowered the threshold for the unlawful association scheme to make it easier, presumably, to pick up people that it wants to pick up and target people that it wants to target, it has also expanded exemptions and it has expanded other aspects, so it is putting the brake and the accelerator on at the same time. That is what the government is doing with this bill in relation to the unlawful association scheme that it is now proposing to bring into place.

Clause 16 removes the requirement that an applicable offence was tried on indictment. That clarifies that if it is an indictable offence tried summarily or a conviction under a guilty plea, that should still enliven the power to be able to issue a notice. I am grateful to the Law Institute of Victoria for their detailed feedback on the bill. They have made a number of comments to me and expressed concern about some of the narrowing of thresholds in the bill, and that was one of them. But in circumstances where somebody has pleaded guilty to an offence, the fact that it has not been tried in the sense of having gone to a contested trial I do not think is a reason why that change in definition should not be supportable.

Clause 31 lowers the threshold for when an unlawful association notice may be issued. It changes from 'reasonably believes' to 'believes on reasonable grounds'. Perhaps it might just assist those reading *Hansard* or those watching to understand how this unlawful association notice scheme is going to work. This is how it will now work. A notice may be issued to an individual who is 18 years old or older if a senior police officer – I just stop at that point to note the senior police officer will now have to be at the rank of inspector or above; previously I think it was senior sergeant – (1) believes on reasonable grounds that the individual has on at least one occasion associated with an eligible offender, (2) is satisfied on reasonable grounds that preventing those individuals from associating with each other is likely to prevent or inhibit the establishment, maintenance or expansion of a criminal group or a criminal network and thereby to prevent or inhibit criminal activity and (3) is satisfied on reasonable grounds that the issue of the notice is appropriate in all the circumstances. That is effectively the test that will apply for a police officer to be able to issue an unlawful association notice. The bill also

reduces the time for which an unlawful association notice remains in effect. It used to be three years; it is now down to two years unless revoked earlier.

We will see if the government has got it right this time. You will understand a little bit of scepticism on my part given the government has had two cracks over the past nine years and utterly failed to come up with a workable set of unlawful association laws. But it is important that we crack down on bikie gangs, it is important that we crack down on organised crime, so I hope the government has got it right this time. I do not wish the government any ill will, because it is in Victoria's interest for the government to get this right. Whether they have or not only time will tell, which is why we do need a proper review of these provisions, and I will come to that in my contribution.

Moving from the unlawful association notice aspect of the bill, the bill also seeks to expand oversight by the Independent Broad-based Anti-corruption Commission of Victoria Police's use of the powers conferred by the bill and by the underlying act. Now, I do not have a problem with expanding the oversight by IBAC, but I am very concerned. When I asked the government what additional resources would be provided to IBAC to enable them to undertake this work, the answer was, 'Well, that'll be dealt with in the normal course of the budget.' Now, we know from the former Commissioner of IBAC Robert Redlich – and I quote him because I do not think anybody has heard anything from the current Commissioner Ms Elliott. She has done a very passable impression of Marcel Marceau as IBAC Commissioner. She has failed to give any press conferences as far as I am aware –

Colin Brooks: On a point of order, Deputy Speaker, I think it is entirely inappropriate for a member of this place to reflect on an officer of the independent corruption commission.

Michael O'BRIEN: On the point of order, Deputy Speaker, where is the standing order? There is nothing sub judice here.

The DEPUTY SPEAKER: There is no point of order.

Michael O'BRIEN: It is nothing I have not said before, Minister. I want to hear from the IBAC Commissioner. The IBAC Commissioner needs to be having a leadership role, including for the public. Corruption does not just flourish in darkness, it also flourishes in silence. We need to hear from the new IBAC Commissioner. So I am quoting the former IBAC Commissioner because the current IBAC Commissioner is not on the record. That is why I have to quote the former IBAC Commissioner. He said –

Colin Brooks interjected.

Michael O'BRIEN: You can say it is outrageous as much as you like, Minister. What is outrageous is the IBAC Commissioner not actually fronting up and telling the public what they are doing. I think that is pretty outrageous.

Members interjecting.

Michael O'BRIEN: I think Operation Watts indicated that the IBAC has a lot more to do with the Labor Party than it has ever had to do with the Liberal Party, Minister.

I am quoting the then IBAC Commissioner Robert Redlich, who said:

The net result ... is that with IBAC's resources, we can investigate approximately 2 per cent of the complaints concerning police matters that come to us, and have to refer back to Victoria Police the balance, which in a given year may be as many as 1400 investigations.

That is quoted in the *Herald Sun* on 30 October 2022. So 98 per cent of the matters referred to IBAC regarding police misconduct cannot be investigated by IBAC because of the resources that this government refuses to provide IBAC. If only 2 per cent of complaints relating to police misconduct can be investigated, it is not a very satisfactory system.

This government is now loading more obligations onto IBAC without any guarantee that there will be the resources there to help them follow through to meet those new obligations it is imposing on IBAC. This just goes to a long process of this government cutting IBAC's powers and cutting IBAC's funding, keeping it on a short leash. That is what this government has done with IBAC. They have reduced the powers, they have reduced the funding and they have kept it on a short leash. They have raised the threshold to make it harder for IBAC to have public examinations – and why would that be, I wonder? How many times was the former premier Mr Andrews quizzed by IBAC? It was all done in private of course, because this government changed the rules, changed the laws, to make it harder for IBAC to have public examinations. So I am very concerned that this government in this bill is simply loading more and more obligations onto IBAC without any guarantee of the resources necessary to enable IBAC to discharge those new responsibilities. If the government wants to give commitments in this place on what it is going to do to make sure that IBAC is getting those resources that it needs, then I would welcome hearing them, and I suspect IBAC would as well.

Part 3 of the bill replaces declarations and control orders with serious crime prevention orders. Under this change the Chief Commissioner of Police may apply to the County Court – previously it was the Supreme Court – for a serious crime prevention order, an SCPO. This must be in writing and must state the identity of the individual and the grounds on which the order is sought. The person proposed to be subject to the order must be notified of it and will therefore have the opportunity to be heard before any order is determined. That is, I think, very important. Given the extraordinary breadth and expanse of the conditions that can be imposed through an SCPO, I think it would be absolutely unjust for an SCPO to be determined in the absence of hearing from the person to whom it is proposed to be applied. I think the provisions there to require that notice be given to the proposed subject of the order so they have an opportunity to be heard either, obviously, through themselves or through counsel is appropriate.

There is a civil test to making of an SCPO – it is the balance of probabilities. It is not necessarily the same sort of safeguard that you would get if it was regarded as a criminal matter. This is one of these interesting legal intersections where it is dealing with potential criminal matters. I mean, the hint is in the name: serious crime prevention order. Generally criminal matters in our legal system are dealt with on the legal standard of beyond reasonable doubt, but in relation to these orders the test is on the balance of probabilities. It is very interesting that notwithstanding it is dealing with criminal matters, it is actually using a lower threshold to be able to obtain them.

An SCPO can last for up to five years and can be renewed, but renewal must be made before the previous order ceases to have effect. The Chief Commissioner of Police can apply to the courts to have an order varied or revoked, but the person subject to them can only apply to have the order varied or revoked either with the consent of the Chief Commissioner of Police, which I imagine would not be happening all that often, or with the leave of the court. In order for the court to give leave, the court must be satisfied there has been a substantial change in circumstances. They are quite onerous provisions in many ways. The deck is stacked, to some extent, against the applicant, because they do not get the same liberty to apply to the court to have an order reviewed or varied as does the Chief Commissioner of Police.

What is interesting is the types of conditions that may be imposed under a serious crime prevention order. They are very broad, and they are very sweeping. They are far more in many ways, I would say, than the sort of bail conditions you might get. Bail matters come up when somebody has been charged with a crime. An SCPO can apply in circumstances where nobody has been charged with a crime, yet the conditions that can be applied to them go far beyond what a court could do in relation to bail. Examples of the types of conditions that may be imposed under a serious crime prevention order include prohibiting the respondent from associating with a specified individual or individuals of specified class, prohibiting the respondent leaving Victoria or Australia, prohibiting the respondent from entering a specified place, prohibiting the respondent from possessing or using firearms or other weapons, prohibiting the respondent from possessing more than a specified amount of cash,

prohibiting the respondent from using specified telecommunications devices, prohibiting the respondent from engaging in specified business activities, prohibiting the respondent from using an alias, and requiring the respondent to notify Victoria Police before or after doing a specified thing. These are extraordinarily broad conditions that a court is empowered under this bill to impose on somebody subject to a serious crime prevention order, and there are very significant penalties for breaching those conditions.

It is an indictable offence for an individual who knows or is reckless to the fact that they are subject to order and who breaches a condition of the order. The penalty is 600 penalty units or imprisonment for five years or both, so there are very significant penalties involved with these orders. While I note that it is a matter for police to apply for such an order and it is a matter for a court to decide whether or not an order is appropriate and what conditions might be appropriate, this is certainly a very significant change to the way in which these orders operate, and there does need to be I think appropriate oversight to make sure that these sorts of orders are not abused, because they are extraordinarily intrusive.

Do we object to these powers in the context of tackling organised crime? No, we do not, but with any exceptional powers there must be accountability for them, there must be responsibility for them. We are dealing with a bill in the other place about what happens when Victoria Police abuses its powers, when Victoria Police gets it wrong, as it badly did with Lawyer X. Using criminal lawyers to inform on, to rat on, their own clients was always going to end in tears and was always something which was completely wrong, unethical and illegal, as the High Court said.

I have massive respect for Victoria Police, and I particularly want to place on record while I have the opportunity my thanks to those Victoria Police men and women on the front line yesterday. What they had to put up with no police officer, nobody, should have to put up with. The sort of outrageous attacks by the absolute thugs who were disgracing themselves and this city yesterday at the Land Forces protests was beyond belief. I would just like to thank Victoria Police members for their bravery in doing what they did to try and keep this city safe and to allow people to go about their lawful business. Having said that, we do need checks and balances on any police powers because that is appropriate. Because this is subject to judicial oversight through the court, I think that is where we will see some sunshine coming in, and that will provide an opportunity for those powers to be appropriately regulated.

Moving to the next part of the bill, part 4, 'Insignia of certain organisations', there is a new term, 'part 5B organisation', which means an organisation prescribed under regulations. It is interesting that the government is not putting these organisations in the statute. It wants to reserve to itself the flexibility to name certain organisations via regulation, and I understand that. There is one type of insignia, though, which is in the bill, which is I think to become an act, which is the mark '1%' or '1%er'. This is quite well known as being an insignia that has been adopted by outlaw motorcycle groups. They regard themselves as being outside the law, unlike 99 per cent of the public; that is why they use the terms '1%' and '1%er'. That term is in the bill as effectively a prohibited mark or a mark which is regarded as the insignia of certain prescribed organisations.

Clause 93 inserts a new section into the act which creates the offence of publicly displaying the insignia of a part 5B organisation. This is largely modelled on the work that was done by this Parliament in terms of legislation to ban the public display of the Nazi swastika. This is something which I was very pleased was done on a bipartisan basis and something which the member for Caulfield and I many years ago proposed. We are very pleased that the government took it up at the time and that on a bipartisan basis we were able to get that legislation through the Parliament, because there is no place for Nazis in Victoria and this should not be a state where people of that ilk feel comfortable displaying their symbols and seeking to recruit or otherwise. The same approach is being applied in relation to outlaw motorcycle gangs. The government has not stated explicitly that it is outlaw motorcycle gangs that will be these part 5B organisations, although that is certainly the intent from all understanding.

The government also, through part 5C, seeks to exclude certain organisations from Victorian government worksites. They will not necessarily be the part 5B organisations, they will be part 5C organisations. There may be a difference between the part 5B and the part 5C organisations, but I would certainly imagine that both of them are likely to include our well-known motorcycle gangs.

What does concern me to some extent is that the government has not done enough with the review provisions, given its failures in the past, so under standing orders I wish to advise the house of amendments to this bill and request that they be circulated.

Amendments circulated under standing orders.

Michael O'BRIEN: The amendments are very simple. They just clarify that after three years of operation of these new provisions there shall be a review and that that review should be completed within six months. Given the history of this government's failures with two previous attempts to get unlawful association amendments right, we need to have a proper review. The bill does provide for a review, but the way it is drafted, it could be up to five years, and that is way too long.

As I said, Victoria has become Disneyland for bikies. We have become the Switzerland of the south for outlaw motorcycle gangs because this government failed in 2015 and then failed in 2018 to get the law right. I do wish the government well. This is a job that is too important to fail, so we will not be opposing the bill, but we hope the government has got it right this time.

Nina TAYLOR (Albert Park) (11:06): We know that the scourge of serious and organised crime has a significant and detrimental impact on community safety in Victoria. And why have I led with that statement? Because it shows the absolute imperative for the reforms that are being brought through with this particular legislation today, and when you look at the actual dollar figure, according to the Australian Institute of Criminology serious and organised crime costs Australians up to \$60 billion each year. That is \$60 billion that could be going to better the lives of the Australian community instead of, as has been discussed in the chamber, trafficking drugs and firearms and the other very drastic and dangerous activities that can be associated with such activity.

I do just want to pick on one point about IBAC's funding before I go into the rest of the various elements of the bill. IBAC's base funding this year is \$63.6 million, an increase of \$1.4 million from last year's budget. This increase is the latest of 10 sequential increases that we have made to IBAC's budget every single year since we came into government in 2014. If we look back to IBAC's budget in 2014–15, they received a total of \$31.5 million back then, so this year's outcome means they have more than double the funding they did back then. Furthermore, in the 2022–23 budget, informed by a base review of IBAC's operations, the government provided IBAC with \$32.1 million in funding over four years and \$8.6 million ongoing to provide it with sustainable base funding into the future. As a result, IBAC is fully funded to carry out its functions, and I think that is relevant because of course IBAC is providing some of the protections that are necessary to be supported with the reforms coming through with this bill. The other thing I will just say as an aside is that I think inherently when you break down the wording of IBAC, 'independent' is in that, and also the IBAC Commissioner is an independent officer of the Parliament. As such we should allow the IBAC Commissioner to do their role independently – just a passing comment.

If we look at how the bill operates, the bill will amend the Criminal Organisations Control Act 2012, and I am just going to go into an overview of the key elements, to (1) strengthen the existing unlawful association powers in part 5A of the act and, importantly, as has been noted, provide for oversight of the scheme by IBAC; (2) provide a new scheme for the making of serious crime prevention orders in Victoria, enabling the court to impose conditions restricting the activities of a person subject to the order in place of the existing declaration and control order scheme; (3) prohibit the public display of designated insignia or gang colours in Victoria – I should say that there are a number of caveats that have already been in some part referred to as well, importantly and validly – and (4) create a new offence prohibiting members of declared organised crime groups from entering government worksites.

First of all, I would like to proceed to the strengthening of the existing unlawful association scheme. Government has heard directly from Victoria Police that the existing unlawful association scheme is operationally unworkable in its current form, so to ensure that Victoria Police has the tools it needs to tackle the scourge of serious and organised crime, the bill proposes to reduce the threshold for issuing a notice. Currently a senior sergeant or above can issue a notice if the officer reasonably believes that prohibiting the association is likely to prevent the commission of an offence. This is an incredibly high threshold. The reform lowers this threshold such that the officer now must be reasonably satisfied that issuing the notice is likely to prevent or inhibit the establishment, maintenance or expansion of a criminal group or a criminal network and is appropriate in all the circumstances.

Further, the threshold for contravening an unlawful association notice has also been reduced. Currently a recipient of a notice commits an offence if they associate with a person named – and I will say this has been referred to, but just for clarity – in a notice on three or more occasions in a three-month period or on six or more occasions in a 12-month period and, as has been noted, the bill reduces this to one occasion of association which may constitute an offence. Importantly of course exceptions will apply. Associations, for instance, with family members are not prohibited by the scheme. Nor will a person be accused of contravening an order (1) during the provision of welfare services, (2) in the course of emergency services volunteering or in the course of an Aboriginal person or Torres Strait Islander engaging in or performing a cultural practice or obligation. We can see that those exceptions have a sound purpose and therefore are appropriate under the circumstances. Additionally, those under 18 will not be subject to the scheme, nor to any of the reforms, given we have other more appropriate vehicles and avenues to address youth offending. These reforms seek to address serious and organised crime.

The bill also creates, as I referred to at the outset, an oversight role for IBAC, who will monitor and report on the operation of the scheme to ensure it is being used appropriately. I did refer to the appropriate resourcing of IBAC and the necessity to allow the independent officer of the Parliament – that is, the IBAC Commissioner – to do their job. I do not think it is really appropriate to be slagging them off in Parliament. I think that is rather inappropriate and unprofessional, but I am just saying –

Members interjecting.

Nina TAYLOR: I am just saying, just putting it out there, that I think keeping that distance, that independence, is a good idea. Secondly, introducing –

A member interjected.

Nina TAYLOR: Well, you know, that's right.

The ACTING SPEAKER (Paul Hamer): Member for Albert Park, through the Chair.

Nina TAYLOR: Sorry, it was getting a bit rowdy there. Introducing a new serious crime prevention order is another element of this bill. The bill will introduce a new serious crime prevention order scheme to be overseen by the courts. An SCPO is a court order that prevents and inhibits the involvement of individuals in serious criminal activity. It does so by restricting activities of adults involved at the most serious end of organised crime, so under these circumstances in no way are we resiling from the serious nature of the offences that have led to these important reforms to curtail future involvement in serious criminal activity. The SCPO scheme will allow the Chief Commissioner of Police to apply to a court to impose a broad range of conditions on someone who has participated in serious criminal activity or is likely to help another person who is engaging in serious criminal behaviour.

Fundamentally the SCPO scheme has been designed to restrict the activities of organised crime group leaders. An SCPO might include prohibiting that person from, for instance, leaving Victoria or possessing firearms or certain amounts of cash. Before making the order the court must be satisfied that an individual is an eligible offender for the purposes of the bill who has been involved in serious

criminal activity, and it is important to emphasise those elements because obviously there have to be appropriate elements met before you impose restrictions on a person's liberty. The court must also be satisfied that there are reasonable grounds to believe that compliance with conditions imposed by an order would protect the public by preventing or inhibiting an individual's involvement in serious criminal activity and that imposing conditions is otherwise appropriate in all the circumstances.

The court must specify the period during which the order will remain in effect up to a maximum of five years. An order may be revoked, varied or renewed. Contravening a condition of the SCPO is an indictable offence punishable by a fine of up to 600 penalty units. Currently it is, to be precise, \$118,554, imprisonment of five years or both. A person contravenes a condition imposed under an order if the person knows an order they are subject to is in effect or is reckless to that fact and acts inconsistently with the condition imposed.

Importantly, the bill provides for mutual recognition and enforcement of corresponding orders made under similar schemes in other Australian jurisdictions, because we know organised crime is not necessarily isolated to one state or another and of course there can be criminal activity that is crossing borders et cetera. The court can register a corresponding interstate order on application by Victoria Police with any variations, enabling it to have effect in Victoria. This will prevent a person to whom an interstate order applies from moving to Victoria and avoiding restrictions they would otherwise be subjected to. On that note, in the 4 seconds available, I commend the bill to the house.

Martin CAMERON (Morwell) (11:16): I am pleased to rise on the Criminal Organisations Control Amendment Bill 2024, and I do thank the member for Malvern, who is sitting at the table, for his lead and in-depth look at the amendments through this bill. The amendments to the Criminal Organisations Control Act 2012 are to make changes to the unlawful association scheme in part 5A of the act and provide for the Independent Broad-based Anti-corruption Commission to have oversight functions in relation to the unlawful association scheme – we are talking about infiltration of bikie gangs and so forth into our workforces – and to replace the scheme for making declarations and controls with a scheme for making serious crime prevention orders. So the amendments here are trying to stamp out the most serious crime that we have actually heard about a lot in the last three to four weeks.

The bill prohibits the public display of an insignia of certain organisations and prohibits adult members of certain organisations from entering certain areas at Victorian government worksites. As I said before, the issues have been highlighted in all media and also highlighted here in the chamber that we have had on the Big Build sites throughout metropolitan Melbourne. I think that we would be kidding ourselves if we did not think it has filtered out through the state and into other areas around regional Victoria – not at the same levels, but I am sure those tentacles are out there and are reaching into our local areas of work. We need to make sure that we are doing all that we can to make sure that there is a list of rules that we do need to follow and, when these are breached, there are avenues for our workers to be able to take and make sure that they have a process they can follow.

I note that in 2012 the then coalition government introduced the Criminal Organisations Control Act 2012 in a bid to better tackle organised crime in Victoria. This act has been amended a number of times since then, including in 2015 by the Labor government to include the unlawful association scheme, with further amendments to these provisions made in 2018. The second-reading speech for the Criminal Organisations Control Amendment Bill 2024 does concede that the scheme has not been used since this was commenced in 2016. So either there has been no activity that has needed to be done or, I think more to the point, it is not as wide reaching as it could be. It is great that we can make amendments to make sure that the bill that we do put in place has its purpose and its role to play when we need to invoke it to make sure that (1) our worksites are kept safe and (2) we are keeping organised gangs and criminals out of our workforce, especially on our Big Build and other associated projects around the state.

There have been many media articles over the years highlighting the deficiency in Labor's law and their failure to provide police with any practicable means to tackle unlawful associations within criminal organisations, notably the outlaw motorcycle gangs. We do not have to look too far back; it has been going on for a very, very long time. But as I said, it has been really highlighted within the last month just how deep and how organised these gangs are to be able to infiltrate our workforce. They do rip a lot of money out, at the end of the day, of our big builds. We need to make sure that when we discover these particular things going on we can activate these laws to make sure that we can stamp them out, and that is what this is all about.

Reviews of the previous amendments, not released by the government, were reported to call for significant changes to make the laws useful. It is one thing to have laws, but it is another thing to have laws that we can actually use and that are able to make a difference to our worksites across the state. These are significant changes that we need to make to stamp out the corruption that does go on. We need to make sure that we can pass them through here and get them into place as quickly as we can. But at the end of the day we need to make sure that the police or IBAC are able to go in there and do their job and have all the levers that they need to be able to pull to stamp out this corruption and this rotting of the system.

We see an uptick of crime not only on our job sites but right around Victoria and especially in regional Victoria. Down in the Latrobe Valley we are not immune to it. We have had our fair share of tobacco shops that have been targeted. A lot of that has been put down to the bikie gangs coming down and having their part in the burning down and the thuggery that goes on and the standover tactics. It does go on right around regional Victoria. We need to make sure that in this bill we are not only catering for the job sites but also catering for all the stuff that does go around in regional Victoria, one being the standover tactics that these particular individuals or these particular gangs love to use to try and make sure that things go their way. We do have that.

Unfortunately our crime rate on the streets is also going up. You have only got to walk down the street in any town in any suburb of Melbourne or in any city around regional Victoria to see the behaviour of not only our youth but also other participants in our community that do the wrong thing. It actually seems that the police do not have the levers to pull to make the arrests – or they do, but on the flip side these particular individuals go through the court system and are back out on the street. The youth crime is an uptick right across Victoria, and we are no less sheltered from it down in regional Victoria in the Latrobe Valley. It does not matter what town you are in in the Latrobe Valley, whether it be Moe, whether it be Morwell, whether it be Traralgon, Churchill or Glengarry; they do not care where they are or what they do. When there are easy targets – people leaving their roller doors up at their house – these young offenders are walking in on mothers or fathers with young families, or it might be elderly, aged parents that have forgotten to make sure they have locked their house up. They walk in, they grab the keys and the next thing is that their cars are stolen or the motorbike is out of the shed. It is even down to stealing kids' pushbikes and so forth.

Right across the board it is an issue. I know in my local community our shopping centres are a hub – the buses pull up outside the shopping centres and it is just a hive of activity for both young and old people to be antisocial in some aspects, which we do not like and do not want across any of our municipalities in Victoria, but there needs to be a level of us pushing back to make sure our streets are safe. At the end of the day we would like to be able to walk down the street and not have to engage with thugs that are wandering around, running rampant through our shopping centres. With this bill we are strengthening the laws around the Big Build by allowing IBAC to have further presence there, but having the right presence – being able to pull levers that they need to make sure they can stamp out the bikie gangs. I thank the member for Malvern, and I support the sensible amendments he has put up so we can make sure that the checks and balances are being done and keep Victoria safe.

Iwan WALTERS (Greenvale) (11:26): I also rise to speak on the Criminal Organisations Control Amendment Bill 2024. In commencing my remarks, I have been listening to the duration of the debate and heard the member for Malvern's opening salvo, in which he had a few rhetorical flourishes, one

of which was to suggest that Victoria is the Switzerland of the south. To the extent that that can only be interpreted as an allusion to money laundering and those related issues, if that is the case, that is solely and exclusively as a consequence of the federal Liberal government's abject failure to progress anti-money-laundering reforms through its nine dismal years of government. Who, I hear you asking, was the Assistant Treasurer who should have been doing his job and who failed to do so? It was the member the Deakin. If indeed Australia is the Switzerland of the south, let us look no further than your party colleague the member for Deakin and salute him for his failure to do anything regarding anti-money laundering legislation for nine long years. Come in, spinner.

Michael O'Brien: On a point of order, Acting Speaker, I simply ask the member to direct his comments through the Chair.

The ACTING SPEAKER (Paul Hamer): The member for Greenvale to continue through the Chair.

Iwan WALTERS: But these things matter because failure to progress things like anti-money-laundering legislation led the Financial Action Task Force to come very close to listing Australia as a member of the grey list, which would have placed us alongside the financial paragons of Haiti, Yemen, Syria, Venezuela and so many others of their ilk, which is why it is important that our federal colleagues are at the moment pushing through – or may have just enacted – substantive reforms to end those rivers of illegal dodgy cash that were flowing into Australia's casinos, residential property, commercial property and agricultural property that were so well exposed by members of the press through investigative journalism and then exposed by Senator Deb O'Neill and others in the opposition in the Senate through the most recent terms of opposition that Labor had in Canberra. That is how these were exposed, not because of any consequence of the inaction of the federal Liberal government between 2013 and 2022.

Turning to the substantive parts of this bill, however, it is of course part of the government's broader work to acquit our commitment to tackle organised crime, which was set out before my time in this place through the *Community Safety Statement 2018–19*. The member for Albert Park talked extensively about how the bill also complements earlier work by the government relating to recently passed legislation, including the Confiscation Amendment (Unexplained Wealth) Bill 2024, which strengthened Victoria's unexplained wealth scheme, and the Major Crime and Community Safety Legislation Amendment Bill 2022.

This bill is important because it addresses the serious and deleterious impact of organised crime in Victoria. Across the country the most recent estimates that I have to hand from 2020–21 indicate that serious and organised crime cost the country more broadly \$60.1 billion, including direct and consequential costs arising from organised crime activity and costs associated with prevention. I think more broadly than that there is a profoundly corrosive effect on institutions, on community cohesion and on social capital that stems from the activities that constitute serious and organised crime, and it results in the breakdown of trust in those institutions. We see that in other parts of the world where judiciaries and faith in institutions have become compromised as a consequence of their capture by organised crime – in certain Latin American countries, for example, which are alleged to have become narcostates as a consequence of the failure of institutions to withstand the consequences of serious and organised crime.

I do think it is incumbent on parliamentarians in this place, including the member for Malvern, to think very carefully before impugning the reputations of independent law enforcement officers like the independent commissioner at IBAC. I will not delve any further into those comments, but I think it is important that we are mindful of the contributions we make in this place and the trust that Victorians have in the Independent Broad-based Anti-corruption Commission as well as other arms of the judiciary.

This bill will operate by strengthening the existing unlawful association powers in part 5A of the act, provide oversight for the scheme by IBAC, as I just suggested, and make a range of other reforms and

measures that the member for Albert Park has already set out, so will not retread those. These reforms are needed because the impact of serious and organised crime and of bikie activity is real. It is not abstract. There is real harm in communities that I represent and that members around this place represent. The member for Berwick has talked extensively, as indeed have other members, about the cost of attacks on tobacconists and small businesses. That is the same in my electorate as it is in others. This bill seeks to disrupt that activity, disrupt the serious and organised crime in Victoria that is underpinning those attacks, by both strengthening existing criminal organisation laws and preventing the involvement of criminal groups in public construction.

We know that the scourge of serious and organised crime has a serious and detrimental impact on community safety in Victoria. I have alluded to some of those financial costs but also the broader social costs. For bringing this bill to this place I do thank the minister and the Attorney-General and their teams, who have considered and weighed very carefully the balance that needs to be struck in ensuring community safety, which I think is the paramount objective of a state government or any government indeed, while also ensuring that measures do not unduly trespass upon the freedoms of association and the liberties that are a cornerstone of a liberal democracy.

In a sense that calibration of individual freedoms and community safety is somewhat analogous to the response to the atrocities that occurred 23 years ago yesterday in Washington DC and New York City. I do not in any way equate those actions with those of serious and organised crime in Victoria, but to an extent the response to those terrorist atrocities represented in a sense a fundamental competition of rights with which governments of all stripes perpetually grapple to on the one hand ensure that there are serious deterrents and serious consequences for those who sought to undermine the fabric of our community, the freedoms of our community, the things that make democracy special, the things that I think by our very nature of seeking election to this place we believe in, while at the same time ensuring the community is protected.

As I touched upon in my matter of public importance contribution yesterday, democracies are in a sense inherently vulnerable because of the freedoms that are innate to them, whether that is authoritarian parties seeking to use the ballot box as a means to power and totalitarianism or whether it is criminal organisations seeking to weaponise the freedoms that we believe in to protect themselves at the expense of the broader community. To a certain extent we saw that yesterday on the streets of Victoria as well and in the absurd commentary from the member for Richmond seeking to cloak herself in the veil of freedom while simultaneously slamming others for seeking to uphold the right and to protect the community.

The United Nations University World Institute for Development Economics Research has provided extensive literature that emphasises the threat to security stemming from organised crime and its effect in hindering democratic processes as well as undermining social capital, which matters because social capital shapes key governance outcomes and the delivery of public goods. It is an important dimension of what makes our community special. So if people are intimidated by the actions of outlaw motorcycle groups and those who seek to sport particular insignia, to intimidate, to harass, to stop others from living free and thriving lives and to stop businesses operating legitimately, that has a corrosive impact upon all of us. It adds to the costs of doing business and it adds to the costs for Victorians who are seeking to purchase something or to build something. These deleterious costs are not invisible, they are felt by every Victorian. That is why it is so important that the government has brought this bill to the house to strike a very considered and careful balance between ensuring community safety and upholding the confidence of Victorians in institutions and in the economic framework that is critical to the distribution of services and resources, while at the same time ensuring that the community is safe and ensuring that those who seek to exploit our freedoms cannot do so in an untrammelled way.

It is important because it is felt by all of us, and the institutions of our democracy are imperative to ensuring the continued success of our entire jurisdiction. So I commend the bill to the house. I thank

those for their contributions today, and I think it is a very important bill that strikes that balance between community safety and our freedoms.

Brad BATTIN (Berwick) (11:36): I rise to speak on the Criminal Organisations Control Amendment Bill 2024. Obviously with this bill we will be referring back a lot to Victoria Police. I just want to put on record again today my support for the work Victoria Police are doing right now protecting Victorians and protecting people's right of path to go to legitimate organisations and to go about their duties as well and also for those members who I know are on the front line as we speak. Yesterday we saw some of the behaviour that was terrible, which we do not like to see at any time here in Victoria. But those members go out there knowing that they are going to be putting themselves in danger. It was not something that was new; everyone expected it. But I think that from what I have seen, the planning from the police management all the way through was exceptional for yesterday, and hopefully it will continue through to the next few days. We wish them a safe few days for it.

Today I am speaking on a piece of legislation that I know the member for Malvern has gone into a lot of detail about, and the reason we can go into a lot of detail about it is because this is the third tranche of the same attempt by this government to make changes here in Victoria. It goes back to 31 August 2015, which I will refer to in a minute. One of the things I think is one of the biggest concerns we have seen since 2015 up until today is that when this was introduced it was to stop bikie gangs in their tracks. We were going to effectively make Victoria a place where bikie gangs cannot reside, cannot operate, cannot deal drugs, cannot be involved in crimes et cetera. So the whole goal was around removing the rights of a lot of these bikie clubs down here. We know it failed, and if you want a really good example of how we can see this legislation has failed, not only are they trying to sell drugs in Victoria or commit crimes or get involved in corruption, they now effectively run the building sites for the Victorian government. You have now got these bikie gangs that they were originally trying to ban on 31 August 2015 who are effectively in control of the unions and the union sites here across our state, including the Big Build projects that this government is operating.

I find it interesting when we hear members from the other side get up and continue to say, 'We're tough on this and we're going to be stopping this.' They have effectively been in government since 1999 and overseen this change where the bikies have taken over all of this. I note they laugh, but they laugh because of the fact that they know people like their best friend John Setka, working with people like Mick Gatto, effectively run our sites here in Victoria. They effectively run the building sites. The reason people out in communities cannot afford a home is because these organisations have effectively taken over. They have put so much pressure with corruption here in our state that that corruption itself is actually causing some of the biggest cost blowouts here in our state. So if we go back to when the former Attorney-General originally tried to introduce this, he specifically said:

Outlaw motorcycle gangs are the target –

Dylan Wight interjected.

The ACTING SPEAKER (Paul Hamer): Is there a point of order?

Brad BATTIN: No, I am just – if you would like to keep going –

Dylan Wight interjected.

Brad BATTIN: It is funny. When it is the Liberals, you are more than happy to call us out. I would like to go on that side if you would like?

The ACTING SPEAKER (Paul Hamer): It is not an opportunity to make a reflection on the Chair. If the member wants to –

Brad BATTIN: I would not need to if you had called out the member on the other side for his interjections. Anyway, outlaw motorcycle gangs –

Colin Brooks: On a point of order, Acting Speaker, it is inappropriate for a member of this place to reflect on Chairs, including Acting Chairs, and you have warned the member about doing that. He did it again. If he does it again, Acting Speaker, I would submit to you that you should invite the Speaker to come and take the chair and deal with the member who is on his feet.

Brad BATTIN: On the point of order, Acting Speaker – thank you very much, Minister – it is totally inappropriate for anyone on the other side to interject and for the Chair to fail to actually call them out for that. Those are the rules of the house, and if you would like to bring the Speaker in for that, I am more than happy to have that as the result.

The ACTING SPEAKER (Paul Hamer): I would ask again that the member – and any member on their feet – not make reflections on the Chair, whether that is the Speaker or any Acting Speaker, and I ask all members to show decorum and respect the member who is on their feet at the time.

Brad BATTIN: I refer to ‘Tougher laws to stop bikie gangs in their tracks’ before they got onto the building sites here in Victoria from Monday 31 August 2015:

Outlaw motorcycle gangs are the target of new consorting laws to be introduced in Parliament this week which will give Victoria Police stronger powers to target criminal networks.

Since that date in 2015, nearly 10 years ago, all we have seen is an increase in the number of bikie gangs here in this state. All we have seen is a continuous increase of the influence they have on projects that the state government are trying to deliver across Victoria, and the one thing that comes to mind is that over that period of time it is not like all of Australia has been having this issue; it tends to be an issue that happens here in Victoria. Other governments have gone through processes to bring in legislation to ban bikies of all persuasions. We had the Labor Party up in Queensland, who went through this process and successfully, effectively, ruled out bikie gangs as being able to stay within the state of Queensland. So where did they go? They came down to a state where they knew the laws were weaker, where they could get away with it.

At the time we were told these laws would ensure that Victoria did not become an attractive target for members of outlaw motorcycle gangs seeking to avoid new laws introduced interstate, whereas we did actually see that the outcome of that was we did become an attractive place for the bikie gangs to relocate to. Victoria became the home for many of these bikie gangs for their management, so they could come down here and operate, and now we are seeing the outcome of having so many of these organised crime gangs here in Victoria, which is that they are not only on the building sites; we are continuing to see the issue now with the tobacco wars. In the tobacco wars we have seen nearly 100 places being burnt, firebombed, by people in organised crime because they know that is where the money is and they have got a government that has effectively let them get away with it for so long.

What we need to do is ensure that any law that comes into this place is going to be delivered, and if it is not, it should not be taking 10 years before we make changes to ensure that we can stop this kind of behaviour here in our state. All of these crimes that come in with organised crime groups continuously put Victoria Police at risk. When police members are getting called out to firebombings because of organised crime gangs, it is putting them at risk. It puts our firefighters at risk. It puts the communities at risk, because these people do not care about the consequences of their actions.

It is not just in metropolitan Melbourne. It is Bendigo, it is Ballarat, it is all over the state where we are seeing these firebombings happening and organised crime – many times working with young people and offering them money as well – putting cars and petrol bombs inside these stores. And it is not just impacting the store that is hit, it is impacting the stores around it. It impacts on the local community. I was up in Bendigo and saw one of the stores that was done. I went down the next day. What it meant was not just theirs but a strip of shops along there had to remain closed. They stayed closed for about two days during that investigation. And the police have to go through the process there to try and ensure that they can identify these people and get them off the streets. But it means those businesses are impacted. Those lives are impacted. We all know that small businesses are

generally the centre of a lot of our communities – they are sponsors or supporters of our local sports clubs, they maintain the community cohesion and they also obviously have a lot of employment within our local communities, which is just so important – so when these businesses are shut the impact is terrible.

These laws should be in place to ensure that that does not happen again. As the member for Malvern said also, these laws are an attempt at again ‘Strengthening laws to disrupt criminal gangs’, as stated on Tuesday 24 July 2018, when it was stated:

The Andrews Labor Government is giving police the powers they need to disrupt serious and organised crime in Victoria through new laws introduced into Parliament today ...

Effectively that was a rewrite of the original release in 2015, and now there is a new release in 2024. What we have seen is a government that continues to put media releases out, but the action does not follow because the legislation is not tight enough, does not have the restrictions it needs and does not deliver what it is supposed to. This is one of the biggest concerns.

I note the government continuously say they work with Victoria Police on this. Victoria Police originally were very, very supportive of the laws that were up in Queensland, because they knew they worked, they knew they could be implemented here and they knew the outcomes would have seen what they saw in Queensland with those changes. But this government decided to go down a different path, and the outcome of that is Victorians are less safe because of organised crime here in our state. We are the only state that is going through an issue with firebombings on such a large scale. We are the only state that had bikies effectively running the union that the government has had to take over, the CFMEU, which was running our building sites here in Victoria, particularly government sites.

The opposition is not opposed to the bill. We have got an amendment from the member for Malvern, and obviously I will be supporting that amendment. We look forward to hopefully that amendment getting up, and then we will see where it goes from there, but we cannot trust Labor when it comes to organised crime here in Victoria.

Steve McGHIE (Melton) (11:46): I rise to contribute to the great debate on the Criminal Organisations Control Amendment Bill 2024. I am sure the member for Sunbury would have given as great a contribution, but we will give it a crack. Clearly this is very important. It is recognising around the clock the great work of Victoria Police and what they do in risking their lives every single day to protect Victorians. Targeting criminal organisations is only one part of their job, but they do a fantastic job keeping us all safe. We can make it easier for them to prevent crime and target organised criminal involvement through the amendments being discussed today, and I am pleased that the opposition are supportive of this bill.

I just want to commend VicPol. I know members before me in their contributions have raised what happened yesterday down at the convention centre and the ridiculous protest. Everyone has a right to peaceful protest, but that yesterday was nowhere near a peaceful protest. Clearly it was organised to create havoc down there and target the police. I commend the police for their actions. It was a ridiculous protest. It did not serve the purpose of what the protestors were trying to do. People have a right to continue a peaceful protest, but not actions like they did yesterday. I send all the police members our best wishes, and for the ones that were injured yesterday, I hope they have a quick recovery.

This bill, through these amendments, will ultimately make Victoria safer and strengthen Victoria’s response to organised crime by amending the unlawful association provisions and introducing the serious crime prevention orders alongside the banning of the public display of designated insignia. This bill will target organised crime and criminal involvement on Victorian worksites. The amendments that are being discussed in this debate will modify the existing unlawful association powers of the Criminal Organisations Control Act 2012. The bill provides for an oversight of the scheme by IBAC and for a new mechanism for making serious crime prevention orders. It prevents

the public display of designated insignia, and it will create a new offence outlawing declared groups from entering government worksites.

The bill aims to prevent and disrupt serious and organised crime in Victoria, and I am sure all of us here and our communities out there in our electorates want that to occur. We recognise that all people have a right to feel safe in their workplaces and to go about their days without the fear that these organised crime groups instil with their intimidation and harassment of community members and business owners. Some may argue that these amendments are too broad, but legislation needs to be adaptable and have the ability to evolve over time to be most effective and fit for purpose, and these modifications will also enable effective independent safeguards to be held by IBAC in their oversight of the scheme.

The Allan Labor government is dedicated to preventing and disrupting serious and organised crime in Victoria by implementing a series of reforms aimed at enhancing the state's response to organised crime. These reforms are a part of the *Community Safety Statement 2018–19*, and this bill will complement other legislation recently passed, which has expanded powers around cybercrime, cryptocurrency seizures and electronic and specialist search powers.

We understand that legislation needs to adapt and react to changes in the criminal environment to keep Victorians safe. We all know that organised criminals are always looking for different avenues to operate, control, intimidate, harass and harm, so as we introduce laws, organised criminals are evolving and looking at different pathways to commit their crimes. Serious crime organisations are becoming increasingly sophisticated in regard to how they act and the tactics that they use in targeting Victorians – vulnerable Victorians and vulnerable businesses – and that is why we need to recognise the changes and evolve our legislation to combat the avenues that organised crime play with.

It has been raised before – I think the member for Greenvale raised it – the cost of organised crime right across our country. It is just over \$60 billion across the country on an annual basis, and that is just direct losses through their criminal activity. Of course then we have to have preventive law enforcement, whether that be increasing numbers in the police force, changing the laws, implementing that or funding IBAC to do the job that they need to do to oversee what happens with these laws and organised crime, so it is a big cost. We know that part of that \$60 billion could be better spent in each one of our electorates, and I know it would go a long way to assist my electorate in building more schools, investing in health care and supporting vital community services. If we could reduce that cost of \$60 billion annually across the country and that money could go back to our communities, we would all be better off, and that is why a crackdown on organised crime is so important.

Serious and organised crime groups are harming the livelihoods of hardworking Victorians. These groups spread fear and hostility, ruthlessly targeting small tobacco businesses, blowing them up like barbarians with no regard for the families and individuals behind these businesses whose lives they are choosing to destroy. Melton has not been spared from the barbaric actions of these criminals. Melton's famous High Street, home to Morgan's IGA Stone Bar and Grill and Augustus Gelatery, just to name a few businesses, is usually a vibrant hub filled with shoppers, bustling businesses and people enjoying a coffee or a meal from diverse cuisines. There was a recent attack in High Street. Of course the business operators and owners have been very shaken, and so have the local members of our community. A tobacco shop on High Street was hit by a petrol bomb, and that has kept crowds away, instilling fear and anxiety among business owners. It has left a big black hole in a once prominent section of High Street in Melton, and it has impacted the florist near the site and the Stone Bar and Grill restaurant, where many families choose to enjoy a meal and the hospitality.

I spoke to a local business owner, Harwinder, just recently. His shop is next door to the tobacco shop that was targeted. Harwinder's business has suffered extensive damage, and he is still waiting for his electricity to be restored. It has severely impacted his ability to make a living, and he indicated to me that he is seriously considering shutting his business down. Without electricity it is very difficult.

People do not even know that his business is still open. It is in an area which people do not want to frequent, because of what occurred in regard to the firebombing of the tobacco store next door.

Around the corner from my office about 18 months ago a new tobacco shop was to open; I think it was Christmas 2022. Just before it was about to open it was petrol-bombed, causing significant damage. Now that business has shutters that come down at night to try to protect that business. We see the effects of those actions of criminal organisations targeting these local businesses and causing them difficulty in trying to make a living, trying to stay safe and trying to keep our community members safe. That is just the effect in some of my area of Melton.

This is a really important bill. I thank the Attorney-General, the police minister and their staff for all the work they have done on this bill and for trying to introduce this legislation to enhance the legislation in support of the safety of Victorians, in support of business operators and to drive organised crime out of business. Organised crime is one business that we should shut down. I support this bill, and I commend it to the house.

Bridget VALLENCE (Evelyn) (11:56): I rise to make my contribution on the Criminal Organisations Control Amendment Bill 2024 and specifically to speak on part 5 of this bill, which seeks to exclude members of certain organisations from Victorian government worksites. It was only a month ago that we in the Liberals and Nationals opposition sought to introduce the Government Construction Projects Integrity Bill 2024, which sought to achieve exactly the same objects as part 5 of this bill. Labor member after Labor member on that side stood up and sought to ridicule us for putting forward that bill. They stood up on that side of the chamber deriding us for seeking to introduce a bill that would inject integrity into Labor government worksites. We had the member for Frankston accusing us of trying to be media influencers and accusing us of engaging in a flagrant waste of time in seeking to debate our proposal. We were then accused by the member for Bentleigh of engaging in a 'stunt', with him saying that the government did not need our assistance or intervention to deal with this matter. Those remarks have not aged well, have they? Clearly this tired Labor government needs all the assistance that it can get.

Section 1 of our government projects integrity bill sought to prevent people who were members of prescribed organisations such as outlaw bikie gangs from working on state government projects. Given the criticisms that we were subjected to from Labor members when we sought to introduce our bill not so long ago, I was very surprised to read part 5 of Labor's bill that is before us today. Clause 95 of this bill provides that the purposes section of the principal act will be amended to prohibit adult members of certain organisations from entering into Victorian government worksites. They say plagiarism is the sincerest form of flattery, and we see that here in clause 95 of the bill. It really replicates exactly the same purpose that was in our Liberals and Nationals government projects integrity bill that we proposed not very long ago. That is just another example of our coalition setting the agenda and this tired Labor government playing catch-up. The Allan Labor government is very late to the party and has adopted the coalition's policy, finally, of keeping people with criminal links and members of outlaw bikie gangs off Victorian government construction sites.

It is now known, according to reports in the *Australian* just over the weekend, that at least 15 CFMEU delegates who were working on Victorian construction sites were either members of or had close links to outlaw motorcycle gangs just prior to the administrator taking control of the CFMEU. The fact that this was even allowed to occur under the watch of the Labor government is an absolute and utter disgrace. Is it any wonder that the 'bad build' project funded by this Labor government is years behind schedule and billions and billions and billions over budget?

The amendments made by part 5 of this bill and new part 5C are well overdue. Not only has this Labor government been embarrassed in adopting the Liberals and Nationals policy on this issue, it has also been exposed as failing to listen to and heed the warnings of Victoria Police for almost a decade. It was interesting to read the Minister for Police's second-reading speech where he said these amendments were introduced to respond to the allegations raised in the media about criminal activity

on Victorian construction sites. Well, back in September 2015, almost a decade ago, Victoria Police submitted a report to the Royal Commission into Trade Union Governance and Corruption. That report contained many of the allegations of criminal activity which were again repeated recently in the media. This report from back in 2015 proves not only that these allegations are nothing new but that Premier Allan and this Labor government were aware of these issues 10 years ago and did nothing about them. They have known about this for 10 years. I would dare say more, but they have definitely known about this for 10 years, because the 2015 Victoria Police submission, that report, at page 7 under the heading 'Misuse of position or power by union officers and officials' states that the unlawful activities on construction sites included unlawful entry by union officials.

This is history repeating itself. We saw this unlawful entry occur not once but twice last week. We saw John Setka running amok on Labor's government building projects, stopping work and telling workers about his broken secret deals with Labor, with the Labor Party, to stop an administrator being appointed. After the Premier first said she would not comment on John Setka's entry, she then subsequently said that John Setka had acted unlawfully and referred it to police. We had the farcical situation after that of Victoria Police telling us there was nothing to investigate. The chaos that occurred on Labor's Big Build projects last week simply confirms what we already know and what we have known for a very long time: that this tired Labor government has lost control, total and utter control, of these infrastructure projects and the CFMEU is continuing to call all the shots. Not only is this government unable to control who enters its building sites, putting at risk the health and safety of other workers; there is absolutely no legal consequence or penalty for these actions, as confirmed by Victoria Police.

That is why, as was recommended by the Cole royal commission 20 years ago, there needs to be an independent regulator with strong enforcement powers to hold all participants in the construction industry to account. Now, the Victoria Police report back in 2015 that I spoke of went on to find that building companies were being forced to employ people as shop stewards, employers were forced to make donations to support union election campaigns by means of intimidation, companies were forced to pay union dues for their employees and there was a misuse of union funds by union officials. This was all happening and publicly reported 10 years ago, but the Labor government in power refused to do anything about it. The 2015 report went on to say, quoting directly from page 7 of the report:

Victoria Police investigations into public order misconduct and misuse of position or power by union officers and officials have identified that these activities involve not just trade union officials and trade unions, but organised crime figures and groups conducting criminal activities on behalf of trade union officials, most specifically in the building and construction industry. In particular Victoria Police has identified Outlaw Motor Cycle Gang (OMCG) members being used by union officials as 'hired muscle' for debt collection, with 'standover' tactics used to intimidate victims.

Victoria Police intelligence has identified a number of known members of OMCGs such as the Rebels MC, the Comancheros MC and the Bandidos MC, being members of trade unions, participating in industrial activities such as strikes and picket lines, or engaged in 'debt collecting'.

This 2015 Victoria Police report, which this Labor government knew about 10 years ago, warned that bikie gangs with criminal links had infiltrated the building and construction industry in Victoria, yet they did nothing to stop it back then. They are pulling the wool over Victorians' eyes by saying that they are all of a sudden going to do something about it. That is why this bill is so long overdue. We know that they have attempted this a couple of times, and hopefully this time it is going to work. When I read the police report I was concerned to know which minister was responsible at the time, in 2015, when this Victoria Police report was made public. Surely any minister responsible for the employment of workers on construction sites would have taken decisive action to tear this rotten culture out by its roots. Well, do you know who the Minister for Employment was in 2015? The Minister for Employment was Jacinta Allan, the now Premier. Also, do you know what the minister then, the

Minister for Employment, Jacinta Allan, had to say about the 2015 Victoria Police report that I have spoken of? Minister Allan at the time said:

We obviously take seriously the views that are expressed by Victoria Police and take on board their issues. We have ongoing conversations across a range of different areas with Victoria Police and this would fall into that category ...

If the now Premier was true to her word that she took seriously the views of Victoria Police, then she would have done something about it back in 2015. Instead, she worked hard to enable this bad behaviour, this rotten culture on major infrastructure projects. She has enabled a situation where Victorian taxpayers are paying three times the price for works just to appease their CFMEU mates, the CFMEU bosses and bikie gangs. This bill is well overdue, but based on past performance Victorians have every right to doubt that this rotten culture that plagues Victoria's construction sites will change under this tired Labor government.

Josh BULL (Sunbury) (12:06): I am pleased to have the opportunity on this Thursday afternoon to contribute to debate on the Criminal Organisations Control Amendment Bill 2024. We of course remain committed to both our community safety statement and all of the work that is being done in working closely with the wonderful team at Victoria Police, knowing that each and every day, no matter the weather, no matter the hour, our hardworking police officers are out patrolling our front line and often putting themselves in harm's way to keep the community safe. We take this opportunity to thank every member of Victoria Police and their families for the services that they provide to our state, and we are proud to have, since coming to government, invested more than \$4.5 billion in Victoria Police to deliver the modern world-class policing services that they deserve, whether that be in provisions for officers, whether that be the more than 3600 additional police officers that this government has provided or whether that be making sure that the technology and the equipment that they use – and that of course changes and evolves with time – are provided as well.

Before I go to some of the changes that are contained within the legislation before the house this afternoon, I do want to again put on record my thanks to the local police officers that serve in my electorate and across the north-west. I acknowledge certainly over the last couple of days the immense challenges and pressures that the police force and emergency services more broadly have faced and call out the shameful, disgraceful, disgusting, despicable behaviour that we have seen over these past couple of days and put on record the actions of the Greens political party. Frankly, we see them time and time again go out to the community and say one thing and come into this place and say another, and they are immensely disappointing when it comes to looking towards those elements which create community harmony and the opportunity to bring people together. We just do not see that. Each of us have a responsibility, a role within our local communities as members of Parliament, working across a number of different agencies, to make sure that people are supported and that our community is safe, and what we have seen has not been that. I know that we on this side of the house will make sure that we are always working with our local emergency services and providing those resources and the responsible decisions that are required to tackle these complex issues. Certainly the Premier was on record last night and has been on multiple occasions over the journey of this year making sure that we are providing leadership in this space.

We know that the Criminal Organisations Control Amendment Bill, as others have said this afternoon, aims to prevent and disrupt serious and organised crime in Victoria by delivering a tranche of reforms aimed at strengthening Victoria's response to organised crime. The bill, as has been mentioned by others, is also part of the broader work to acquit the government's commitment to tackle organised crime, as set out in the *Community Safety Statement 2018–19*, and to complement the work of the recently passed Confiscation Amendment (Unexplained Wealth) Bill 2024, which we know strengthened the unexplained wealth scheme, and the Major Crime and Community Safety Legislation Amendment Bill 2022, which expanded powers around cybercrime, cryptocurrency seizures and electronic and specialist search powers.

The bill aims to strengthen the existing unlawful association powers in part 5A of the Criminal Organisations Control Act and provide for oversight of the scheme by IBAC. It also provides a new scheme for making a serious crime prevention order in Victoria to replace the existing declaration and control order scheme and prohibits the public display of designated insignia and gang colours in Victoria. Finally, it creates a new offence prohibiting members of a declared organisation crime group from entering government worksites. We know through the journey of this legislation and of course the community safety statement that we need to ensure the best possible provisions both within the investment that I spoke about earlier and also within the ways to detect and track organised crime, which like just about everything in our community and society evolves and changes. We need to make sure that we are modernising and updating both the provisions and the powers within the framework that Victoria Police and other agencies are able to use and operate within, and that is why this piece of legislation is important.

In the 4 minutes that I have remaining I want to turn to the changes to the act. The reforms that are in the bill effectively are fourfold: strengthening the existing unlawful association scheme to make it easier for Victoria Police to both issue and enforce unlawful association notices; introducing a new serious crime prevention order scheme to replace the existing declaration and control order scheme; prohibiting, as I said earlier, the public display of designated insignia or gang colours in Victoria; and creating offences to prohibit members of declared organised crime groups from entering or accessing worksites.

We know that, as I mentioned earlier, the work that is being done is ongoing. It is incredibly important. When you meet with local police within your community and other emergency services, you know just how hard our men and women of VicPol work. We also know that organised crime in many ways is an elaborate outfit, an elaborate operation, and having all of those powers and all of those resources in place to be able to tackle organised crime is incredibly important, because through any of these crimes, through any of these acts, we on this side of the house – and I am sure all members share the same view – understand that those that are harmed in our community by this need to be supported and protected, and the tentacles of organised crime run deep. The work that is done to detect and track organised crime and ensure that arrests are made is something that is incredibly important in terms of that harm prevention. Those carry-on effects – all of the damage, if you like, that is caused by organised crime within our community – are something that we need to do everything that we can to prevent.

The values were set out in the statement some time ago in the 2018–19 provision. I remember being in this place at the time when the community safety statement was delivered and the work that was done by both the Minister for Police and the Premier at the time, which is of course now carried on through this piece of legislation. The budget commitments that have been made that I alluded to earlier and the huge upgrades that we have seen – the over \$4 billion that has been invested and more than 3500 additional police – are things that we will continue to focus on, and we will make sure that that work is ongoing and that we send a really important, serious and powerful message to the community: that people as they go about their daily lives, no matter what their work, no matter who they are or where they are, are entitled to feel safe and secure and to be supported as a family. Making sure that we are doing everything we can to protect people and their families from many of the harms that I spoke about earlier is of course a key responsibility of any government, as is understanding that that work needs to continue.

Finally, I again say a huge thankyou to those people who serve and protect our community, those people who put themselves in harm's way for the protection of others. That is something that we as a government are very, very grateful for. With those comments, I commend the bill to the house.

Chris CREWTER (Mornington) (12:16): I rise today to speak on the Criminal Organisations Control Amendment Bill 2024. In essence there are four major changes that are coming: (1) changes to the unlawful association scheme in part 5A of the act and provision for IBAC to have oversight functions in relation to the unlawful association scheme, (2) the replacement of the scheme for making declarations and control orders with a scheme for making serious crime prevention orders, (3) the

prohibition of the public display of insignia of certain organisations and, finally, (4) the prohibition of adult members of certain organisations from entering certain areas at Victorian government worksites.

A bit of history before we get into the substance of this debate: it was in 2012 that the Liberals and Nationals when in government introduced the Criminal Organisations Control Act 2012 to strengthen efforts against organised crime here in Victoria. Since then the act has undergone multiple amendments, including a 2015 Labor government led revision that introduced the unlawful association scheme, with further updates to these provisions in 2018. On the bill we have today, government reviews of the earlier amendments conducted in 2019 and 2022 but not publicly released reportedly called for substantial changes to make the laws more practical. Despite this, no action was taken until the introduction of this bill, with this bill marking the third attempt by this Labor government to establish a workable unlawful association scheme. While this third attempt by the Labor government lowers some thresholds to take action under the unlawful association scheme, it also raises others. Whether this version will work is anybody's guess.

It is one thing for Labor to provide IBAC with more powers to oversee Victoria Police's expanded powers under an unlawful association scheme, but there is no guarantee that budget funding will follow. IBAC is already underfunded. As mentioned by the then IBAC Commissioner Robert Redlich, with IBAC's current resources they can only investigate approximately 2 per cent of complaints concerning police matters that come to them and they have to refer back to Victoria Police the balance. It is therefore indeed a concern that no dollar figure has been put on any additional resources for IBAC dedicated to this additional oversight function. Under this Labor government and the former Andrews government and their record of corruption and secrecy and indeed their mismanagement of the budget as well, is it really a surprise that IBAC is underfunded by the government? I can tell you this Allan Labor government is too busy hopping into bed with seedy underworld figures and the Sons of Anarchy to fund IBAC.

This brings me to another change brought about by this bill with the banning of the public display of the insignia of certain organisations. This is too little too late and has often been brought about because the government has been totally exposed for enabling bikies and criminals to infiltrate Victorian taxpayer funded major projects. Under this Labor government, reports of misconduct, intimidation, rorts, standover tactics and thuggish behaviour on Big Build sites have become commonplace, yet the Labor government has continuously failed to take appropriate action despite multiple warnings. Since 2016 Victoria Police have known of construction unions using outlaw bokie gangs as hired muscle in industrial disputes. This Labor government should be ashamed of itself. Victorians deserve better than a Labor government beholden to a militant union.

Really this Labor government should be putting the onus on builders to make sure they are not engaging with anyone with criminal associations in the procurement stage rather than just banning them from sites. In response to the shocking allegations of criminality and bokie infiltration across major projects, the Victorian Liberals and Nationals introduced the Government Construction Projects Integrity Bill 2024 into Parliament. This bill would have prevented bikies and known organisations from gaining employment on Victorian major construction projects. It would have begun at the procurement stage so that when contracts were being led there was an obligation on builders at the time and after that time. Of course in typical Labor government fashion they rejected this attempt to bring this bill, playing politics. If the Labor government cannot be trusted to keep people like John Setka off Big Build sites, how can it be trusted to get this legislation right?

Furthermore, whether the proposed powers to ban members of certain prescribed organisations from Victorian government worksites will work in practice is debatable. Given the Hell's Angels, Bandidos and others do not usually publish their current membership lists, for the Victorian police to prove that any person is a member of such an organisation is likely to be challenging. Again, the Labor government cannot even keep John Setka off Big Build sites, so it is likely going to struggle when it comes to outlaw motorcycle gangs and their members.

During the second-reading speech of the bill we are debating today the Minister for Police stated that:

The scheme has not been used since it commenced in 2016.

This really is because the legislation that the Labor government introduced had multiple deficiencies, failing to provide police with effective tools to combat unlawful organisations, particularly outlaw motorcycle gangs. The then Shadow Attorney-General and now Leader of the Opposition stated at the time:

... you can't introduce tougher laws if you're not going to invest in the police needed to enforce those laws and expect the intended outcome ...

Almost a decade after these comments, what do we have today? We have these tough, strongman laws being introduced so the Labor government can show off how seriously they are taking crime. Meanwhile, the Victoria Police are suffering from an ongoing resourcing crisis, with nearly 1000 vacancies and 43 stations, including the Mornington police station, having reduced hours or being closed. Just a few months ago it was revealed that Victoria Police is funding daily operations from more than \$100 million in savings gleaned from hundreds of staff vacancies. This money should be used for recruitment efforts, not daily operations and not to cover Labor's \$84 million increase to WorkCover premiums. Yet this Allan Labor government has completely failed to adequately resource Victoria Police, meaning less police on the streets, a harder effort for existing police doing the job, more youths breaking into homes and vehicles, more youths and other people running rampant and terrifying our communities and more violent crimes being committed on our streets.

Indeed last year in December it was reported that the Mornington Peninsula, including my electorate of Mornington, is one of the state's top five youth crime hotspots. The data for last year states that there have been 75 cars stolen, 45 aggravated burglaries, 26 serious assaults and 10 incidents involving weapons or explosives. Ever since my election I have had multiple concerned constituents and families indeed approach me about spates of crime in the area, which they have never experienced before. I had, for example, Justin contact me recently, a local business owner who had his house broken into on two occasions and had assets stolen worth \$35,000. He has lived on the peninsula his entire life and has always felt safe, and now he and his family are scared in their own homes. I have spoken to Stewart, whose neighbours were robbed at knifepoint in their house just a few weeks ago, and Jillian from Mount Eliza, whose property has had three incidents this year alone, the most recent involving intruders just outside her bedroom window. I have had people like Barbara, Paula, Helen, Minh and so many others contact me, all fearful of this crime spree. What does the Labor government have to say to them and the many other scared Victorians? If I were the minister, I would be totally embarrassed. I do note that the Mornington police are doing the best that they can to tackle the increased crime rates; however, it is clear that they are under-resourced and underfunded, with the Mornington police station having had its reception hours reduced from 24 to 16 from Sunday to Wednesday last year. I have also personally spoken to police officers in the local area who have stated that they need more resources and staffing to tackle the increased crime rates.

But I do want to seriously say that the few police that we do have on the peninsula, even though we need more, are doing a fantastic job, particularly in the context of the revolting protests today, yesterday and throughout this week outside the Melbourne Convention and Exhibition Centre. So far the levels of violence have been pretty unprecedented for a protest in our city, with dozens being arrested for assaulting police, obstructing police, hindering police, assault, arson, blocking roadways and more. We have even seen acid being thrown at police. This kind of behaviour is nothing short of disgraceful and has no place in Victoria, and it is shameful to have seen the Greens seemingly supportive of these acts of protest as well. The sheer hypocrisy of the protesters using violence while also protesting against violence just goes to show the content of the character of many of these protesters.

Meng Heang TAK (Clarinda) (12:27): I rise today to speak in favour of the Criminal Organisations Control Amendment Bill 2024, another important bill that we have here before us this week. I

commend the Attorney-General for bringing it forward and for the broader work that is taking place, together with the Minister for Police, to keep our community safe. The Youth Justice Bill 2024, which I had the privilege of making a contribution on last month, is one example of this broader work, delivering tough consequences for repeated and serious offenders and allowing for more early intervention to keep children out of the justice system. So it was positive to see the bill pass Parliament.

Our work to deliver better community safety outcomes continues here today with the Criminal Organisations Control Amendment Bill 2024. This is another important bill that will deliver a priority tranche of reforms that aim to strengthen Victoria's response to organised crime, and this is important because organised crime is having a significant and detrimental impact on community safety here in Victoria. In fact according to the Australian Institute of Criminology serious and organised crime costs Australians up to \$60 billion each year. That is \$60 billion that could be invested in our community and infrastructure but is instead used in trafficking drugs and firearms and blowing up small businesses and tobacco shops, which ultimately results in a very serious and negative outcome for our community. I would like to take this opportunity also to say something about the Public Accounts and Estimates Committee report. I would like to commend the efforts of PAEC members, including the chair, and the secretariat for the power of work on the investigation into vaping and tobacco use that they just did.

This is another important bill that will deliver priority reform that aims to strengthen Victoria's response to organised crime, and there are several avenues for this. This will be achieved with various amendments to the Criminal Organisations Control Act 2012. Firstly, there are modifications to the existing unlawful association power provided by part 5A of the act and there is provision for oversight of the scheme by the Independent Broad-based Anti-Corruption Commission. Essentially the bill strengthens the existing unlawful association scheme, making it easier for our police force to issue and enforce an unlawful association notice. This is in response to feedback from the police force that the scheme is unworkable in its current form. We can see evidence of that in the fact that the unlawful association scheme has been in operation for over eight years but no unlawful association notice has been issued in that time. This is a practical change that needs to be implemented.

There are several elements to this change. Namely, under the new laws a police officer at or above the rank of senior sergeant may issue a notice to persons prohibiting them from associating with each other. One of the persons must be an 'eligible offender', a person who has previously been convicted of an applicable offence. Both the recipient of the notice and the eligible offender are subject to the obligation not to associate. Just to clarify here, firstly in terms of applicable offences, currently an applicable offence includes any offence punishable by at least five years imprisonment and certain other specific criminal offences, such as firearms offences, which are often associated with organised crime. The bill changes the definition to include offences punishable by at least 10 years imprisonment and the equivalent offences against the laws of another state or territory or the Commonwealth. The bill retains and updates the list of other organised crime offences. Further, on what constitutes an eligible offender, the bill replaces the definition of 'convicted offender' with a new definition of 'eligible offender'. This means a person who was convicted of an applicable offence as an adult where the conviction has not become spent under the Spent Convictions Act 2021. It also includes an adult who was convicted of a category A serious youth offence when they were a child if the offence was committed within two years of the issuing of a notice. The bill reduces the duration of a notice from three years to two years to ensure the grounds for issuing a notice are considered afresh within a shorter period.

There is also the introduction of serious crime prevention orders. As the member for Sunbury said, a serious crime prevention order is a court order that prevents and inhibits the involvement of individuals in serious criminal activity. It does so by restricting the activities of adults involved at the most serious end of organised crime to curtail future involvement in serious criminal activity. The types of crimes that we are talking about here are indictable offences punishable by at least 10 years of imprisonment, so very serious offences. Other specified offences that may be associated with serious and organised

crime include those in the Control of Weapons Act 1990 for possessing, carrying or using prohibited weapons in a licensed premises without an exemption or approval and the list goes on. In terms of these serious offences, the Chief Commissioner of Police may make an application to the County Court for a serious crime prevention order.

Just in terms of what conditions the court may impose when making a serious crime prevention order, the bill contains a non-exhaustive list of conditions by way of example – for instance, conditions prohibiting the individual from associating with specified individuals, from leaving Victoria or Australia, from possessing or using certain things such as firearms, telecommunications devices, cash or an alias, or from engaging in specified business activity or specified activities in respect to property. There is a broad discretion to impose any conditions the court may consider appropriate.

In short, I would just like to note that the bill also includes changes to implement bans on public displays of insignia of designated organisations, known as gang colours. These are broad and strong changes that I am happy to support here today. They are important and necessary changes that will strengthen Victoria's response to organised crime and deliver better community safety and outcomes for all Victorians. I commend the Attorney-General for bringing these changes forward, and I commend the bill to the house.

John PESUTTO (Hawthorn – Leader of the Opposition) (12:35): I move:

That debate be adjourned.

I ask that debate be adjourned to discuss an important matter relating to the standing of this house and a culture of violence that it is connected to in the community that we are seeing spilling out onto our streets at the moment, and it is unacceptable. Earlier this day I tried to move a motion that this house acknowledges that the coalition has repeatedly sought to work with the Labor government to ensure that incitement is not tolerated in this chamber and that the Premier has refused to stand up or act. With respect, all of us as Victorians are getting a bit sick and tired of the empty words from the Premier. The Premier thinks it is enough as Premier simply to mouth words of condemnation when we see members of this house, in particular the member for Richmond, engage in activities that not only bring this house into disrepute but also send a very clear and unmistakable message to the community more broadly that violence is okay and that this institution can be degraded by violent antics, abusive antics and the culture of violence that the activities of the member for Richmond cannot fail but to foster.

We need to do something about it. We have repeatedly warned the Premier and the Leader of the House in this chamber that they need to stand up, they need to speak up and they need to join with us in condemning that behaviour and back up those condemnations with actions from this Parliament to stop this degradation of this chamber as an institution and ensure that this body, by its inaction, does not send messages out to the community, and in particular to those violent protesters we are seeing out on the streets right now as we speak, to engage in that violence. It is unacceptable and it is despicable, and more should be done by the government. It has completely failed the Victorian people and failed this institution, which should stand tall in the face of what we are seeing from in particular the Greens but the coalition of ratbag organisations that are joining with them in this violence.

Let us see what is happening on our streets. We are seeing protestors throw horse excrement at members of the Victorian police force. We are seeing protestors throw hard objects at Victoria Police officers. We are seeing acid being thrown at Victoria Police officers, not to mention the horses that are put in danger and put in harm's way, all to keep Victorians safe. And what is happening to Victoria? People in Victoria are less safe, and our reputation as a state where you can host major events, whether in the form of Land Forces or other global conferences which we want to come to Melbourne, means they will not look to Victoria as a place to host their events. We cannot allow this, and the government has completely failed.

Members interjecting.

The ACTING SPEAKER (Wayne Farnham): Member for Mordialloc, come to order!

John PESUTTO: Years ago, against our warnings to the contrary, they watered down and gutted move-on laws in this state, and the powers in those move-on laws to do things like remove masks without the restrictions that we now see under the current legislative regime were all watered down and washed away. Victoria Police now have far more limited powers under this government than they did under the move-on laws that had been introduced under the Baillieu and Napthine governments – powers that worked, powers that Victoria Police appreciated and were able to use. So we now have a weaker set of laws under the Control of Weapons Act 1990, which is a very rigid legislative system.

Members interjecting.

The ACTING SPEAKER (Wayne Farnham): Order! Members on my right!

John PESUTTO: If you look online for no more than 2 minutes, you will see how active a lot of these activist organisations are at providing basic information for protestors to circumvent the operation of these control of weapons designations and simply game the current laws. They do not work. We saw that yesterday. They do not work, and more needs to be done.

The Shadow Attorney-General sought to introduce in this place in May a bill to restore the move-on powers. All the government had to do was simply say, ‘That’s a sensible idea. It will keep Victorians safe, and it will keep Victoria Police officers safe as well.’ But what did they say? Just because of stubborn vanity they refused to accept and support that idea – a good idea. It is made worse by the fact that because this government is so hopeless at managing money it has gutted Victoria Police and they cannot carry out the functions they need to as easily without drawing all those police resources from all over the state.

Members interjecting.

The ACTING SPEAKER (Wayne Farnham): Order! Member for Eureka!

John PESUTTO: I will finish on this. Under this government, as Victorians are now starting to realise, there are no consequences for bad behaviour and no consequences for violence. We on this side will give Victorians the leadership they deserve and make sure there are consequences for violence.

The ACTING SPEAKER (Wayne Farnham): Before we continue, I ask members on my right to cease interjecting. I have called you to order quite a few times. If it continues, I will call the Speaker.

Tim RICHARDSON (Mordialloc) (12:41): It is inappropriate to adjourn debate on the Criminal Organisations Control Amendment Bill 2024 for a range of different reasons. I firstly want to reflect that for such an important intervention from the Leader of the Opposition and the points that he has platformed and raised, as he does on his behalf, I felt like I needed to call a quorum. I have never had such a turnout from the Liberals and Nationals as for a contribution from me on why the adjournment is not appropriate.

The Leader of the Opposition made some points, and obviously we have seen some really concerning behaviours, which the Premier responded to last night so eloquently and importantly on behalf of Victorians, and the Chief Commissioner of Police Shane Patton has as well. But the forum is for a change of laws. We do not accept the politicisation of Victoria Police, like those opposite have before. We refer to powers or advice that comes from the chief commissioner, which the Minister for Police would get underway and engage in as well.

It is worth reflecting that the Leader of the Opposition and member for Hawthorn made some references to how the member for Richmond is here – we know. I have got a how-to-vote card from Lucas Moon that says to preference Labor last and the Greens at number 6. A direct result of this saw the member for Richmond here. The member for Richmond is here on the absolute wishes –

Nicole Werner: On a point of order, Acting Speaker, the member for Mordialloc has used a prop.

The ACTING SPEAKER (Wayne Farnham): Duly noted. The member for Mordialloc will cease using props and will continue with the debate.

Tim RICHARDSON: It is not actually a prop. I am happy to table the said notes of how the preferences are. I am happy to make that available to Hansard.

The ACTING SPEAKER (Wayne Farnham): Member for Mordialloc, you will not use props.

Tim RICHARDSON: I am happy to take a selfie with it. I am happy to sign it for people. Here we are, John. I will fly the plane down to you here from my place.

David Southwick: On a point of order, Acting Speaker, the member for Mordialloc is ignoring your ruling against using props. He is waving it around like it is some kind of wand, and I would ask you to tell the member for Mordialloc to put his prop away.

The ACTING SPEAKER (Wayne Farnham): Member for Mordialloc, please leave the props on the seat.

Tim RICHARDSON: Very sensitive about a how-to-vote card that says that the member for Richmond exists here today because of the Liberal Party. That is an ironclad truth. That is an ironclad fact that we all know to be true.

James Newbury: On a point of order, Acting Speaker, with 52 of 55 Labor members here on Greens preferences, I would ask you to bring the member back, on relevance, to the motion before the house.

The ACTING SPEAKER (Wayne Farnham): That is not a point of order. I will ask the member to come back to the motion.

Tim RICHARDSON: The reality is here we have had an interruption to a really important piece of legislation, which clearly caught the Parliament off guard because members of Parliament were alternating between their bill speeches and their important contributions on the Criminal Organisations Control Amendment Bill 2024. This is how dysfunctional this adjournment motion has been – literally only four Liberal members of Parliament came to support the Leader of the Opposition. I do not know, Acting Speaker, if you can send out a subpoena to get them in to support him in the chamber while he is giving his speech, but I was feeling for him.

For the first time ever I had deep empathy for the member for Hawthorn and Leader of the Opposition. I felt like I needed to go over there and sit behind him. You know when footy teams have numbers down a little bit too low and you let the opposition team or your team have the numbers? I thought maybe we would get a few of our people across –

Sam Groth: On a point of order, Acting Speaker, if the member for Mordialloc wants to send things out, he has a drawer full of stamps, I am sure.

The ACTING SPEAKER (Wayne Farnham): That is not a point of order.

Tim RICHARDSON: I got goosebumps there. That is the power there. There is the gravitas. See that; it just came through. I tell you, I can see the future and what might be a possibility there. We know the *Herald Sun* have picked their person. We know the Nine News shed have picked their person. I would not want to be the Leader of the Opposition. When you come in to adjourn this debate and only have a few people with you, you know that you do not have the support of your party. You will not have support on adjourning this debate, and it looks like it is nearly over.

Peter WALSH (Murray Plains) (12:46): I rise to support the Leader of the Opposition on the motion to adjourn debate and debate the motion in the house that the Leader of the Opposition moved earlier this morning: that this house acknowledges that the coalition has repeatedly sought to work with the Labor government to ensure incitement is not tolerated in this chamber and that the Premier has refused to stand up or act on that particular issue.

Numerous times this side of the house has wanted to bring laws into Victoria. We have had a private members bill to actually reinstate move-on powers for the police. The police want these powers. It is absolutely atrocious what we see on the news: police officers being injured, chemicals thrown at them, acid thrown at them, horse manure thrown at them and rocks thrown at them because the police do not have the power to move these people on.

Ros Spence: On a point of order, Acting Speaker, this is a narrow procedural debate about adjourning. The member seems to have gone directly to the motion that they are seeking to bring on if there is an adjournment, so I would ask you to bring him back to the motion.

Peter WALSH: On the point of order, Acting Speaker, this has been a wideranging debate, as was demonstrated by the member for Mordialloc. I think the minister at the table is on very thin ice with the point of order that she has taken.

The ACTING SPEAKER (Wayne Farnham): There is no point of order.

Peter WALSH: I might remind the member for Mordialloc of the point of order that was taken against him. Fifty-two of those ALP members on the other side of the 56, including the two that are in creep corner, actually rely on Greens preferences to be in this place. The Labor Party every now and again will gently rough up the Greens, but they do not want to really upset them, they do not want to really go against them, because they need their preferences in an election. Not only do they need their preferences in an election, they actually need their votes in the upper house so they can get legislation through for Lawyer X to strip people's rights away when it comes to suing the government for, effectively, corruption and incompetence in that particular case. They actually need those votes to get the SEC put into the constitution. As the member for Morwell will very easily tell you, the SEC has one employee in the Latrobe Valley, so all the ranting and raving that the government did about the SEC –

Daniela De Martino: On a point of order, Acting Speaker, what is the relevance at the moment of the SEC (a) to the adjournment motion or (b) to even the matter at hand? There is no relevance. I ask you to draw the member back to the motion to adjourn debate.

The ACTING SPEAKER (Wayne Farnham): I ask the Leader of the Nationals to come back to the adjournment motion.

Peter WALSH: I am very happy to, Acting Speaker, and thank you for your advice to come back to the motion. This motion is about debating what is important for the people of Victoria. This motion is about debating protecting Victorian police for the job they have to do to control violent, irrational, crazy demonstrators that are just there to cause chaos and cause division in the community. This is about the Leader of the Opposition showing to the people of Victoria that the Liberal and National parties have been serious about having laws in this state that actually protect police and give police the powers to move on demonstrators like we have seen down at the convention centre in the last couple of days.

No rational, sensible Victorian would support those demonstrations. No rational, sensible member of the Labor Party would oppose us debating this motion so that we can actually get this house talking about the things that are important not only to the police but to all Victorians. The disruption that we have seen to the economy, the issues caused for transit through that particular part of Melbourne – this has been used in other places as well where you just cannot get around because of demonstrators. We all have a right to go about our lawful duty, our business, without having to be kept away by police because of demonstrations. The reports that they were actually snipping the air hoses on semitrailers, on trucks, so they had no brakes and could go nowhere – I just find that absolutely ridiculous. Why should a legitimate truck driver going about their business have their air hoses cut and not be able to do that? I support the motion from the Leader of the Opposition to adjourn debate and talk about this.

Daniela DE MARTINO (Monbulk) (12:51): It is not without irony that I note that the last time I stood up to address a procedural debate, which was a motion to interrupt the bill that we had at hand, it was to educate the member for Richmond on the fact that, were the motion to adjourn debate to be successful, we would merely go to the next item on the notice paper, which today happens to be order of the day 4, 'Budget papers':

That this house takes note of the 2024–25 budget papers.

So this is again a stunt by the Liberal Party and the Nationals. It is very unedifying because now they find themselves doing something similar to what the Greens do, which is pull these stunts in order to draw attention to their matters. It is a stunt to adjourn debate which will merely take us to the next item on the notice paper, 'Budget papers' at number 4.

Members interjecting.

The ACTING SPEAKER (Wayne Farnham): Order! I remind members who are not in their right seats to cease interjecting.

Daniela DE MARTINO: That is exactly what will occur. I would have thought they would be more aware of that.

Given that it has been ruled that this is a wideranging debate and given that members have talked to some of the matter at hand, I will address some of the matter at hand – and I do hope, Acting Speaker, that I will enjoy your indulgence as those opposite have enjoyed it thus far. I am going to pick up what the Leader of the Opposition said in talking about the empty words of the Premier. Empty? Hardly empty. Words matter. I say it every time.

Members interjecting.

Daniela DE MARTINO: Well, the Leader of the Opposition was not in the chamber last night during the adjournment when the Premier walked in to address the question from the member for Richmond, who consequentially was also not here, and spoke very, very clearly in response to the member for Richmond's question on the adjournment. The Premier stated unequivocally that hate will never win and cowards will never win. But I can tell you –

Members interjecting.

The ACTING SPEAKER (Wayne Farnham): Order! Leader of the Opposition!

Daniela DE MARTINO: it is incredibly disappointing that when those opposite are concerned about violent protests –

Members interjecting.

The ACTING SPEAKER (Wayne Farnham): Order! Member for South-West Coast!

Daniela DE MARTINO: the way that they go about even talking about this in the chamber is through shouting. It is through raised voices and very strong language, which does nothing to unify us, yet apparently that is their *raison d'être* at the moment. That is the reason that they say they are here, because they are worried about that. Well, I say it is a stunt. And it is disappointing because I believe our police do a fantastic job. Our police turned up because they have to, and they did their job with courage and they acquitted themselves wonderfully. But this kind of behaviour in the chamber seeks to divide. There is no desire to unify at the moment – there is not – and that is why it is an interruption to the government business. We are dealing with the Criminal Organisations Control Amendment Bill 2024, for heaven's sake. This is the bill you want to interrupt? We have important government business to deal with and this is what the opposition do. They diminish themselves. It is highly disappointing. I would have expected better, I have to say, but what can we do. I will also remind those opposite, as the member for Mordialloc adequately, beautifully, pointed out, it was the preferences of the Liberal Party –

Members interjecting.

The ACTING SPEAKER (Wayne Farnham): Order! Members on my left!

Daniela DE MARTINO: Sorry, ‘adequately’ was the wrong word; it was beautifully pointed out. I am not even going to go into the Control of Weapons Act 1990, because there is plenty there for police to use. This is a procedural debate, so I will not go into the merits of that argument, but I will say this is a stunt. To interrupt the government business program, to interrupt the Criminal Organisations Control Amendment Bill 2024 debate, in order to have a moment of glory and invite the media to come and have a look – I do not even know how many are there at the moment. I do not think they are that interested, so the stunt seems to have fallen flat on its face. What a shame for those opposite. Acting Speaker, thank you for indulging me.

The ACTING SPEAKER (Wayne Farnham): Before I call the next speaker, I ask everyone to be quiet so I can hear the contributions and to have respect for the people that are standing.

James NEWBURY (Brighton) (12:56): We must urgently debate the motion and also the matters raised by the Leader of the Opposition. For months and months and months we have seen in this place, out on the steps of this place and in the streets outside this place increasingly dangerous behaviour, and it has culminated this week in shocking, outrageous behaviour. To see 27 police officers hurt whilst doing their jobs –

A member interjected.

James NEWBURY: Disgraceful. Acid was thrown on police. This morning the coalition attempted to move a motion in support of those police, and what did the government do? The government blocked it. How disgusting, to block a motion recognising the hard work of police and the shameful things that they have seen over recent days.

But further, the reason why this debate must be urgently adjourned so the house can move on to other important matters is because for months the coalition has gone to the government and said, ‘We need to change the law, we need to improve the law. The law must be tougher to protect Victorians.’ We have tried again and again and again. In terms of behaviours in this place, we have gone to the Leader of the House and the Premier repeatedly and called for better behaviour from members of this place, specifically the member for Richmond, and protections around that in terms of either the standing or sessional orders, because we can no longer stand by while behaviour by members of this place incites the violence we see on the streets.

Sam Hibbins: On a point of order, Acting Speaker, this is a procedural debate. It is not an opportunity for members to reflect on other members, namely, the member for Richmond. I ask you to bring the member for Brighton back to this narrow procedural debate and not reflect on other members of Parliament.

The ACTING SPEAKER (Wayne Farnham): Member for Brighton, I ask you to come back to the debate.

James NEWBURY: I can understand why the Greens member does not want the issue debated, but it is urgent that the issue be debated, and I again call on the Premier. Premier, words matter – of course they do – but so does action, and coming into a chamber that is empty at 7 o’clock at night and doing nothing changes nothing. It changes nothing. No-one watched it, no-one was here. The Premier needs to act. We have put out our hand to offer to work with the government on that, and in this chamber the Premier leaned across to me and said they would. It is on the record. Where are they? How many times will it take before we see worse? What we are seeing is escalating. I call on the Premier and I call on the Labor Party to act.

Sitting suspended 1:00 pm until 2:02 pm.

Business interrupted under standing orders.

James Newbury: On a point of order, Speaker, I direct you to page 55 of *Rulings from the Chair* in relation to props. The Labor whip has been handing out props at the entrance to the chamber, and I would ask you to remind the house that props are not parliamentary.

The SPEAKER: Indeed, Manager of Opposition Business. It reminds me of last sitting week. Props are not allowed in the house, members.

Members interjecting.

The SPEAKER: Order! Members will be removed from the chamber without warning.

Questions without notice and ministers statements

Short-stay accommodation

Sam GROTH (Nepean) (14:03): My question is to the Minister for Tourism, Sport and Major Events. Yesterday the minister said in the house that he had consulted with, quote, 'VTIC' about Labor's short-stay tax. On what date did the minister consult with the Victoria Tourism Industry Council, VTIC, about the tax?

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (14:04): This is a serious matter, and I appreciate the member's question and that he got a run in the line of questions the opposition have. Can I just say I have met VTIC more times than the member has had hot dinners, and it is absolutely available to the member and the rest of the public on my disclosures.

James Newbury: On a point of order, Speaker, on relevance – without repeating the question – the question asked when the minister discussed a particular matter, and I would ask you to bring the minister to that question.

The SPEAKER: I am aware of the question.

Mary-Anne Thomas: On the point of order, Speaker, I ask that you discipline the Manager of Opposition Business because he continually raises irrelevant points of order before the member on their feet gets a chance to get their answer out.

The SPEAKER: It is not a point of order. It was not frivolous. However, I do ask the minister, who has only just commenced his answer, to come back to the question.

Steve DIMOPOULOS: I absolutely have met with VTIC on many occasions.

Members interjecting.

Steve DIMOPOULOS: Just calm down, will you? Just calm down. I do not need to be narrated when I am responding. Just let me respond, mate. Stop bullying. I know you bully the Premier; stop bullying me.

Members interjecting.

The SPEAKER: Order! Leader of the Opposition! Minister! I will not tolerate this kind of disruption in the chamber today. The minister has an opportunity to answer the question, and he has a right to do so without interjections across the table.

James Newbury: On a point of order, Speaker, the language the minister used was clearly unparliamentary, and I would ask you to ask him to withdraw.

Steve DIMOPOULOS: I withdraw, in the interests of getting on with this answer. I have absolutely met with VTIC very, very often in my job – well before the diary disclosure, so it will not be evident to the public – many, many times, including on the matter of the short-stay levy. What I have also discussed with that great organisation is the \$170 million investment that this government

has made in regional Victorian tourism businesses literally in the last few months through capital projects, through festivals and events and through destination marketing.

James Newbury: On a point of order, Speaker, on relevance, the minister has restated that fact but he has not come to the question, which was the date of the meeting.

The SPEAKER: The minister was being relevant to the question. I cannot direct or compel the minister to answer the question in the way that the Manager of Opposition Business would like him to. The minister to come back to answering the question.

Steve DIMOPOULOS: I have made it clear that my diary disclosure will outline the dates of when I met with VTIC. There are so many. Also, not only in the formal meetings, I meet VTIC because I attend many of their events, because we have many events that we go to because we fund things in regional Victorian tourism businesses. If the member has a real problem with my relationship with VTIC, he might actually be a bit more explicit about what exactly he is referring to, because I have met them many times, including on the short-stay levy.

Sam GROTH (Nepean) (14:08): According to VTIC, the minister did not contact, consult or engage with them at any point about the short-stay tax. Why did the minister mislead the house?

Members interjecting.

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (14:08): The Assistant Treasurer was spot on: they are on speed dial with me. The assertion made by the member for Nepean is absolutely false, and I would ask him to stop verballing VTIC.

Peter Walsh: On a point of order, Speaker, the minister is debating the issue. I would ask: is he actually saying that VTIC is lying?

The SPEAKER: The Leader of the Nationals knows that that is unparliamentary language. The minister has completed his answer.

Ministers statements: education

Ben CARROLL (Niddrie – Minister for Education, Minister for Medical Research) (14:09): Education is the single most important weapon we have against disadvantage. The single best investment we can make in our future productivity and prosperity is in education. Education is the centre of aspiration. No matter your postcode, no matter your gender and no matter your race, ethnicity or sexual orientation, education changes lives, and as part of the Allan Labor government we are building the Education State. Under our government, education is the password to a life of choice, not chance. It gives everyone the ability to live a life of purpose. That is why as education minister in the Allan Labor government I am so proud to see every day the work of our teachers and our students and the reforms we are making that are charging up and preparing the next generation to find a cure for cancer and to combat climate change.

We also know it is R U OK? Day today, and it would be remiss of me if I did not talk about our world-class Royal Commission into Family Violence. A humble little program, Respectful Relationships, has now become the flagship of the nation, and we could not be more proud. Every government school and almost 1200 schools across the state are participating in the Respectful Relationships initiative. Some of us attended Rosie Batty's book launch upstairs in the library recently, where she spoke about the Respectful Relationships initiative being one of the biggest and most important things to come out of the tragic death of her son and the royal commission. These programs teach our kids the importance of respecting one other, respecting our differences and celebrating our diversity.

We want all of our students to aspire to be leaders in the community. We want all of our students to aspire to be members of Parliament. We want all of them to make sure that they stay away from trouble, focus on the classroom and do everything they can to live a life of purpose, because we know

how important it is to stay away from trouble, spend more time in the classroom and do everything you can to be out of the court system. Courts only end in a bad way.

Health Workers Union

Emma KEALY (Lowan) (14:12): My question is to the Minister for Health, Diana Asmar, boss of the Victorian Health Workers Union –

Members interjecting.

The SPEAKER: Order! I ask members to be respectful of all members on their feet.

Emma KEALY: Diana Asmar, boss of the Victorian Health Workers Union, has refused to stand down after she threatened to kill a whistleblower and engaged in corrupt activities. This includes claims that Ms Asmar ran a multimillion-dollar ghost printing scheme and made irregular expense claims. Given the HWU receives government funding, why has the minister failed to refer the matter to Victoria Police?

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:13): I have been very clear in expressing my absolute disgust at the alleged behaviour of the leadership of the HWU here in this state. The HWU is a union that protects some of the lowest paid workers in the health system – the cooks, the cleaners, the security guards – and I have been very clear that this is not unionism. This is not what people on this side of the house stand for. The matters that the member has raised are of course related to the union itself, and as a consequence of that they are actually matters for the federal government and the Fair Work Commission. The state government does not have –

Members interjecting.

The SPEAKER: Order! The member for Tarneit can leave the chamber for an hour.

Member for Tarneit withdrew from chamber.

Emma Kealy: On a point of order, Speaker, on relevance, the question was specific to why the minister has not referred the matter to Victoria Police, and perhaps she can answer it now the Premier has coached her on her answer.

The SPEAKER: I am aware of the question; it does not need to be repeated in a point of order. The minister has only just commenced her answer. The minister will come back to the question.

Mary-Anne THOMAS: I would also point out that it is common knowledge that Victoria Police are already investigating this matter. What I might point out is that what we see here is a protection racket for John Pesutto, the Leader of the Opposition, who is too scared to get up and ask –

Members interjecting.

The SPEAKER: The member for Laverton is warned.

James Newbury: On a point of order, Speaker, the minister is debating the question.

The SPEAKER: The minister has concluded her answer.

Emma KEALY (Lowan) (14:15): The Victorian government has provided hundreds of thousands of dollars to the Health Services Union in recent years. Will the Labor government stop paying the union while Ms Asmar remains in charge of a branch?

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:16): I think I have been very clear that we welcome the police investigation of the HWU and we welcome the work of the HWU national office, and I would also suggest that we welcome this investigation, as I said, by Victoria Police. It is

important that we get to the bottom of what has happened at the HWU. I have been very, very clear that if these allegations are true then they are –

Emma Kealy: On a point of order, Speaker, the minister is debating the question.

Members interjecting.

The SPEAKER: The member for Geelong can leave the chamber for half an hour.

Member for Geelong withdrew from chamber.

The SPEAKER: The minister will come back to the question.

Mary-Anne THOMAS: I make no apology as a member of this government for doing everything that we can every day to support hardworking members, cooks and cleaners. We respect healthcare workers. We do not go to war with them; we do not fight with them.

Ministers statements: housing

Sonya KILKENNY (Carrum – Minister for Planning, Minister for the Suburbs) (14:17): The Allan Labor government is taking action right now to make sure Victorians can have a place to call home – a safe, secure, affordable home in all the places they want to live, including in Hawthorn. If you are young and trying to buy or rent a home near where you grew up, if you are a little older and perhaps wanting to downsize but stay close to the grandkids or perhaps if you are wanting to start a family and need something a bit bigger, close to your support network and friends, we are making sure that you have that opportunity and choice. Recently I was delighted to join with the Premier when we announced new plans for 10 metropolitan activity centres across Melbourne. These are terrific, vibrant places that are close to public transport, services, schools and jobs. They are great, well-connected and well-serviced places where 60,000 new homes can go.

But the leader of the opposition to housing and his angry mob want to block homes. They want to stand in the way of Victorians having the dignity –

Members interjecting.

The SPEAKER: Order! All members will show respect to members on their feet.

James Newbury: On a point of order, Speaker, it is unparliamentary for the minister to use a ministers statement to attack the opposition, and I would ask you also to ask the minister to table her scripted speech.

The SPEAKER: Is the minister reading from notes? The minister is not reading from notes. I would ask you to refrain from attacking the opposition during your ministers statement, Minister.

Sonya KILKENNY: Just this week David Davis in the other place, a member of the opposition's own leadership team –

James Newbury: On a point of order, Speaker, I understand that it is a script, but you did rule that the minister not attack the opposition. She did so in the sentence immediately after you asked her not to do so.

The SPEAKER: She mentioned a name; she did not say anything after. That is pre-empting what the minister was going to say. The minister will come back to her statement without attacking the opposition.

Sonya KILKENNY: Just this week David Davis in the other place actually asked me to stop my work on activity centres, to stop building homes in activity centres – places like Camberwell Junction, well serviced, on the Lilydale line, level crossing free, 5-minute services, upgrades to the primary school and the secondary school. That is the standard that has been set by the leader of the opposition

to housing. We have seen him on the back of a ute, megaphone in hand, wanting to block more homes in his own electorate.

Members interjecting.

The SPEAKER: Order! Member for Bentleigh, off you go for an hour.

Member for Bentleigh withdrew from chamber.

The SPEAKER: If members wish to be heard and do not wish to have interjections while they are on their feet, it is appropriate for both sides of the house to show respect to members on their feet.

James Newbury: On a point of order, Speaker, twice you have asked the minister not to attack the opposition, and on a third occasion the minister has, because it is a script. I appreciate it is a script, but I would ask you to bring the minister –

The SPEAKER: Order! I ask members not to make a statement when they make a point of order. The minister will come back to her statement without attacking the opposition.

Sonya KILKENNY: It is a statement of fact that those opposite are blocking more homes. But let me say this –

The SPEAKER: The minister is warned.

Jacinta Allan: It is a statement of fact.

The SPEAKER: I cannot determine fact.

Sonya KILKENNY: I will say this to the Leader of the Opposition: the courts are not the only ones judging you.

James Newbury: On a point of order, Speaker, you had warned the minister, and she stood up and defied your ruling after being warned on a fourth occasion.

The SPEAKER: What is your point of order?

James Newbury: I would ask you to sit the minister down.

The SPEAKER: The minister has concluded her ministers statement.

Ambulance services

Tim BULL (Gippsland East) (14:22): My question is to the Minister for Health. Recently an Orbost woman suffered a life-threatening brain haemorrhage. The first call to 000 was made by a GP at 12:13 am. They called again 12 minutes later when the woman was unconscious. Because the Orbost ambulance was ramped, family members had to take the woman to the Orbost hospital. She then waited a further 3 hours to be transferred to Bairnsdale hospital. The woman's son, who is a paramedic, has said that most who experience brain haemorrhage will either die or have a long-term disability. The son asks why the Allan Labor government failed his mother.

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:23): I thank the member for Gippsland East for his question. As is the practice in the house, I will not be commenting on individual cases, but I am very happy, if the member wants to provide me with details, to follow them up, as is the commitment that I make to every member of this place. I have said that many times. I am very happy to find out exactly what has happened here and be able to report that back to the member.

Tim BULL (Gippsland East) (14:24): My supplementary question is that the bush nursing centre in Swifts Creek recently treated a patient who needed an urgent transfer to hospital. It took an ambulance 4 hours to arrive at that bush nursing centre, due to ramping. Nurses used four cylinders of oxygen on the patient and were concerned they would run out before the ambulance arrived. Will the

minister now commit to fund the desperately needed emergency department expansion at the Bairnsdale regional hospital?

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:24): I thank the member for the question. Again he has raised matters that relate to an individual case, and I am very happy if the member wants to provide me with details to find out exactly what has happened here. But what I will say –

Tim Bull: On a point of order, Speaker, on relevance, the question was actually whether the minister would fund the expansion of the emergency ward at the Bairnsdale hospital.

The SPEAKER: I am aware of the question. The minister had only commenced. The minister has time to answer the question. I ask her to come back to the question.

Mary-Anne THOMAS: It was my pleasure recently to visit Bairnsdale hospital. I want to thank the hardworking healthcare workers up there for everything that they do. Right now the challenge that we have is the unprecedented demand on our public hospital system, demand that has been caused both by COVID and by the failure of the previous federal Liberal–National government to properly fund primary care in this state.

Tim Bull: On a further point of order, Speaker, the question simply requires a yes or no answer, and I ask you to bring the minister back to answering that question.

The SPEAKER: I cannot direct the minister how to answer the question. The minister has concluded her answer.

Ministers statements: economy

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (14:26): I have got some very exciting news about the ever-improving situation with regard to the state’s exports. These numbers were recently released, last week, by the ABS and show that Victoria has recorded the largest increase in exports across the nation, growing exports by more than \$2 billion over the past 12 months and increasing Victoria’s exports by 3.6 per cent. What that means is that in the June quarter we have taken our exports to a record \$17.6 billion. Growing export markets right across the economy creates jobs of course, and indeed this government has created more than 860,000 jobs since 2014. That is in a labour market of 3.7 million.

There is one export area, though, that the state is being constrained in, and that is in international education. This is due to the federal government’s recently announced caps on student numbers. International students generated \$14.8 billion in export revenue in 2023, and they support 63,000 Victorian local jobs. As a state we want to attract international students to come to study here in this state, especially in in-demand professions like engineers, planners, project managers and even, dare I say it, defamation lawyers. As a state we value our international students not just for the economic benefits that they bring to this state but also because they add colour, culture and vitality to Melbourne and to Victoria. This is under threat due to the federal government’s decision. I will be frank, a decision of this nature will take a long time to turn around.

Housing

Sam HIBBINS (Pahran) (14:28): My question is to the Premier. The Premier has signed a \$100 million contract to demolish public housing towers at North Melbourne and Flemington. These are the first three of 44 public housing towers the government plans to demolish across Melbourne, despite hundreds of residents still living at these homes and growing community opposition to the plans to demolish and privatise these estates. Will the Premier guarantee that no resident – in the middle of a housing and homelessness crisis, mind you – will be forcibly evicted from their public home at high-rise estates across Melbourne?

Jacinta ALLAN (Bendigo East – Premier) (14:29): I thank the member for Prahran for his question, noting it is the first question I have had in question time today. I thank the member for Prahran for his question, and I anticipate the member for Prahran will hang around for the answer. Are you going to hang around for the answer? The member for Richmond last night obviously had other places to go on her bike and could not stay for the matter she raised last night, but I am delighted to see the member for Prahran staying in the chamber to hear the answer to this question.

This is an opportunity to correct once again the atrocious, deceitful misinformation that is being spread by the Greens political party amongst some of the most vulnerable members of our community. The reason why I say this is because just this morning, as the Minister for Planning has identified, I had the opportunity to join the Minister for Housing at a fabulous project in Bills Street, Hawthorn, where we have taken a site that previously had 52 outdated public housing units and have used an opportunity to partner with the community housing sector –

Ellen Sandell: On a point of order, Speaker, I just ask, on relevance, for you to bring the Premier back to the question, which was, ‘Will any public housing residents be forcibly evicted in Flemington and North Melbourne?’

The SPEAKER: I am aware of the question. A point of order is not an opportunity to repeat the question. The Premier was being relevant, but I do ask her to come back to the question.

Jacinta ALLAN: The reason why I am being entirely relevant to the question that I was asked is because of the policy elements in how we have been able to achieve a fantastic outcome for vulnerable Victorians like Markrit, who I met this morning. The member for Hawthorn earlier in this chamber interjected and said, ‘What reception did you get this morning in Hawthorn?’ I will tell you what reception we got in Hawthorn this morning. We heard from a woman who talked about being homeless, who talked about her mental illness and who talked about how her life has been turned around as a result of this investment in social and affordable housing in partnership with a community housing provider.

The reason why I make this point and I am being entirely relevant to the question that was asked is that I am being very clear to the member for Prahran that his claims about privatisation in his question are wrong. When you partner with community housing providers, which provide the opportunity for vulnerable Victorians to have the dignity of a roof over their head, you give them the opportunity to wrap your arms around those Victorians and deliver quality services that they need to be able to get to work and to participate in community life, like Markrit spoke about this morning when she talked about how she was able to re-engage with her community. She had that opportunity. We will work with those residents in the public housing towers to also give them the same opportunity in a once-in-a-lifetime opportunity.

Paul Edbrooke interjected.

The SPEAKER: Member for Frankston, you can leave the chamber for an hour.

Member for Frankston withdrew from chamber.

Sam HIBBINS (Prahran) (14:33): My supplementary question is to the Premier. Despite signing a demolition contract for these two estates, there are no public plans for what will be built, no contract for the rebuild and no guarantee that there will be a single public housing home built as part of the rebuild, so I ask: given the government has previously used demolition contracts to evict residents and force them from their homes, Premier, is the government again bringing forward these demolition contracts to begin mass evictions of residents so estates can be demolished and, yes, privatised?

Jacinta ALLAN (Bendigo East – Premier) (14:33): Let me be clear for the benefit of the member for Prahran, in case he missed it in my answer to his substantive question: these are not privatisations, these are an opportunity to rebuild. The member for Prahran asked about information being made available and he has claimed that information has not been made publicly available. Let me remind

the member for Prahran that nearly 12 months ago we released our housing statement, where we committed to the redevelopment of those 44 high-rise public housing estates. We committed, as part of that, to increasing social housing by 10 per cent across these sites and also to look at how taking the 10,000 homes on these sites can be expanded to be 30,000 homes. All of that information is in the public domain. What this is about is further evidence that the Greens are all about the politics, not vulnerable Victorians, not facts – all about the politics.

Ministers statements: recreational fishing

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (14:35): The Allan Labor government is continuing to make Victoria a fishing paradise. We stock more fish in Victoria than every other state and territory combined. We are supporting our native species to recover, and our anglers have never caught more fish. In Melbourne we have just put in a thousand enormous trout across 17 waterways to give anglers a chance to land the fish of a lifetime. These fish are out there waiting to be caught right now at Albert Park Lake, the Pakenham lake and Karkarook Lake in Moorabbin. Junior fishers will be able to get into the action using their free little angler kits, delivered to schoolchildren right across Victoria earlier this year. It is all supported by the Allan Labor government’s \$96 million investment to help Victorians make memories together on the water for generations to come. We are stocking millions of fish –

Members interjecting.

The SPEAKER: The member for Point Cook can leave the chamber for half an hour. Member for Eureka and member for Cranbourne, you are warned.

Member for Point Cook withdrew from chamber.

James Newbury: On a point of order, Speaker, this minister, again, is reading, and I would ask you to ask him to table his script.

The SPEAKER: Is the minister reading? The minister is referring to notes.

Steve DIMOPOULOS: We are also investing in regional waterways. There was a recent report around Rocklands Reservoir, near the Grampians: almost tripled, with 50 per cent more visitors, the economic value; 80 per cent of people reported going there and fishing as part of their visit. This weekend we saw the return of free fishing festivals in Ballarat and Eildon, with stalls, demos and classes for kids.

My only regret is I did not raise this matter last sitting week, because I know there are some opposite who love a good fishing expedition. I hear someone has been casting some lines of his own. He has been fishing for donations, but sadly there have not been many bites. But for those seeking to improve, worry not: the member for Bellarine will be happy to have you down on Sunday 13 October, when the free Hooked on Bellarine festival returns. There are fish for everyone, from big waterways like Lake Eildon and Port Phillip Bay to the small shark-infested pond that those opposite dwell in.

Members interjecting.

The SPEAKER: Order! The member for Eureka will leave the chamber for half an hour.

Member for Eureka withdrew from chamber.

Community safety

John PESUTTO (Hawthorn – Leader of the Opposition) (14:38): My question is to the Premier. Over the last 12 months the Premier has allowed protests to take place week after week, empowering radicals and weakening social cohesion. Yesterday hardworking Victoria Police officers were pelted with missiles, including rocks and metal locks. At least 27 officers required medical attention. How much more violence do we need to see on our streets before Labor reinstates the move-on laws that the government stripped away?

Members interjecting.

The SPEAKER: Minister for Transport Infrastructure! I am getting tired of warning you. You will be removed from the chamber.

Jacinta ALLAN (Bendigo East – Premier) (14:39): In thanking the Leader of the Opposition for his first question in the last question time before a four-week sitting break and on his commentary around our government allowing protests to take place, I remind the Leader of the Opposition that we live in a democracy. I remind the Leader of the Opposition that we live in a democratic society where the right of freedom of association, the freedom to gather together and peacefully protest, is a right that it is important to respect in our community. It is a right that we should continue to defend and uphold, and it is a right that is also enforced by the hard work of the men and women of Victoria Police, who do turn up to work every single day.

Members interjecting.

The SPEAKER: The member for Laverton can leave the chamber for half an hour.

Member for Laverton withdrew from chamber.

John Pesutto: On a point of order, Speaker, on relevance, I ask you to bring the Premier back to the question.

Jacinta ALLAN: On the point of order, Speaker, I was being entirely relevant to the question that was asked. I was asked about protests, I was asked about Victoria Police and I was asked about government action, and I was working my way through answering all of those points before the Leader of the Opposition stood up to make his point of order.

The SPEAKER: Based on the question that I have in front of me, the Premier was being relevant.

Jacinta ALLAN: Indeed, before the Leader of the Opposition interrupted my answer, I was going on to thank the men and women of Victoria Police for the work that they do every single day in enforcing and protecting that democratic right that is so important to the safe, cohesive functioning of our society. They go to work every single day.

But what we saw yesterday, which is what the Leader of the Opposition referred to in his question, was not people attending the protest yesterday for peaceful purposes. They were not attending for peaceful purposes, and those motives were exposed. You are not turning up to protest peacefully if you are carrying rocks and if you are carrying bottles filled with urine and bottles filled with liquid laced with acid. You do not turn up to peacefully protest; you turn up for very, very different motives, which I absolutely condemn. I would hope all members of the Parliament –

Members interjecting.

Jacinta ALLAN: I would hope all of us could stand united and stand with me. We all have the opportunity right now to stand in this place and condemn those who break that essential bond we have as a community with that right to peacefully protest, those people who violate our fundamental right with those motives to not protest peacefully and those people who choose to bring violence to our streets. That is why as part of the work to prepare for yesterday I supported the police's request for additional powers, which goes to the Leader of the Opposition's question. Additional powers were asked for and additional powers were granted to deal with what we saw yesterday, which was a breach of our fundamental principles of democracy.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:42): Victoria Police have said:

Some police have been spat at by protesters, whilst other officers have been sprayed with a liquid irritant, some of which has been identified as acid.

With protests becoming more violent and radical over the last 12 months, why is Melbourne less safe than it was last year?

Jacinta ALLAN (Bendigo East – Premier) (14:43): In answering the Leader of the Opposition’s supplementary question, I am again going to thank the men and women of Victoria Police who go to work every single day to keep our community safe. The question from the Leader of the Opposition is not reflective of what we see the men and women of Victoria Police do every single day in keeping our community safe.

James Newbury: On a point of order, Speaker, the Premier is required to be factual, and this morning the government refused leave for a motion acknowledging the hard work of Victoria Police.

The SPEAKER: It is not for me to determine whether the Premier is being factual or not.

Jacinta ALLAN: In a desire to be factual I remind the Leader of the Opposition that we have invested more than \$4.5 billion into Victoria Police, but when they had the opportunity in government they cut \$100 million from Victoria Police.

John Pesutto: On a point of order, Speaker, on relevance, the question is: why is Melbourne less safe? If it is not less safe, answer the question that it is not. Can we just get a straight answer out of the Premier.

The SPEAKER: Order! Resume your seat, Leader of the Opposition.

John Pesutto interjected.

The SPEAKER: Order! I ask you to cease defying the rules of the house. The Premier is being relevant to the question.

Jacinta ALLAN: We live in and represent the greatest city in the greatest state in the world. What we have seen, particularly yesterday, is not the best of some in our community, but what is the best in our community is that we will continue to support the work of Victoria Police to keep our community safe, not undermine it like the Leader of the Opposition is trying to do.

Ministers statements: housing

Jacinta ALLAN (Bendigo East – Premier) (14:45): I am very pleased to remind the house that we have approved here in Victoria more homes than any other state in Victoria. Our growth rate –

Members interjecting.

The SPEAKER: Order! When members call for respect when they are on their feet, I expect them to show it to all members who are on their feet.

Jacinta ALLAN: As I said earlier, these homes are about people. It is not just about numbers, it is about people. It is people like Markrit, who I met this morning, who has the dignity of a roof over their head in one of the 206 brand new social and affordable homes in Bills Street, Hawthorn, close to schools, jobs and public transport.

John Pesutto: What’s the nearest public transport?

Jacinta ALLAN: Kooyong station is less than a kilometre away. There is a tram. There is a bus. I tell you what, we will not be standing on the back of a ute protesting against these sorts of homes.

John Pesutto: On a point of order, Speaker, ministers statements are not an opportunity to attack the opposition.

The SPEAKER: I ask the Premier to come back to her ministers statement and to not attack the opposition.

Jacinta ALLAN: Whether you are standing on the back of a ute or standing in the dock in a courtroom, some are opposed to public housing. We are committed to investing in more homes for more Victorians. When you see that there are some in our community who oppose public housing, who oppose the development of Bills Street, Hawthorn, they are blocking people like Markrit from the opportunity to turn her life around, like she spoke about so powerfully this morning.

We have a plan to continue to build more homes. We are going to reject the blockers; we are going to be the builders. We are not going to slow down; we are going to double down. And there is more to come. Indeed our work will continue next week. Next week we will be focused on building more homes and supporting kids in schools. I will be in India, wanting to look at more trade and investment opportunities for our state. We next week will be focused on Victorians, not on ourselves like those opposite.

Constituency questions

Croydon electorate

David HODGETT (Croydon) (14:48): (820) My constituency question is for the Premier, and I ask: what are your plans for the future of existing gas heaters and gas hot-water services should these appliances require replacement in the future? The constant flip-flop on gas policy is causing confusion and concern, with my office receiving multiple inquiries from constituents this week who do not want to be forced to change to electric heating or electric hot-water systems should their current gas systems break down or require an upgrade. The added financial expense of these forced directives is also causing great concern and anger. With widespread power outages occurring again recently due to wind and storms, these residents with gas stoves were at least able to cook meals while waiting for their electricity to be reconnected. Forcing all of Victoria to utilise an already fragile and unreliable energy grid is just bad policy.

Narre Warren North electorate

Belinda WILSON (Narre Warren North) (14:49): (821) My constituency question is for the Minister for Energy and Resources and Minister for the State Electricity Commission. The question that I ask is: how many houses have taken up the solar rebate program in my community of Narre Warren North? Recently I was excited to join the minister to launch the new SEC platform that is being rolled out in the City of Casey. This tool allows households to get quotes on converting their houses from gas to electricity and gives them options, as well as including what government rebates they are able to receive. I am really looking forward to hearing from the minister.

Ovens Valley electorate

Tim McCURDY (Ovens Valley) (14:50): (822) My question is to the Minister for Health. Graeme Cocking, who lives in Cobram, requires transport three times a week to Shepparton for dialysis. Ambulance Victoria have told him that after 30 September this year they will no longer transport him for his dialysis needs. Mr Cocking's daughter, who used to assist in travel arrangements, was brutally murdered in Cobram in April this year. As a pensioner, Mr Cocking cannot afford the weekly \$600 taxi fee or the community car fee of \$200 a week. I seek information from the minister on how Mr Cocking can get affordable transport for his dialysis, particularly as we do not have access to dialysis chairs in Cobram.

Sunbury electorate

Josh BULL (Sunbury) (14:50): (823) My question is for the outstanding Minister for Environment. Minister, how many containers have been recycled through the container deposit scheme in my electorate of Sunbury? As the minister knows well, the CDS plays a vital role in recycling in our state. It has been hugely successful, and again I ask the minister for this important information.

Nepean electorate

Sam GROTH (Nepean) (14:51): (824) My question is to the Minister for Environment. My question relates to correspondence the minister received on 22 May this year and a further letter on 24 July this year from Beatty Hughes, acting for the Nepean Ratepayers Association. The association advise there is now new scientific evidence that the erosion of the southern end of Port Phillip has been caused by the channel deepening program, something the Labor government has been trying to deny since 2009. So much for a government which is supposedly all about the science. This is an environmental catastrophe that the Labor government has been covering up for 15 years. My question to the minister is: why has the minister not responded to my constituents who are requesting a mediation process with the government to finally resolve this environmental disaster?

Laverton electorate

Sarah CONNOLLY (Laverton) (14:52): (825) My question is for the Minister for Public and Active Transport. Last week the minister announced that our government has awarded zero-emission contracts with three of our major bus companies, those being CDC, Dysons and Kinetic. As the minister knows, two of these companies, CDC and Kinetic, have depots based in my electorate of Laverton, with CDC located in Truganina and Kinetic in Sunshine West. They play a really important role in providing bus services throughout my electorate, with CDC being the main bus contractor for services in Melbourne's west. Starting from next year, these contracts will require the replacement of existing diesel buses with 600 new electric buses by 2035. My electorate in Melbourne's west love buses, and they are crying out for new and improved electric bus services. So my question for the minister is: how will these new contracts which seek to replace older diesel-chugging buses with cleaner electric buses benefit Laverton?

Melbourne electorate

Ellen SANDELL (Melbourne) (14:53): (826) My constituency question is to the Minister for Planning. Minister, will the government intervene to ensure that the building at 333 Exhibition Street in my electorate cannot be turned into a short-stay building, evicting over a hundred long-term renters? Victoria, as we know, is in a housing crisis. Rents are skyrocketing, if you can even find an available rental property. More and more people are sleeping in their cars, sleeping rough or sleeping on couches across Victoria. Now in Carlton in my electorate hotel group Panache wants to turn a residential apartment building at 333 Exhibition Street into a building full of temporary short-stay apartments. Panache wants to turn about 85 of the tower's 144 apartments into essentially hotel rooms. This would force around 120 long-term renters out of their homes. In a housing crisis we cannot afford for any more long-term rentals to be taken out of the market and put onto the short-stay market, so I urge the minister to intervene in this case.

Cranbourne electorate

Pauline RICHARDS (Cranbourne) (14:54): (827) My question is to the Minister for Transport Infrastructure. How will my community benefit from the massive work being undertaken on the Narre Warren-Cranbourne Road upgrade project? Cranbourne is unrecognisable from only a couple of years ago, with major works complete on Narre Warren-Cranbourne Road and many others as well. We have put extra lanes and upgraded key intersections along Narre Warren-Cranbourne Road to make it quicker, easier and safer to get where you need to be. Narre Warren-Cranbourne Road has enabled straight-through movement travelling north from the South Gippy, which has reduced traffic and the amount of trucks on High Street and improved the way you move through Cranbourne. We have installed new pedestrian-operated traffic lights south of the Hunt Club Boulevard, making it easier and safer for pedestrians and cyclists to cross the busy road to get to nearby schools and recreation precincts. My community is just delighted with the change. I was rapt to have the minister in Cranbourne recently and to get the opportunity to meet Alaska and Catherine, and I look forward to sharing the minister's response.

Morwell electorate

Martin CAMERON (Morwell) (14:55): (828) My question is to the Minister for Planning, and my question is: will the minister commit to a review of the coal overlay provisions in the Latrobe Valley? The current coal overlay planning provisions in my electorate are more than 40 years old. They are outdated and stifling development. They are preventing construction of the Traralgon bypass and the development of the Traralgon East precinct and wasting hundreds of hectares of land outside of Morwell that could be used for housing. It is not good enough the minister refuses to revisit and review these coal overlay provisions, and the argument that they still are relevant is flawed and contradictory. In 2018 Labor removed coal overlays altogether on 18 square kilometres of Morwell South. It said that the coal overlays were introduced:

... when it was envisaged the Latrobe Valley would have many more power stations ...

The former planning minister said the review of the coal overlay is:

... about modernising planning provisions in the Valley, to support ... economic development ...

Minister, these overlays are outdated, preventing critical economic development. Will you commit to reviewing the coal planning overlays in the Latrobe Valley?

Preston electorate

Nathan LAMBERT (Preston) (14:56): (829) My question is for the Minister for Roads and Road Safety. My question is: what powers and policies does the state government have regarding setting speed limits on local roads? As we were discussing yesterday in this chamber, there has been extensive townhouse development across central and eastern Reservoir, and as a result many of our 7-metre-wide local roads are now effectively one way because there are so many cars parked on either side. They also have poorer visibility than many of our through roads. Despite that, we have the unusual situation where Darebin council are planning to make some of our through roads like High Street 30 kilometres per hour, and yet these effectively one-way local roads remain at 50 kilometres per hour, which would be a very dangerous speed for anyone to drive down them at. There is a suggestion locally that these roads should automatically go to 40 kilometres per hour if you cannot safely have two cars pass on the roads because of the parked cars on either side, and the minister's answer will help us further address that suggestion.

Rulings from the Chair**Constituency questions**

The SPEAKER (14:57): I have reviewed the constituency questions from yesterday. The members for Caulfield and Richmond asked broad policy questions that were not sufficiently linked to their electorates or constituents, and I therefore rule their questions out of order. The member for Rowville asked the minister to tell the constituents of Rowville when the minister intended to do something, which is an action, and I therefore rule the member's question out of order. The member for Polwarth asked two questions in his question, and I therefore rule the question out of order.

Sam Hibbins: On a point of order, Speaker, I draw your attention to some overdue and unanswered questions: constituency question 726, regarding the return of the Domain Road tram; questions on notice 1426 and 1486, both regarding the selling off of the Windsor children's centre land; and adjournment 757, calling on the minister to stop the rezoning of the Windsor children's centre land. I ask that ministers be contacted and asked to respond.

The SPEAKER: Could you hand your list to the Clerk, please. I ask members if they are raising points of order on constituency questions to be very succinct.

*Bills***Criminal Organisations Control Amendment Bill 2024***Second reading***Debate resumed.**

James NEWBURY (Brighton) (14:58): It is urgent that we adjourn the matter that was before the house and debate these important issues. I note the reports of the protest group today, who have said reportedly:

... we must keep going ...

We are the most radical part of the resistance on this continent ...

These are not the words of people who are anything other than dangerous, so it is essential that this house moves on from the debate and debates the matters put by the Leader of the Opposition. We must do it now. Words are not enough in this place. We must take action, and this is an opportunity for the government to vote in unity, as the Premier alluded to in question time. This will be the government's chance to prove it.

Juliana ADDISON (Wendouree) (14:59): I am very pleased; it is a lot calmer in here now than it was before lunch when this was raised, when our government business program was interrupted, when we were discussing the Criminal Organisations Control Amendment Bill 2024. I want to say how much I enjoyed the contributions from the member for Clarinda as well as the member for Sunbury. I was very much looking forward to the contributions from the members for Mordialloc and Frankston and Pascoe Vale and Laverton and Hastings and Yan Yean.

It seems pretty obvious to me that once again those opposite have exhausted their speaking list, because they do not often make great contributions. But now that they have all had a go at the bill and they have all been able to have their say, they seek to silence Labor members, who are very, very keen to contribute to this debate on this issue that is very important not only to them as individuals representing their electorates but also to our government. That really shrieks out disrespect to me – that just because the Liberal members and National members have all had an opportunity to contribute, the Labor members should not get that same responsibility.

It is nice to see the member for Mildura sitting in the front row, and it was great to see the member for Warrandyte in the front row earlier as well, because that diversity is what we have been looking for. We would love to see a bit more diversity on the front row, so I really want to congratulate the members for Warrandyte and Mildura. I hope you get comfortable in those seats, because like us – we are very proud of our female Premier –

James Newbury: On a point of order, Speaker, this is a procedural motion, and I would ask you to bring the member to the procedural motion.

The SPEAKER: I was listening to the debate on the procedural motion before the house before we broke for the lunch break. It was very far and wideranging. Member for Wendouree, I remind you it is a procedural debate.

Juliana ADDISON: It is a procedural motion of course. I have been talking about the opposition wanting to shut down members on the Labor side from contributing on the Criminal Organisations Control Amendment Bill 2024, which is before the house at the moment, and I am speaking against that because I think that it is not right that that is happening. I was merely commenting that before we went to lunch, during the procedural debate, we had a whole lot of people sitting on the front bench that are not normally there, and I was commenting about how important that is.

We have talked about it, and I know that the member for Brighton just mentioned it because he is frantic. As a schoolteacher for 12 years, you get to see when people are thinking, and I could see that

the member for Brighton was thinking, ‘How can I pull her up? What am I going to jump up on next?’ But he made reference to the Premier’s comments during question time, and I would also like to make comments regarding the Premier’s comments during question time. She said that we want to stand united, that violence is unacceptable and that when the police asked for additional powers, she granted the additional powers, because it is all about keeping our community safe. She also responded last night to that adjournment question from the Liberal-preferred member for Richmond, and she said:

Cowards will never win. Our city and great state –

James Newbury: On a point of order, Speaker, on relevance, I would ask you to bring the member back to the motion.

The SPEAKER: The member for Wendouree to come back to the motion.

Juliana ADDISON: To continue on the Premier’s comments, which I think are really important:

Our city and great state, though, will win, and I will always back the great people of our city and state to stand up to ... cowardly division and violence and support our strong and cohesive community. In saying that very clearly, I will ... always back and thank those members of Victoria Police ...

What is at the heart of this procedural matter is police, and I want to say – and it is said often by our excellent Minister for Police – we have invested in 3600 additional police. That is a \$4.5 billion investment in Victoria Police. We stand by them. We give them the powers they need. We work with them, because we believe that they make a really important point. Talking about working with people, Liberals working with the Greens in Richmond – (*Time expired*)

Assembly divided on John Pesutto’s motion:

Ayes (23): Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, Sam Groth, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O’Brien, Michael O’Brien, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner

Noes (51): Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D’Ambrosio, Daniela De Martino, Gabrielle de Vietri, Steve Dimopoulos, Paul Edbrooke, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Sam Hibbins, Mathew Hilakari, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Ellen Sandell, 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, Belinda Wilson

Motion defeated.

Paul MERCURIO (Hastings) (15:09): I rise to give my contribution to the Criminal Organisations Control Amendment Bill 2024. I might first say wow, it has been a couple of intense days here in Melbourne and here in the chamber with varying debates going back and forth. I must say also my heart bleeds a bit for our beautiful city of Melbourne with the violent protests that have been going on. I understand that peaceful protests are a right. Violent protests are criminal. I would like to join with my colleagues in saying thank you to our police women and men for looking after the community, for putting themselves on the line and for their courage and dedication.

This bill aims to prevent and disrupt serious and organised crime in Victoria through a variety of reforms to the Criminal Organisations Control Act 2012, continuing our response to organised crime in the state. Essentially this bill will be giving Victoria Police additional support so they can continue to disrupt and prevent serious organised crime in Victoria. This will be achieved through a raft of amendments to strengthen the existing unlawful association powers in part 5A of the act and provide

for oversight of the scheme by IBAC. It will provide a new scheme for the making of serious crime prevention orders in Victoria, enabling the court to impose conditions restricting the activities of a person subject to an order in place of the existing declaration and control order scheme. It will prohibit the public display of designated insignia or gang colours in Victoria, and it will create a new offence prohibiting members of declared organised crime groups from entering government worksites.

I do remember the last time I went to the amazing Frankston Hospital build, to an event. There were hundreds of construction workers there, working hard, and they were an amazing group of people, but I did notice there were a couple of people that did seem out of place. I now understand from the media reports and what is going on who they were and why they were there. Every person in our community deserves to feel safe in their workspace. No-one should go to their workspace feeling intimidated, stood over or frightened. This bill will address those issues.

Serious and organised crime costs Australians up to \$60 billion each year. That is an eye-watering amount by anyone's standards. It is being used to traffic drugs, buy firearms, commit financial fraud and scams, attack small businesses that sell tobacco and more. These reforms will give Victoria Police broader powers to crack down on criminals, which will improve the safety of all communities. I note the ongoing work the Victorian government is undertaking to tackle all forms of crime with the recent passing of the Confiscation Amendment (Unexplained Wealth) Act 2024. That, for example, will exist to combat the rise of cybercrime. Additionally, last month we made further recommendations and amendments to the Youth Justice Bill 2024 to address concerns with youth crime.

In addition to the changes made concerning organised crime, this bill will also be disrupting outlaw motorcycle gangs with reforms that will prohibit the public display of designated insignia and gang colours in Victoria. We know that those involved with outlaw motorcycle gangs like to use their colours and patches to intimidate the community and also to promote themselves and to attract new members. These new reforms will ban the display of insignia in all public areas as well as private property where the insignia is visible from public places and from a public point of view. Just to be clear, this will only apply to the insignia of organisations that have been prescribed in regulations made under the Criminal Organisations Control Act 2012. Moreover, this is to target those organisations that are involved in serious criminal activity, preventing them from displaying insignia that could lead to them recruiting new members who may then go on to commit serious crimes and bring harm to the community. Additionally, it provides our police with powers to directly remove offending insignia, and if necessary, seize the offending insignia. It is also part of the new tools being given to Victoria Police to assist them in the hard work they do each and every day in our community.

Further changes this bill will be making are to the unlawful association scheme. Under these new laws a police officer of or above the rank of sergeant or senior sergeant may issue a notice to prohibit people from associating with each other if one of the persons is an eligible offender. The bill removes some of the red tape that has been associated with the current scheme's set-up, namely that someone under an unlawful association notice is deemed to commit an offence once they have associated with another such person on three or more occasions in a three-month period or on six or more occasions in a 12-month period. This bill will reduce that down to just one occasion, which absolutely makes sense. It should not have to take two people meeting three times who could well be meeting to discuss criminal activities, organise a large drug deal or plan which businesses to target next. In any case they should be deterred from meeting with each other at all. These new laws will deter such meetings from taking place whilst importantly giving our hardworking police officers the power to act on it as well.

Furthermore, the definition of 'family member' has been narrowed so that it applies to a more confined group of people. This will be put in place to deter loopholes that could be exploited with the term 'family member'. I am sure everyone in this place has those very close friends that they consider to be like family but where there is not actually a family connection. The changes made to the scheme in this bill will seek to stop people from using that as an excuse to continue to associate and cause poor behaviour and criminal actions to occur.

What this bill will also achieve is the introduction of a new serious crime prevention order scheme. Only one other state has a serious crime prevention order scheme in place, which is New South Wales. What this scheme will mean is that a court order will be issued to individuals that have engaged in serious criminal activity, achieved by allowing the Chief Commissioner of Police to apply to a court that will impose conditions on someone who has been involved in serious crimes or is likely to help someone else that is involved in serious criminal behaviour. An example of this might be that a serious crime prevention order has a condition that a person cannot leave the state, have firearms in their possession or even hold certain amounts of cash. Those found in breach of this order can be hit with a fine of up to \$118,500 or five years in prison or even both if the court sees it to be appropriate. The serious crime prevention order scheme is aimed to directly restrict the activities of the organised crime group leaders, the ones who are the decision-makers and root causes of the planning of major criminal activities that affect not only Victorians but all Australians. In addition to this scheme and who it will target, it will give the courts power to register a corresponding interstate order, if sought by Victoria Police, to enable its effect here. This will mean that Victoria can prevent someone who has a similar order placed on them in another state from entering Victoria, further stymieing criminal activities and sending a clear message to those wanting to cause issues here that they will not be allowed in.

Firstly, I just want to be really clear: our unions do an incredible job day in and day out supporting the working class and fighting for better working conditions and a fair day's wage. What has been reported lately in the media has not and will not ever take away from the sheer amount of hard work the trade union movement has achieved over decades of its existence. I have met and talked with members from teaching unions, nursing unions and construction unions too. They are people. They are members of our community, hardworking mums and dads that just want to see their work respected and be compensated fairly for it. It is a great shame that a very small bunch have caused a rotten culture to be cultivated and denigrate the important work that our unions do.

What has been reported in the media and witnessed on government worksites must be addressed, and there is certainly no place for someone who is associated with serious criminal activity to work on government worksites or to facilitate that shocking and poor behaviour, which is why this government has chosen to act and commit to stamping out this rotten culture and taking crucial steps to ensure it is avoided in the future. The conduct of unions is regulated under federal, not state, laws, but we will do what we can to toughen anti-bikie laws so that the police can exercise adequate responses to things like unlawful association.

To put a little bit of a happy spin on all of this, the construction of Frankston Hospital – \$1.1 billion – is on time, on schedule. I commend the bill to the house.

Tim READ (Brunswick) (15:20): The bill we have before us today is the Criminal Organisations Control Amendment Bill 2024, which seeks to amend the Criminal Organisations Control Act 2012 with four main changes. First, it makes it easier for police to issue unlawful association notices, with reduced thresholds and increased penalties. For example, the current threshold for an unlawful association offence requires three or more occasions in a three-month period of meeting someone from a prescribed organisation, or six occasions in a 12-month period, to be guilty of unlawful association. With this bill, that threshold will be lowered so that unlawful association would occur after one meeting. The maximum penalty threshold will also be increased from five to 10 years. On the positive side, IBAC would have a review and reporting function in relation to the issue of unlawful association notices.

Secondly, it creates new serious crime prevention orders to replace the existing declaration and control order scheme. Third, it creates a criminal offence which prohibits a person over 18 from displaying the insignia of certain organisations in a public place or public view, including when that person ought reasonably to know that the mark is an insignia of that organisation. The precise insignia are yet to be determined and, as I understand it, will be subjected to further decision in regulations by the Attorney-General, based on the advice of the Chief Commissioner of Police. It creates a worksite prohibition offence excluding members of certain organisations from Victorian government worksites.

All of the legal organisations we have consulted so far have been very clear that they have numerous concerns about this bill, not least because it is yet another expansion of police powers, given that Victoria still does not have an independent police ombudsman. Interestingly, community legal centres such as the Victorian Aboriginal Legal Service and the Federation of Community Legal Centres have communicated clearly with us that they do not support this bill, as they are concerned about a number of unintended consequences. The bill is intended to apply to people involved in serious criminal activity and organised crime in Victoria, but these organisations outline that the broadening of police discretion and creation of new criminal offences in the bill may be disproportionately used against a broader cohort than intended, resulting in discriminatory policing and the criminalisation of marginalised community members, particularly the overpolicing of Aboriginal people. They oppose the prohibition of members of part 5C organisations from entering Victorian government worksites without more information about how part 5C organisations will be prescribed in the regulations. Going to work is a protective factor for many people with previous criminal involvement to earn a stable income, and it is an opportunity for them to move away from organised crime. So they are concerned that preventing a person from working on public construction sites because of membership or associations outside of work may lead to people losing their income and becoming more reliant on connections with prescribed organisations.

With regard to the new offence about insignias, we are told there could be a risk that police will use these new powers to target any group of people wearing clothing or marks that police interpret to represent their membership of a particular group, regardless of whether the group is engaged in alleged serious criminal activities. There have been several instances across different regions of Victoria where groups of Aboriginal people, for example, have been stopped and questioned and sometimes subsequently arrested because the police said they were a gang and were wearing outfits that represented membership of a gang. In all circumstances the groups of people have been wearing similar clothing as part of an event or club. Police have stopped several groups of people for questioning when they were wearing sporting gear or even memorial T-shirts for deceased loved ones. This kind of practice poses significant risk of further criminalisation. Research clearly demonstrates that discretionary police powers tend to be used with disproportionate effect on minority communities.

The Greens are concerned by ongoing reports of organised crime operating in Victoria, and we support efforts to use the justice system to control this, but we have seen too much evidence of overuse of police power to endorse this bill in its current form. In addition to those mentioned, we have other concerns about the bill, and so we will have more to say about this bill when it reaches the other place.

Lauren KATHAGE (Yan Yean) (15:25): It pleases me to rise to speak on the Criminal Organisations Control Amendment Bill 2024. Going through the details of this bill really brought home to me what we are doing around men's behaviour change, to be honest. Reading about outlaw motorcycle gangs, I realised that there is a lot of egregious behaviour within those groups relating to their treatment of women which needs to be condemned. We often hear of public crimes getting more attention than family violence, and a lot of attention is paid to crime rates but not as much to family violence rates.

I was interested to learn about research that was undertaken by the Australian Institute of Criminology. Forty per cent of outlaw motorcycle gang members have been proceeded against for a domestic violence offence in the last 10 years. They are twice as likely to have been proceeded against for domestic violence than the wider male offending population – so amongst men who already have offended, members of those gangs are twice as likely to have been proceeded against for domestic and family violence. We know that their offending is more harmful. Unfortunately, we read absolutely shocking and devastating stories in the paper regarding the types of crimes committed by members of such gangs and that in these groups women can be treated by members as property who can be sexualised, objectified and subjected to acts of sexual degradation and violence. We have read about that recently in the news, for example. I do not want to say their names or give any undue attention to members of such gangs who basically carry out psychopathic attacks against women, forcing them to

kneel while they chop off their hair, berating them for bleeding on the carpet after attacking them, committing absolutely horrific sexual violence against women who they purport to love. It is such awful behaviour. We know that strangulation is more common amongst such groups.

The strong group identity within outlaw motorcycle gangs reinforces those attitudes and norms that lead to that sort of behaviour and that hypermacho, violent image that they seek to promote within their groups. It is just terrible, because we know gang affiliates are carrying out crimes against the intimate partners of other affiliates at the other affiliates' behest. We know that there is absolutely abhorrent treatment of women, and we do not want young men – or men – to be joining these gangs. We do not want them to be influenced by these men who would, to a much more frequent degree, treat women as property and so harmfully. We do not want them to be causing harm to women in our community, so I fully support the provisions of this bill.

Some of the work that this bill will do is around strengthening the existing unlawful association scheme so that it is easier for police to issue and enforce an unlawful association notice. Currently it is around whether the officer believes that prohibiting the association can prevent the commission of an offence, which is quite a high threshold, whereas this reform that we are discussing today is around being able to prevent or inhibit the establishment, maintenance or expansion of a criminal group or a criminal network, and it is appropriate in all the circumstances.

Another provision of the bill is to introduce a new serious crime prevention order. This is something that will be overseen by the courts, and it will prevent and inhibit the involvement of individuals in serious criminal activity. So essentially it is designed to restrict the activities of organised crime group leaders, and it can prohibit people from things like possessing firearms, from leaving Victoria and from having certain amounts of cash. So the court needs to be satisfied that there are reasonable grounds to believe that compliance with these conditions would protect the public by preventing or inhibiting an individual's involvement in serious criminal activity, and I am going to come back to that provision because I think it is a very promising provision for other parts of the work that our government is undertaking. The other provisions are around prohibiting the public display of insignia or gang colours, and this is what I mean when I say we want to prevent young men being attracted to such groups through the display of gang colours or insignia – young men who are looking for somewhere to belong and who are looking for guidance in their journey, essentially.

For me, this bill is actually going to contribute to the impact that we are having on reducing family violence through focusing on men's behaviour change. We saw the appointment of a Parliamentary Secretary for Men's Behaviour Change, and we have a government certainly that has invested so much in preventing and reducing family violence; in fact it is nation leading. We have implemented all 227 recommendations of the royal commission – more money and effort than any other jurisdiction. We have opened 36 Orange Doors for immediate, simple access for people escaping violence, but we are also looking at why men are enacting this sort of behaviour and how we can reduce and change that behaviour. We have had excellent work from the Parliamentary Secretary for Men's Behaviour Change, and he joined me recently at Dardi Munwurro, a program in my electorate that supports and works with men who have used violence and who have been incarcerated for using violence. When we met with the men there everybody – the minister, the parliamentary secretary and I – all left absolutely stunned and really overcome by the amount of honesty and truth spoken by those men, who took absolute accountability for their actions, who absolutely took ownership of what they had done to the people that they loved and who had taken responsibility for changing their behaviours. So our government will continue to support services like that, which work to change men's behaviour. We will continue to propose bills such as this that reduce the chance that men will join groups that are known to have such abhorrent views and actions towards women.

I hope we will be able to take the learnings that we have from the provisions around the serious crime prevention order and apply them to the women's safety package that this government is working on. We know that our government is looking at all levers available to it to ensure that women are kept safe. In terms of the policing and legal responses, I look forward to seeing and working on this

government's legislation as another way to keep women in this state safe. There is no stone that we will leave unturned, there is no person that we will not seek to help and there is no way this government will stop working to protect women in Victoria.

Wayne FARNHAM (Narracan) (15:35): I am pleased to rise today to speak on the Criminal Organisations Control Amendment Bill 2024, but just before I get stuck into the bill I will take this opportunity to thank the hardworking members of the Victorian police force, and I also believe there are New South Wales and Queensland police assisting our forces over the next three days. With the behaviour they have to put up with from the protesters down there at Jeff's Shed, to work in those conditions would be absolutely horrible. To have urine thrown at you and horse excrement and all the other things they are doing down there – it is a shame that members of this house support that type of behaviour. I do not think any of us normal people in this house would support that type of behaviour. My thoughts are with Victoria Police and the other police helping them at the moment, because they do have a tough few days. Their workplace safety is at risk as we speak, and I think it is just a pity that Melbourne, which is such a great city, now is seen in this light. We all know in this chamber that Melbourne is a good place, yet we have this certain element of ratbag behaviour, and people that want to protest for the sake of protesting just take it as an opportunity to make an absolute nuisance of themselves and put not only the public at risk but our police at risk and probably our emergency services at risk – ambulance services as well. So my thoughts are with them at the moment, and I thank them for what they are doing and for trying to keep our community safe, and I wish they all get home safely to their families. We already know there have been about 27 injured, and I hope they can recover quickly and get back to work. It is disgraceful behaviour, what is going on there. Melbourne is better than that, and people in this chamber should be better than to incite that type of behaviour.

I will get into the bill. The purpose of the bill is to make changes to the unlawful association scheme – part 5A of the act – and provide for the Independent Broad-based Anti-corruption Commission, or IBAC, to have oversight functions in relation to the unlawful association scheme; replace the scheme for making declaration and control orders with a scheme for making serious crime prevention orders; prohibit the public display of insignia of certain organisations; and prohibit adult members of certain organisations from entering certain areas on Victorian government worksites. I am going to start with that point, as I imagine no-one would be surprised I would.

It is disappointing that four weeks ago the Liberal–National team tried to introduce a bill to stop the bikies going onto Victorian government worksites. I worked on that bill. I said it at the time. I worked on that bill, and the reason I got involved with it is because I know the industry well and I know what is going on. It is just a shame at points in time in this chamber, even though we are on this side, if we bring forward a bill that we know is common sense and that we know will make a difference, that the government does not support it.

It was the same with the Denyer bill. We brought the Denyer bill to this place. It got knocked out by the government, got voted down, and then a few months later the government brought in essentially the same bill. I can see the member for Frankston sitting there, and I give him credit on changing the government's mind on the Denyer bill. It was an important piece of legislation that targeted one person who was an abhorrent human being and always will be. I did not get a chance to speak on the Denyer bill at the time, but I give the member for Frankston an awesome amount of credit for what did to get that bill back into this house.

This is my point: just because we are on this side of the chamber does not mean we do not have good ideas. It does not mean that we do not have the best interests of Victorians – Victorian taxpayers or Victorian building sites – at heart. When we introduced a bill four weeks ago to ban bikies from Victorian government building sites, we did that with good reason. We did it because we know the infiltration of the construction industry is out of control. We have heard the stories. We have seen the clips on *60 Minutes*. We have seen the interviews on *60 Minutes* about the bikie behaviour. I wish the government had got behind us then to support us on that bill.

I can tell you now, I had a builder ring me the other day. The CFMEU turned up on his site and he asked them to sign into the site, which is a requirement. It is a requirement on any building site now that you have to sign in; it is an OH&S requirement. The representatives from the CFMEU refused to sign in but still entered the site. That is unlawful entry. They are that arrogant now that they are pushing back. They are basically saying, 'You will not push us around. You will not tell us what to do.' And they are still using intimidation tactics. That is what the CFMEU is doing, and they have been doing it for a very long time.

I heard today the member for Evelyn bring up the fact that what we are dealing with now was happening back in 2015. Why did we take 10 years to fix it, and will this fix it? You have to excuse my pessimism if I do not believe that the government will really follow through with what they are proposing at the moment. Back in 2015, it was noted today, it was the now Premier who was in charge of that portfolio. I was not around here then; I am not going to pretend to know the ins and outs of that conversation. It would be stupid to do that. But being pragmatic, if it was happening in 2015 and we had the person who is now Premier with that under her portfolio and nothing happened then, what faith do I have in the Premier and the government to make sure that this gets followed through with now? It is a pretty big ask to sit back and say, 'You failed nine years ago but now you think it's the right thing to do'. Back then it was, 'We have to clean up the industry,' and now it is, 'We still have to clean up the industry, but now we have the Premier in charge'. I am a little bit pessimistic about whether this will work.

The bill we proposed to put forward was basically saying anyone on a government worksite had to have a police check. Police checks are not abnormal. We have to have them as MPs, nurses or teachers, so why won't we introduce that? Why won't we introduce that every person on a government worksite has to have a police check? If it is brought up that they are not a fit and proper person, they cannot enter that site. If it is brought up that they are associated with bikie gangs, whether it be the Rebels, the Mongols, the Comancheros or whatever list of moronic gangs they want to join, why don't we have that? It is a very simple thing to do to protect the industry. I love the industry; the industry gave me a great career. It really did. So why won't we do everything we can to protect it? I do not think this goes far enough; I really do not. I think that police check should be brought in. And yes, if the police have to do a bit of extra work, so what? If the builder has to do a bit of extra work, so what? Let it happen. Bring the police checks in to get the ratbags out of the construction industry.

I said this last time I got up to speak about the CFMEU: there are a lot of good people that work in the CFMEU. There are a lot of people that go to work to provide for their families, to put their kids through school, to put food on the table and to pay the bills. Why don't they deserve a safe and proper workplace? They should, as every Victorian should, no matter whether you are in the construction industry or whether you work in a hospital. Let us bring in the police checks. Let us really clean up the industry. Get rid of the bikie morons. We do not want them. Why would we? They hunt in packs. They are gutless, and all they do is intimidate people to get their own way. What they have done to the construction industry in this state is disgraceful. That is the only way I can put it.

I will reiterate that there are very, very good people who work in the CFMEU that just want to provide for their families. I do not think this bill goes far enough. We do not oppose this bill, but I would like to see it go further. I would like to see police checks on every Victorian government worksite to get rid of the riffraff.

Paul EDBROOKE (Frankston) (15:45): It is fantastic to be up and speaking on the Criminal Organisations Control Amendment Bill 2024 this afternoon. I follow on from the member for Narracan, and he made a very good point. He acknowledged our hardworking police. I must admit I get pretty puzzled at times in here when we have the Greens party not calling out their own people. We have got Greens members in here talking about this bill, talking about police and thanking police, and on the other hand they are trying to refer our hardworking police to IBAC. So it is with great confusion that I stand here now – and I will get to the bill. I have friends who are police officers, and there are now 30 police officers that have been injured in the action that took place yesterday that

achieved nothing. I was talking with my good friend the member for Northcote before and she said, 'What would have happened if the police weren't there?' The protesters would not be protected from themselves; they would essentially turn on each other, I think. But I take umbrage with Greens members not calling out their friends, their colleagues and their parliamentary colleagues in their party, coming in here talking about a bill to increase powers for police while at the same time referring police to IBAC.

I tell you what, there are a lot of things I would give not to have been on the front line of the police force yesterday. Having acid thrown at you, having urine thrown at you, having faeces thrown at you, having people chanting foul rants at you – and rocks. Is that the kind of thing we expect our police to have to put up with? But, do you know what, on Instagram there was one of our Greens colleagues, one of our parliamentary colleagues we will say – not colleagues in the strict sense of the word – telling people how they should protest. I have got no problem with protesting. I have been on the megaphone at times – peaceful protest. I am a lover, not a hater, but I want to get what I want; I want to make my point. But peaceful protests do not happen and people who were intending to protest peacefully do not do so by bringing jars of acid to a protest. One thing I did note, going back to that Instagram post from the member for Richmond, was that she did not at all, not even once, say, 'This is a peaceful protest, and here is how you do that.'

If you are going to turn up to protest this, first, know what you are protesting. It might not be fashionable, but I am just going to say it: the Land Forces convention actually is a convention that shows the tools that our army use to protect our troops overseas. We do have an army, we have a standing army, and a defence force in Australia. Maybe you should go protest at Puckapunyal if you do not like it. But the issue is I think that the Greens members opposite do not understand the sense of irony of attending a protest, not being in here to speak for their community but attending a protest to get all up in social media and get some likes and whatnot, a protest that has not achieved anything – and I would argue that with anyone. I would argue that all it has done is cost businesses and cause reputational damage. On the news last night there was a clip of a woman who was in a car and this poor woman said, 'All I want to do is pick up my kids from school. I agree with the protesters,' and then they started beating her car and throwing stuff at her car. It is unbelievable. For members of this house to support that – because that is what they are doing. If you attend that, you are supporting that, supporting people who do not even know the meaning of their chants. As we heard on the radio, the chant that I will not say that includes the words 'rivers' and 'sea', people were actually confused about that. You kind of start thinking: are we dealing with –

The ACTING SPEAKER (Daniela De Martino): Through the Chair, please.

Paul EDBROOKE: Thank you, Chair, I appreciate you reminding me of that. Are we just dealing with professional protesters? I kind of think we are. The member for Richmond is showing that. I am not the only person in this place that is starting to feel a little bit targeted, maybe even a little bit unsafe, when the Greens party – and I should say not all Greens members but some Greens members – are connected with issues that close down this house. We have seen some pretty dramatic things happen overseas when members of Parliament have been assaulted. Members of Parliament have actually died because of protests; they have been murdered. Of course I refer to the poor MP in the UK. I just wonder, in the UK at that time, who saw the tipping point and where was the tipping point? I would love to know where we are at on that spectrum right now. Where is the tipping point where the words that people say in this house and out the front of protests inspire people and radicalise people to do really dramatic, terrible things, because they are guilty of it at the moment in every phrase, in every word. I have heard it personally. I do not call this kind of thing out lightly. To come in here and to speak on this bill – with respect to the advisers here, I actually will get to the bill in a minute – and to say they support police after seeing and bearing witness to those police yesterday, not siding with the police, not trying to calm a mob down from throwing acid at police, from punching police and innocent people as well: well, they are just part of the problem and have made themselves part of that problem.

This bill intends to try and deal with another problem, and I think it will. A while ago I was chairing the firearm safety committee in Victoria, and we saw the firearm prohibition orders introduced. There was a little bit of apprehension about those at the time, but I think that the model application of this and the example that people took that told them that this was not targeting innocent people was when the father of a criminal outlaw motorcycle gang member was told he could not have his firearm legally. We saw those acts working the way we wanted them to. I think this goes a lot further in that we are strengthening those existing unlawful association powers in part 5 of the act and providing for the oversight of the scheme in IBAC as well. We have heard people talk about the provision of a new scheme for making a serious crime prevention order in Victoria to replace the existing declaration and control order scheme, which I think really will slow up and hopefully make some people cease who have been involved in organised crime when it is known they have been involved in organised crime – they have been charged; they have served sentences. I think this will go a long way to slowing that up.

This bill also will prohibit the public display of designated insignia or gang colours in Victoria. I think I heard someone saying before that this is not a first, and it is not. But in legislating this we are going a lot further than states like New South Wales and South Australia, which ban the wearing or carrying of clothing and other items displaying insignia in licensed premises only. So this is a broader ban, and it does a lot more. I think this legislation is great legislation. I think the use of gang insignia to intimidate members of our community does not make people feel safe. Really it is a bit of a social psychology setting, isn't it? People hang around in gangs for various reasons, none of them ever very good, and we know that; we know it across the world.

Can I again say how disgusted I am that we have members of Parliament who are attending rallies where police have been assaulted – violently assaulted. I have been in this chamber 10 years, and I have never, ever seen someone come into this chamber with that smirk on their face while 30 police officers have been injured. I have got to say it is just disgusting. If people want to change their communities, this is the place to do it, but they have to be here. It is a very powerful place. It is a place where you are privileged to be, not out there encouraging people who are doing the wrong thing, people who are carrying out criminal activities against our police. To come back in here and have members of that party talking about how they appreciate the police and whatnot – it just has to be called out. It is pathetic, and I think people are right in asking the member for Richmond to actually apologise to this chamber and apologise to Victoria Police.

Richard RIORDAN (Polwarth) (15:55): I wish to rise to make a small contribution to the Criminal Organisations Control Amendment Bill 2024. This bill is sort of continuing a theme of this government where, when they come under media pressure in particular or pressure from the opposition – a scandal of the day if you like – we see a piece of legislation come to the fore. It is of no surprise to anybody in Victoria that with the Victorian Labor government's Big Build projects – which have seen billions and billions and billions of dollars spent and blown out and wasted and which are still underway around the capital city; unfortunately there are almost no projects outside the capital, but here in Melbourne there are the tunnel projects and the level crossing removal projects and a couple of other large projects underway – there has been a constant call from the commercial sector that these worksites and building sites are out of control. There have been allegations of bikie infiltration and other criminal gang infiltration, and we know whether it is state or federal government it does not matter. When a government interferes in the market process, when the government gets in and thinks it knows better and it opens up the chequebook, opens up the coffers and goes full bore without proper accountability and management, things go wrong.

All Victorians will remember a few years back when the federal government made a similar mistake. They thought that they could go and insulate everybody's homes without much management or thought. In a very short amount of time we had deaths, we had businesses going broke and we had a complete and utter failure of the market because government tried to take over. This is what has happened with the Big Build in Victoria. Where there has been an opportunity to fleece this government and take advantage of endless resources, the criminals have moved in.

What is frustrating for so many with the introduction of this bill is that the government is touting this as the fine-tuning of a piece of legislation that has been in place for the best part of 10 years. In those 10 years the government has failed to use it. We can talk and debate about how you have a piece of legislation that is designed to keep criminal groups out of government projects and government spending and government influence – we have already got the legislation there – and despite everything that we now know, despite exposés in our commercial media and in other forums, this government still has not been able to lay a glove on it.

There is a real worry that this is again a little bit of grandstanding: ‘Oh, look at us. We’re introducing some tweaks to an act and we’re going to clamp down on these things.’ But we have to ask the question: why is the existing legislation so spectacularly unsuccessful at getting anywhere in managing good governance, good business, on-time and on-budget projects, and how do we make sure that Victorian taxpayers are getting a fair deal? What is it that is stopping that? Is it because ministers do not see those as valuable traits in the way that we manage public projects? Is it because the government of the day gets the emails? We saw recently with the *60 Minutes* exposé that the minister saw it, key government operatives saw it, various people in the government and through the bureaucracy were aware of the problems and the crime gangs and the corruption that was going on, and yet no-one did anything. Is it because there is blind ignorance in play at the highest levels? Or are these people aware of it and passing it through to the legal and the justice system, and the legal and justice system is just not resourced? The Minister for Police might like to enlighten the house when his contribution comes up as to why these clearly dishonest and corrupt and unwelcome events are happening on big government projects and why we are unable to reel them in and bring some control and order back to the system. This legislation is designed to do that.

Another quirk in this system: as Shadow Minister for Emergency Services I was somewhat perplexed as to why we have decided to carve out our emergency service agencies as places where associations and affiliations can be exempted. That did not make a lot of sense to me. There was not an explanation in the bill briefings as to why in theory we could have a whole bunch of bikie or criminal groups taking over CFA groups or SES groups or other emergency management groups and operating clandestinely. That did not make a lot of sense. All those volunteer emergency services groups have available to them an ability to vet each of their members. I would hope that nothing in this bill will diminish the right of the operators – the brigade captains, the unit captains of our SES and CFA and our surf lifesaving clubs – and that nothing in this legislation will prevent them from continuing to monitor and vet the good nature, good reputation and good character of people that sign up to those agencies. If that is the case, then we do not have much to worry about in that one little exclusion.

Some of my colleagues have raised that good crime management and good corruption management require the government of the day to provide the resources and the finances. I made the comment earlier that a lot of these problems have been known for quite some time. We certainly have many laws in Victoria that do not allow for fraud and corruption and standover tactics and others, and the question is: is it just that we do not have the resources to police these and follow these up? We have seen time and time again that our anti-corruption watchdogs in this state constantly seem to have their hands tied. I know many of my colleagues in the opposition have time and time again submitted areas of concern to the various watchdogs, and not only do we wait what seems an interminable amount of time – months and months and months to get a response back – but the Victorian public and the Victorian members of Parliament are all left very much in the dark as to where our monitoring of crime and corruption and fraudulent behaviour runs.

What makes this I think an even worse category when we are talking about managing government projects and government resources is that this is taxpayers money, and in a state at the moment where we cannot get our ambulances out of hours-long ramping, when we cannot make sure that we can finish projects on time and on budget and when we cannot make sure that we are funding our SES and our CFA to appropriate levels so that we do not have periods like we have just seen, when SES volunteers are out working day in and day out for many, many hours, all for free, and yet when they

finish that they have actually got to dive into their own pockets to pay for petrol, pay for new replacement cords on the chainsaw, get the chain sharpened on the chainsaw and replace broken straps and safety banners. These are things that our volunteers should not do, and it should concern all Victorians that this government has been so slow to clamp down on the essential elements of good governance, good practice and fiduciary responsibility.

Anthony CIANFLONE (Pascoe Vale) (16:03): I too rise to speak in support of the Criminal Organisations Control Amendment Bill 2024. In doing so I would like to acknowledge the Attorney-General in the other place, the Minister for Police, who is at the table, and their respective teams and departments for the work they have done in bringing the bill to the house.

I would like to begin by acknowledging the work of Victoria Police. Victoria Police of course work every single day, 365 days a year, 24 hours a day to keep each of our communities safe, and I thank them for the work they do across Victoria and across my community of Merri-bek, Pascoe Vale, Coburg and Brunswick West and for their efforts yesterday in their response to the protests and events at the Melbourne Convention and Exhibition Centre. While every Victorian has the right to protest of course and while some in the crowd yesterday may have been well intentioned, passionate and protesting in good faith, there is no doubt that, egged on by the member for Richmond, many conducted themselves in an unacceptably violent, aggressive and threatening manner towards police members, with bags of liquid laced with acid being thrown, reportedly, and horse excrement, and attacking and assaulting police. We have seen police, as we heard today from the minister, injured and in hospital, and our thoughts and our prayers are with them and the rest of the police that remain in the CBD to keep our community safe.

As the Premier said last night, the tragic violence and conflict in the Middle East, which we all want to come to an end – we all want it to come to a peaceful end – is not an excuse to stoke fear, hate and division, and to bring violence and conflict to the streets of Melbourne is simply totally unacceptable and has no place in Victoria.

As members of Parliament, I think we all have responsibility and stewardship, regardless of whatever side we are on, to always work to bring people together, to foster social cohesion and to promote peace and harmony in our proudly multicultural and diverse community, no matter our differences. That is why I am so appalled by the Greens member for Richmond for her role in stoking the flames of division yesterday; undermining community confidence; conducting herself as a chief community activist, not as a leader of our community; calling for peace on one hand yet supporting violent and intimidating conduct on our streets; coming into this place last night seeking to claim the moral high ground while simultaneously climbing that mountain of hypocrisy; and, frankly, for conducting herself in a manner that is entirely unbecoming and inconsistent with being a member of this place. Inciting hate, division and fear will not win here in Victoria. I want to thank the members of Victoria Police, including those from Merri-bek and all those who work under Inspector Andrew Markakis, for keeping our streets and our communities safe every day, because we all as Victorians have the right feel safe and be safe whether it is in our homes, in our communities or in our workplaces.

Every day as a government we are working through our agencies to help support Victorians to lead lives that are free from violence and crime or the fear of crime. That is why since 2014 we have continued to make those record investments of more than \$4.5 billion into Victoria Police to deliver Victorians the modern, world-class policing services that they deserve. This has included \$1 billion towards new and upgraded police stations, more than 3600 additional police officers since 2014, \$214 million in funding to roll out tasers to all frontline police offices and PSOs and significant investments and initiatives in crime prevention and early interventions to address those root causes of crime. However, we know along with those investments to support Victoria Police with those frontline tools to identify, investigate and combat crime across our local suburbs, ensuring we provide the appropriate and accompanying legislation to prevent and deter crime, especially organised crime, which infiltrates and underpins a lot of the crime and overall crime activity, is absolutely critical. Along with having introduced and passed the Confiscation Amendment (Unexplained Wealth) Bill 2024 in

May of this year, today's bill will also help provide Victoria Police with those further powers they need to tackle organised crime and keep our neighbourhoods safe.

The Criminal Organisations Control Amendment Bill before us today amends the Criminal Organisations Control Act 2012 to reform Victoria's unlawful association scheme, introduces a new serious crime prevention order, prohibits the public display of insignia of proscribed organisations – namely, those insignias, signals and patches of outlaw motorcycle gangs – and prohibits members of proscribed organisations from entering Victorian government worksites.

Organised crime has been a concern of course for authorities across Australia and its territories and states for many, many years. The laws as they relate to consorting between criminals were first introduced to deal with people considered to be consorting with vagrants and thieves. Australian anti-consorting laws have their origins in medieval English vagrancy laws from when vagrants were seen as protocriminals and there was a perceived nexus between the vagrancy and the criminality. Concerns about the behaviour of convicts who had finished their sentences also influenced the development of early Australian vagrancy laws. In 1852 the first vagrancy law in Victoria was introduced, and anti-consorting laws were first introduced in 1931 by the Police Offences (Consorting) Act 1931. Part of the reason for the introduction of this offence was to stop people coming to Victoria for criminal activities. The Police Offences (Consorting) Act prohibited people from habitually consorting with either reputed thieves, prostitutes or vagrants, and if they were found to have done so, a person could be imprisoned for a sentence of no more than 12 months. Those people would have been imprisoned, dare I say it, back in Pentridge when it was well and truly in operation. Mr Slater, who led the passage of the bill at the time, further stated that the bill would provide:

... the safeguards which protect the general community – to prevent the congregation of criminals, men who, after coming out of prison, are able to consort, to conceive crime and ultimately to carry it into execution ...

The law since then of course has not remained static. It has continued to evolve and be amended and strengthened over time as organised crime has as well. Victoria modernised the state's anti-consorting legislation in 2012 with the passing of the Criminal Organisations Control Bill 2012, later supplemented with the Criminal Organisations Control Regulations 2013 and the subsequent Criminal Organisations Control and Other Acts Amendment Bill 2014, which broadened the range of criminal offences that could trigger making declarations against a person or an organisation. That followed on in 2015 with the Criminal Organisations Control Amendment (Unlawful Associations) Act 2015. The Confiscation and Other Matters Amendment Act 2016 then further simplified the declaration provisions when it comes to individuals or organisations to make it easier for Victoria Police to obtain a declaration as the basis for a control order condition preventing the organisation from operating, carrying on business or taking on new members.

However, notwithstanding these reforms, over recent years more has needed to be done when it has come to tackling organised crime. As we have heard throughout the debate today, the Australian Institute of Criminology placed the cost of serious and organised crime to Australian communities at over \$60 billion in 2020–21 alone, including \$16.5 billion in illicit drug activity, \$4.9 billion in illicit commodities and \$700 million in crimes against the person.

When it comes to organised crime, it is organised outlaw motorcycle gangs that continue to represent some of the more highly visible but certainly not the only organised crime groups known to Victoria Police. Motorcycle gangs, as I understand after doing a bit of research ahead of today, emerged in the United States after World War II as informal support networks for returned servicemen. It was in the 1960s that Australia experienced a rise in these motorcycle gangs. While most motorcycle gangs have a devolved structure, they have also often developed strict, military-inspired hierarchical structures and have fostered broader outlaw cultures categorised by violence and recklessness but also camaraderie and loyalty. While not all members of these organisations are involved in criminal activities, some estimates suggest that about three-quarters of organised motorcycle gang members have criminal records, mostly related to fighting, traffic violations, drug possession or disorderly

conduct. Victoria Police reports that 26 recognised outlaw motorcycle gangs are reportedly operating in some sort of capacity in Victoria, and there are 2000 outlaw motorcycle gang members and associates who have links to Victorian addresses. This bill will help support Victoria Police to further continue to crack down and take the action they need when it comes to organised crime, particularly outlaw motorcycle gangs.

In the time I have remaining, I would like to talk about and thank again my local Merri-bek Victoria Police members, particularly my local area commander Andrew Markakis. On 22 May our local police hosted a community neighbourhood policing forum at the Coburg town hall, attended by a hundred local residents. Locals were provided with an update on crime trends, crime prevention initiatives, road safety, family violence, men's violence, women's safety, young people and many other issues. It was an excellent evening with excellent discussion that was very much appreciated by the community.

The overall offences-recorded rate in Merri-bek was reported as being below the state's average offence rate per 100,000 of population – 12,750 in 2023, lower than the prepandemic levels of 14,300. The top five recorded crimes across Merri-bek that were reported included theft from a motor vehicle, 1800 offences, mainly from unlocked vehicles; other types of theft, 1200 incidents; breaches of family violence orders, 1000 incidents; criminal damage, 960 incidents; and obtaining benefit or property by deception, 670 incidents. When it comes to road safety, Merri-bek TAC hospitalisation claims had reduced from 199 in 2019 to 142 in 2022.

On the issue of family violence, Acting Sergeant Sam Spencer in particular gave a very fantastic presentation about the work they are doing every single day to support women and children in need across our community, with total family violence incidents recorded at 1840 in 2023, again lower than prepandemic levels. The community sentiment survey reported a number of issues of priority for the community: safety in public places, road safety and safety of property and possessions amongst other issues. I commend the bill in the name of my local Victoria Police members.

David SOUTHWICK (Caulfield) (16:13): I rise to speak on the Criminal Organisations Control Amendment Bill 2024, and at the outset I thank the member for Malvern for his amendment that he has put forward and also the Shadow Minister for Police, who is with us here today and who has been working very hard and diligently with our members of Victoria Police. We have seen in the last few days our hardworking Victoria Police being very tested by extremist protesters that have sought to not only disrupt but cause violence on our streets, so our strongest thanks go out to those hardworking men and women of Victoria Police not just for the last few days but for each and every day and particularly over the last few years from the time of lockdowns, when I had many Victoria Police members talk to me about just how difficult their jobs were. Certainly in the last 12 months with the increased amount of protesting and increased activity we are seeing people wanting to bring problems from thousands of miles away onto our streets. Unfortunately it is the hardworking men of Victoria Police that are there that have tried to restore safety and social cohesion to their best ability. So I do want to pay my respects for their work.

I also want to just thank an intern in my office, Sathvik Jain, who has been working on a number of things for me – he is of Indian background – doing stuff in trade and investment, but in particular he was in Parliament here yesterday and looking especially at this particular bill.

This particular bill looks at OMCs, outlaw motorcycle gangs – or, as we quite commonly refer to them, bikie gangs – and it was brought to our attention particularly with the CFMEU, the former CFMEU boss John Setka and the activities of bikie gangs on Big Build sites. We heard Nick McKenzie refer to the Big Build as the rotten Big Build largely because these bikies have been allowed to run rampant on the sites not just for the last few months but for years, for a decade, under the Premier as the Premier but also as the infrastructure minister for those 10 years. We have had these laws that have been weak for a very, very long time, and that prompted us to bring in our bikie bill, which was about ensuring that there was safety on these worksites, that there were consequences and that those that sought to enter worksites would be prevented from doing so. There would be checks in terms of

appropriate types of individuals on these sites, and those that were associating with criminal organisations and were associated with bikie gangs as such would not be allowed to work on a Big Build site.

I am pleased to some extent that the government has finally followed suit in terms of what we proposed a few months back, but again this does not go far enough. It is a weak version of what we proposed a few months back in terms of booting bikies off Big Build sites. This bill is about more than just the Big Build sites, but certainly where there has been corruption identified, specifically with the work from Nick McKenzie and his story on *60 Minutes* and that which then followed in the *Age*, that shows what the flow-on effects are. We know when you have got criminal organisations that seek to profit by their bullying tactics, you need to crack down on that, and that is why it has been very important. Unfortunately, the government has been missing in action all this stuff for far too long. There are many attempts here, but again I do not think it goes anywhere near far enough.

I just want to share with you quickly a story. A few months back I was heading to a multicultural event in Brunswick and going down Sydney Road, and just to the side at a motor inn there were a whole lot of bikies who seemed to be gathering outside this motor inn with big signage. They were effectively promoting a conference they were having at this motor inn, and I just could not believe that it was so public. As we proceeded further up the road to be where we were going we saw some of these bikies in some of the pawnshops and other shops around Sydney Road as well, so who knows what was happening. When I got to the multicultural event there were a number of Victoria Police who happened to be at the event, multicultural engagement officers for Victoria Police. I asked them about this kind of stuff and what was happening in the area, and we got on to a discussion about the weak laws around criminal association and the police doing their job with one arm tied behind their back.

It just reminded me that time and time again we certainly have members of the government that are very quick to recognise the work that Victoria Police do but who unfortunately do not go far enough in providing the powers for them to actually do their job. We have spoken about that certainly time and time again with things like move-on laws, and we believe it is very, very important to get them in. Having move-on laws gives you the opportunity, with those people that seek to disrupt in a very deliberate way and that seek to incite, to really cut it off right before any of that sort of stuff happens.

As I mentioned yesterday – and I will continue to mention this – the kinds of activities that we are seeing from these individuals did not happen overnight. Police being put in harm's way yesterday is something that has been brewing for a very long time. You need consequences, you need move-on laws and you need the kinds of criminal association controls we are talking about but going a bit further, like in the bikie bill we had a month or so ago, which send a very clear message that if you seek to profit, if you seek to bully, there is no place for you.

We need to ensure that, particularly in my portfolio of infrastructure, the Big Build does not end up being a 'Big Bill' because you have bikies that seek to profit from bullying and intimidating workers on construction sites. We have got to get confidence back. We see \$40 billion worth of blowouts on major projects and infrastructure. We have certainly heard that at the moment bullying, intimidation and corruption on the Big Build and on infrastructure can lead to a 30 per cent increase on these contracts. I know that the federal government is doing some work on that, but again we need to ensure that we clean that up and get rid of that mess. That is what we need to do.

In finishing and demonstrating some of the differences between the bill we have today and our bill, the Government Construction Projects Integrity Bill 2024 explicitly specified which gangs need to be banned. That is what we were looking at doing, so we talked specifically about a ban, whereas this bill depends on the Criminal Organisations Control Act 2012, which causes delays and has not worked as effectively. The other part of this bill that I think is important to talk about is IBAC, because the bill seeks to utilise IBAC and the government at the same time has starved IBAC of any funding. IBAC does not have the money and does not have the powers. You cannot keep throwing it more work to

look at criminal activity and corruption if you do not properly fund your corruption watchdog and do not give them the right powers.

Again, there has been some of this stuff with the CFMEU corruption on the worksites – things like ghost shifting, which we spoke about 12 months ago, where people would be double signing up for shifts that they were not even there for. We had situations where we had one person signing up to three jobs at once, and they were not at any of those jobs. They were receiving three lots of income and not being at any of them. Because the Premier would not answer it here, we referred it to Victoria Police and IBAC, and in both instances they came back saying they did not have the powers to do that. Those are the kinds of examples where it is not enough to just say about something, ‘Let’s refer it to IBAC.’ They have got to have the powers, and they got to have the funding. We support anything we possibly can to strengthen laws and get rid of corruption in this state, but at the moment unfortunately we have not seen that happen under the Allan Labor government. That is what needs to happen in terms of restoring integrity.

Sarah CONNOLLY (Laverton) (16:23): I too rise to make a contribution on the Criminal Organisations Control Amendment Bill 2024. Before I go ahead and address the specifics of this bill, I want to pass on my deepest sympathies and also my best wishes to the police officers here in Victoria, who do a remarkable job day in, day out but have been confronted, particularly yesterday, with terrible violence on the streets of Melbourne. It was very sad to hear overnight about the number of police officers who have been admitted to hospital suffering injuries inflicted by those who attended the protest – indeed they have been referred to as riots – on the streets of Melbourne yesterday. It has also filled me with a great sense of concern, concern that I have not really felt since going through those two difficult years of COVID, about the dog whistling in this place for violence on our streets. It is about time that this side of the chamber started to call out those opposite, the Greens and particularly the member for Richmond, for dog whistling for violence on our streets. This type of fake, phoney, shameful standard of politics has no place here in Victoria. This is not who we are.

The Premier had to come into our chamber last night, and she noted that the member for Richmond did not even have the respect to be in the chamber – somewhere that she should be, actually. Being an MP means that you are in the chamber for adjournment –

Luba Grigorovitch interjected.

Sarah CONNOLLY: particularly – that is right, member for Kororoit – if you ask a question. It is a fundamental rule of being a member of Parliament here in this place. If you ask a question, you stick around for the response. But the fact is that the Premier had to come in and explain to this place and indeed the absent member for Richmond that hate will not win. Violence has no place in the streets and local neighbourhoods of Melbourne and Victoria. The fact that we had to have a Premier, a Labor Premier, stand here again and call out the dog whistling and gutter politics for what it is – this time not by those opposite, the Liberal Party, but the Greens – is just something that everyone here in this place does feel deeply ashamed about.

The police do a remarkable job in our community. I see them day in, day out in my local community. I have been to, I say, the three big cop shops in Melbourne’s west; we have got Sunshine, we have got Wyndham North and we have got Werribee. I have talked to them about challenging issues that our local community in Melbourne’s west is facing. Being a police officer here in this state or indeed across Australia or the country or the world is a really difficult job. But we need police officers to keep the community safe, and we turn to them in our time of need. The fact that they are assaulted and have to turn up and be assaulted, including the horses, is just one of the most appalling things. It was appalling to have to watch it on the news last night with my kids – we all watch the news together – and to have to explain that that kind of violence is not who we are in Victoria. We guard our right to freedom of speech and being able to protest peacefully. We guard that so strongly and we protect that here in this state, as we should. But protest needs to be peaceful, and we see what happens when that gets out of control.

I was deeply disappointed and angry to see that the member for Richmond had done a video, actually, on her social media explaining to constituents, explaining to young people, how to know their limits when they go to a protest or they turn up to an event like that – when they are waiting for the violence to take place, knowing what their hard limits are, knowing how to wash their eyes out when they are sprayed with pepper spray or other things. It is irresponsible. It is not what a member of Parliament in this place should be. This place is about raising the standard, time and time again, encouraging our community to lift itself up and be the best that it can be.

The member for Richmond was dog whistling for the worst of behaviour on Melbourne's streets yesterday. I think the member for Melbourne, who is quite a decent lady who I like very much – I am deeply disappointed that she turned up. She knows better – that this type of politics, gutter politics, a fake and phoney type of politics, has no place in this house, has no place here in Melbourne and has no place in Victoria. This is about just trying to sweep up votes at a federal election and a state election in two years time. People got hurt yesterday. Protesters got hurt. People got hurt that should not have been hurt. There is a place and a time for peaceful protest, but there is no place for dog whistling on the streets of Victoria.

Shame on the member for Richmond. I think that she should apologise, actually. She should apologise to Victoria Police, to the protesters who attended and to the constituents and the young people that she was dog whistling to to attend and get involved in that kind of violence. She should apologise to her community. I wish her community could see her for the fake and phoney that she is. She is not here in this house. It will be surprising if they even turn up this afternoon for a vote. Very few times do they make a contribution in this place, and indeed I would have to say that if anyone did a check in *Hansard* how many contributions the member for Richmond has made in this place about her community – positive things in her community and young people here in Victoria – they would find that she contributes right at the bottom of the list of all members here in this place.

That is something that should actually be reported on, and I might indeed go and have a look at that. I am someone who absolutely loves standing in this place talking about their community time and time again, talking about the great, positive things that are happening in this state, helping uplift their community. That is what MPs are here to do. This is the place that you come to to have debate, respectful debate, and change things the right way, the peaceful way, not the way in which we saw with that kind of violent behaviour happening in our streets in Melbourne yesterday. I also felt really bad for the westies who were stuck in traffic yesterday, many of them just trying to get to work, trying to go and visit friends and family, doing the day in, day out things they needed to do, picking up their kids from school. This is not who we are.

I have to say it was a near miss when I had one of those climate protesters, actually – I was going to say not necessarily parking a van – get a huge truck, an Avis truck, and cut across two lanes on the West Gate Bridge to basically terrorise people from the western suburbs and indeed as far-reaching as Geelong who were just trying to get to work that day. Twenty-five kilometres of traffic that caused. Those people sat on the roof of that truck. They had to come and be arrested and taken down. The amount of disruption that caused to folks that day is completely unacceptable. Again the member for Richmond I think was key and instrumental in dog whistling that kind of behaviour. I think she even liked the post at one stage, I saw. It is absolutely appalling behaviour.

I know that folks in my community, when they think about police or they think about mounted police, want to know that those police are in their community catching the people that are committing crimes in our local community but also indeed attending the massive amount of call-outs that happen in my local community and Melbourne's west when it comes to family violence and domestic violence happening at home. We need those cops out in places in the inner and outer west, catching proper criminals and crimes as they are happening. We do not need them there in the heart of Melbourne having to basically try and keep civil order on our local streets.

This bill is a really important bill. I know I said I would get to some of the things that it talks about, but I do want to commend the minister for putting it before the house. We have put up some really great bills lately when it comes to crime and crime prevention here in this state, and this is indeed another really important bill that I know has had many contributions from both sides of the chamber. I do think it is another positive step towards strengthening our ability to tackle crime, and for this particular bill it is organised crime, which makes it even more important, because we want to see less of that type of behaviour and that type of crime happening on our local streets. The ultimate benefit of stamping out this kind of crime is that police and law enforcement can better focus their efforts on keeping our community safe, because at the end of the day that is what we need them to do. That is why I commend the bill to the house.

Tim RICHARDSON (Mordialloc) (16:33): It is a pleasure to rise and speak on the Criminal Organisations Control Amendment Bill 2024. It follows significant support for the law reform of Victoria Police and comes at an important time in their work and engagement around addressing some of the really concerning elements of organised crime in our local communities. I really want to reflect on some of the journey to this point in time in my contribution but also place on the record our thanks and appreciation to members of Victoria Police for the work that has been done to get to this point with the Chief Commissioner of Police's work on behalf of thousands of serving Victoria Police members and the importance of strengthening law reforms around unlawful association schemes. I will take a moment, though, to reflect. I think the member for Frankston has said this before, and the member for Laverton gave a great summary on some of the elements of peaceful association and protest. We see in this bill particularly a prohibition on members of declared organised crime groups entering or associating on Victorian government worksites.

This is an important step with some of the concerns that we have seen from some elements that have been reported by the *Age* and exposed by Nick McKenzie. But I want to be very clear for the 150,000 construction workers in Australia who build and support our communities that this is not a reflection on them. They front up in some of the most dangerous sectors and industries each and every day on behalf of their communities and help build the state for a better future. I have seen example after example in my local community of construction workers who have helped shape and build our community, and we will be eternally grateful. They are members of our community in a range of different community associations and organisations; some have been there for decades. I could name projects like the Mordi freeway, level crossing removals, the Metro Tunnel and the soon-to-be Suburban Rail Loop. I cross them every day in the street, and they have that collective disappointment in some of the things that have been uncovered and exposed and the concerns that have been raised.

In response to some of those changes – and this is a great hallmark of democracy – we saw construction unions and their partners come to the streets of Melbourne. Many of us, when we were fronting up through the Your Rights at Work campaign, which changed the rules, on one occasion marched with 170,000 fellow Victorians through the middle of Melbourne. That was one of the most incredible displays. I have never seen so many people, except for at the Essendon grand final in 2000. It was absolutely going off tap. The importance of that is that, with 170,000 people, do you know what was really interesting that day? I did not see anyone bringing goggles, I did not see anyone bringing face masks, I did not see anyone fronting up with acid or bringing any sort of projectiles. I did not see Victoria Police having any sense of heightened anxiety about whether they would safely return to their family that night – nothing of that behaviour. And I think that is a really important frame to what we saw and the impacts on Victoria Police.

It is ironic as well for the Greens political party to front up and speak on a bill that talks about strengthening police powers while at the same time not one of them yesterday, not one of those members of the Greens political party in this place, could bring themselves to acknowledge the injury and impact that was had on their fellow Victorians as serving members of Victoria Police – not one. They were asked; they tried. It was like when Adam Bandt is asked about various things on housing, that uncomfortableness of saying something that agrees with either the Labor Party or the coalition.

They just could not bring themselves to be decent Victorians yesterday and acknowledge that there were people who violently came to that protest with a one-track mind on impacting and attacking Victoria Police. When we then accept that as a behaviour and say that that is the norm – and we spoke about this yesterday on different matters around the matter of public importance – then we see a degradation of society's standards and an undermining of the law enforcement, and the job of Victoria Police is so difficult each and every day.

I just wish one of them had the ability to say that what we saw yesterday was unacceptable. Instead we had members of Parliament wanting to go down to a protest of 1200 people and saying that there would be 25,000 there, heightening the impact going forward. The member for Richmond was reflecting on this being peaceful and asked the Premier two weeks ago during the sitting week about this protest, about what Victoria Police's actions would be and about the human rights of protesters at that time and said that it would be peaceful and obstructionist. I wonder if the member for Richmond stands by that categorisation of it being peaceful and obstructionist or whether it was violent, intimidating and disgusting.

The contrast, I say, is because you see the union movement that has been protesting and you see some of the changes that we are making around the prohibitions but also then the people fronting up and protesting and sharing their voice. We have seen some really disappointing things. It is always threatened that the Greens political party could be a third force of political relevance in Victoria, but we see time and time again they are taking the low road, choosing to go against the interests of Victorians and constantly undermining the health and wellbeing of Victorians, like yesterday. So those Victoria Police members that are trying to pick themselves up today, those that were hit with acid, those that had rocks thrown at them – imagine if you had to front up to their community and their families and have a chat to them about how that was appropriate when they go home to their families tomorrow. It is just ironic that the Greens political party would speak on a bill that talks about strengthening police powers and oversight by IBAC while at the same time demonising and derogating our police men and women and the service people in our local communities.

This bill is a really important reflection on the outlaw motorcycle gangs and organised crime groups that we have seen. It is becoming more and more complicated for Victoria Police to do their job. The sophistication in technological advancement and engagement means that they have to be at the forefront of police powers and interventions. We see the adaptability of organised crime outfits or unlawful associations, so we need to make sure that we are listening to Victoria Police on all those occasions.

That is why my community would really welcome the introduction of serious crime prevention orders. I think that is particularly important. The bill talks about allowing the Chief Commissioner of Police to apply to a court to impose a broad range of conditions on someone who has been participating in serious criminal activity or is likely to help another person who is engaging in serious criminal behaviour. If they have got tip-offs, if they have got intelligence that there is something serious going on or something serious about to happen, we want to make sure that we are preventing serious crime and its impact going forward. It complements some of the changes we have seen and made recently around funds or properties or assets that have been acquired that do not have a link or traceable means to earnings or outcomes. I think that is a really important frame as well to make sure that we are supporting Victoria Police in all elements in how they are protecting and supporting communities.

We have seen some pretty serious crime instances recently. We have seen the impact on tobacco outlets and some of the escalations in violent offending. We have seen the engagement –

James Newbury interjected.

Tim RICHARDSON: The member for Brighton offers a tour. I do not think I need it; we are bayside colleagues. We can go for a little trundle, but I will not take him up on that offer. Prohibiting the display of designated insignia like gang colours is another important element of this bill. We do

not want that subculture of glorification of violence, intimidation and threats, so making sure that those powers are in place and Victoria Police are empowered to do that is really important as well.

This bill is another element of the support that the Victorian Labor government has for Victoria Police. It started back with thousands of Victoria Police members being funded in the greatest increase in police that we have seen in Victoria, and indeed at that moment the biggest in the nation. We see it with that collective, ongoing engagement from the Minister for Police and the Premier in powers around youth offending and how to better protect and support our communities. We have seen it in the prevention of family violence space where Victoria Police has been at the forefront of innovation, engagement and assertive outreach to support and protect people in our community who are subjected to family violence and gender-based violence.

In all facets we have had the support of Victoria Police and the powers. We have funded and resourced additional police as well, and on behalf of my local community I thank them for the work that they do each and every day. I have had the opportunity to connect with the Minister for Police on a number of occasions at Springvale, at Cheltenham and at Mordialloc. He is a hands-on police minister, and we really appreciate his leadership and work. We hear directly of the work and the challenging environment that they are in, and the need to bring in these changes is welcomed by our local community. On behalf of the community I represent, I commend the bill to the house.

Natalie HUTCHINS (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (16:43): 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

Council's amendments

The ACTING SPEAKER (Nathan Lambert) (16:44): I have received a message from the Legislative Council agreeing to the State Civil Liability (Police Informants) Bill 2024 with amendments.

Ordered that amendments be taken into consideration immediately.

Message from Council relating to following amendments considered:

1. Clause 1, lines 3 and 4, omit “extinguishing causes of action” and insert “providing for a maximum cumulative amount of damages or other monetary compensation”.
2. Clause 2, omit this clause and insert –
 - “2 **Object**
 - The object of this Act is to limit the extent to which the State is required to devote further financial resources to responding to the matters that were the subject of the Royal Commission into the Management of Police Informants.”.
3. Clause 5, line 10, omit “**extinguished**” and insert “– **limit on amount of damages or other monetary compensation that may be awarded**”.
4. Clause 5, lines 11 to 14, omit all words and expressions on these lines and insert –
 - “(1) The total maximum cumulative amount of damages or other monetary compensation that may be awarded to a person in respect of any and all causes of action against the State relating to, arising from or in connection with the provision of information or other assistance to Victoria Police by a specified human source must not exceed \$1 000 000.”.

5. Clause 5, page 5, after line 11 insert –
 - “(2A) Nothing in this section –
 - (a) increases the maximum amount of damages available for non-economic loss that is specified in section 28G of the **Wrongs Act 1958**; or
 - (b) affects any power of a court to order costs in a proceeding; or
 - (c) affects any power of a court to grant an indemnity certificate under the **Appeal Costs Act 1998**.”
6. Clause 6, omit this clause.
7. In the Long title, omit “extinguishing” and insert “providing for a maximum cumulative amount of damages or other monetary compensation which may be awarded in”.

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (16:44): I move:

That the amendments be agreed to.

In speaking to those amendments, as the Attorney-General said in the other place, the government will accept Mr Limbrick’s proposal. The government had designed a bill that was best for taxpayers – the extinguishment would have put an end to litigation and all the legal costs on both sides and the time and resources to manage these matters. However, we do agree that the other options have merit and still want to do whatever is possible to reduce costs. As such, we are happy to support a cap model. The \$1 million cap reflects an upper limit on the total cumulative damages and goes a long way to achieving our cost-reduction goals for the taxpayer. Our intent in supporting this amendment is that it operates as an upper limit of compensation. I fully anticipate lower claims and awards. I conclude my remarks there, and I commend the amendments to the house.

James NEWBURY (Brighton) (16:46): The amendments that have been moved are deeply concerning. The bill and the proposal that were put initially to this house concerned the coalition, and the coalition has spoken about those great concerns. The reason we have spoken about those concerns is because what the government is trying to do is hide a very dark and shameful chapter in this state’s history, to whitewash that chapter in the state’s history and say to people ‘You have no right’. That is what this bill does. It says: ‘You have no right of recompense.’ It does not matter who a person is. Every Victorian deserves to have their day in court, and they do deserve their legal rights.

What the government are doing is extinguishing rights in relation to certain Victorians because they do not want, during trial, evidence given which embarrasses the government. That is what they want: they want to hide evidence that will embarrass the government, I suspect. The government has pushed forward with an unprecedented bill. This is an unprecedented bill, a bill that we have never seen the likes of before and hopefully will not again. To know that the government is extinguishing the rights of Victorians is shameful. Frankly it is tampering with underlying principles of how our legal system operates.

I know that the member for Malvern is in the chamber and will certainly speak far more eloquently than I on these matters. I will leave my comments by saying this is a very dark and dangerous day where the government is tampering with the underlying principles of the legal system and legal rights of Victorians. The member for Malvern has most eloquently, since the government has introduced this bill, worked in the broader community and with the legal fraternity to point out the issues and concerns that I think have come to the attention now of Australia with a recognition that the law is being used to whitewash the rights of Victorians and hide the truth of bad behaviour of this government.

Michael O’BRIEN (Malvern) (16:49): It is a dark day for the rule of law in Victoria to think that a government can come into this place and pass a bill that puts it above the law and that says that the government alone is not responsible for the consequences of the damage it does to individual citizens. That is what this bill does. The bill initially proposed to extinguish all civil liability for the government arising from the Lawyer X scandal, the worst scandal of Victorian legal history, a scandal which the

High Court said was reprehensible conduct, a scandal which led one man, Faruk Orman, to serve 12 years in jail for a crime of which he was later acquitted. This government wants to come in here with a bill that says you cannot get compensation for the wrongs done to you by the state of Victoria.

James Newbury interjected.

Michael O'BRIEN: It is shameful. It is disgraceful. This bill is offensive to the principle of equality before the law, because no other Victorian can just pass a law that says, 'I'm not liable for what I've done. I'm not liable for the damage I've caused to you.' Only the Labor government can come in here and do that. This bill is offensive to the principle of equality before the law, and it is offensive to the principle of the rule of law. Politicians should not be making decisions about the compensation for those who have had wrong done to them by the state. That should be done in a court of law according to the law. But that is what this bill is taking away. This bill has now decided that there is going to be an arbitrary \$1 million cap on any civil liability claims arising out of the Lawyer X scandal – a \$1 million cap. Doing 12 years inside for a crime for which you are ultimately acquitted this government has decided unilaterally is worth \$1 million and not one cent more. What a disgrace. What an absolute disgrace.

Anthony Carbines interjected.

Michael O'BRIEN: He was acquitted of serious crimes that led to him doing 12 years inside. The Minister for Police does not have any idea. He was acquitted, Minister. That means in the eyes of the law he is not guilty. You can tell that the Minister for Police is certainly not a lawyer and certainly does not understand the principles of the law, which is exactly why this government has brought this bill into this place. This bill disgraces the government. It disgraces the people in the other place who voted for it, and I include in that the Libertarian Party MP Mr Limbrick. Mr Limbrick parades as a libertarian standing up for the individual against the power of the state, and yet he brokered a grubby deal with the government to limit the power of individuals hurt by the state to get the full compensation which they are entitled to. How is that in any way consistent with the notion of being a libertarian? It is maybe Stalin's idea of a libertarian, but that is about as far as you can go.

This bill is a disgrace. Those who voted for it should hang their heads in shame, because it is not just about the very real damage that this bill will do to the people who have been hurt by the state and whose rights to compensation will now be massively reduced. The precedent that this bill will set is a horrific one – absolutely horrific. Any time this government stuffs up – which, let's face it, is a pretty regular occurrence – the principle has now been established: 'Let's bowl in a bill to limit our liability. It doesn't matter. Maybe there are children at a state government school who were molested. Let's limit their right to compensation too.' That is the principle the government has just voted for. Maybe people in public hospitals have been the victims of negligence by public doctors – 'Let's limit their right to compensation. We'll save taxpayers money.' That is the principle that this government has just established, and it is horrible and it is wrong.

There is no reason to vote for this on any principled basis. But we know this is not about principle for the Allan Labor government; this is about politics. This is about trying to avoid accountability and political embarrassment for the Lawyer X scandal. We know the government has already avoided criminal accountability for the Lawyer X scandal because their DPP refused to allow the special investigator to lay any charges. After two years of investigation run by a former High Court judge and 5000 pages of evidence, the DPP said, 'No, let's not have any criminal investigations; it's all a bit too far in the past.' So having avoided any criminal liability arising from Lawyer X, the government bowls this bill into Parliament to try and sweep all the civil liability under the carpet. Why does it want to do it?

James Newbury interjected.

Michael O'BRIEN: Well, member for Brighton, you are quite right: cover up. How many people in the government were involved when the Lawyer X scandal was going on who would be

embarrassed by it? How many people in the public service might have had knowledge about it? How many people still serving in Victoria Police might have had knowledge about it?

These matters deserve to be exposed, but this government is sweeping them under the carpet in the most horrific way, trampling over the rights of individual citizens – and not just people who may have had things done wrong to them but people we know have had the wrong thing done to them, people who have spent over a decade in prison for a crime of which they were acquitted. This government comes in and says, ‘We’re going to take your rights away. As though we haven’t done enough to you – 12 years in prison for a crime of which you’re ultimately acquitted – we’re going to take your rights away from you as well.’ When the social justice warriors opposite go out to their branch managers and talk about how they are warriors for social justice, I wonder if they are going to be speaking about this bill. I suspect they will not. I suspect they are going to be very quiet when it comes to talking about this bill.

This bill is friendless apart from this Labor government and the ragtag group they managed to get to vote for it in the other place. The Law Institute of Victoria have attacked it. The Victorian Bar have attacked it. The Australian Lawyers Alliance have attacked it. Some of those organisations are not known to be particularly friendly to my side of politics – far from it. But they know what is right and what is wrong when it comes to the principles of the law, and this is wrong. It is wrong, and yet this government pursues it simply because it can, simply because it wants to avoid political embarrassment and because it does not give a damn whose rights it tramples over in the process of getting what it wants. That is what we have seen over 10 years of this government. A few of us thought that when the former Premier, the former member for Mulgrave, rode off into the sunset maybe things might be a little bit different, that maybe there might be a bit of a change in leadership and a change of direction, but this bill shows you, if you needed any further proof, that there has been no change at all. It is simply the exercise of power for power’s sake, and they do not give a damn who gets hurt in the process. That is what this government is all about, and it is a disgrace. It is an absolute disgrace.

The amendment limits the ability of any person to bring a claim arising out of the Lawyer X scandal to \$1 million, but of course we know what will really happen. We know that as soon as there is any case with a sniff of embarrassment to the government, they will simply make an offer of \$1 million – problem solved. ‘You will not be able to get into court because we’ve already made the offer up to the maximum of the cap.’ Of course if somebody wants to have their day in court, if they say, ‘Well, no, we don’t want to accept your offer. We want to go to court and have a court decide it,’ it does not matter, because they will have to pay the ruinous costs of the state’s lawyers, which makes it entirely impossible for this matter to get to court. This is simply about stopping anybody with a real case from actually going to court, because as soon as there is a hint of embarrassment, political or otherwise, for this government: ‘Here’s your million dollars. Off you go.’ This is not about saving money at all. To think a government that set fire to \$2 billion over the ripping up of contracts for the Commonwealth Games and the east–west link cares about saving taxpayers money is a joke.

Anthony Carbines: On a point of order, Acting Speaker, I would say that the debate needs to be confined to the amendments, and I would ask you to bring the member back to confining his remarks to the amendments.

The ACTING SPEAKER (Nathan Lambert): I ask the member to bring his remarks back to the amendments.

Michael O’Brien: On the amendment, this is about allegedly trying to save taxpayers money, and this government has got zero credibility when it comes to saving taxpayers money – the highest taxing, the most indebted, the worst government that we have had in this state’s history. This is a bill which is appalling on all fronts. It offends the rule of law. It offends equality before the law. It will do real damage to real people, but we have a government that does not give a damn as long as it accords with its political interests. This bill is a disgrace. It should be opposed.

Natalie HUTCHINS (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (16:59): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.

Criminal Organisations Control Amendment Bill 2024

Second reading

Debate resumed on motion of Anthony Carbines:

That this bill be now read a second time.

Paul HAMER (Box Hill) (17:00): I rise to speak on the Criminal Organisations Control Amendment Bill 2024. In starting I just want to reflect on some of the contributions that were made earlier, particularly by the member for Frankston and the member for Laverton. This bill is talking about police powers.

The SPEAKER: Order! The time set down for consideration of the remaining items on the government business program has arrived, and I am required to interrupt business.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

The SPEAKER: The bill will now be sent to the Legislative Council and their agreement requested.

Roads and Road Safety Legislation Amendment Bill 2024

Second reading

Debate resumed on motion of Melissa Horne:

That this bill be now read a second time.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

The SPEAKER: The bill will now be sent to the Legislative Council and their agreement requested.

Short Stay Levy Bill 2024

Second reading

Debate resumed on motion of Tim Pallas:

That this bill be now read a second time.

And Brad Rowswell's amendment:

That all the words after 'That' be omitted and replaced with the words 'this house refuses to read this bill a second time until the government commits to:

- (a) consulting with the property sector, tourism industry, disability advocates and survivors of family violence about the proposed levy and its impact across Victoria, especially regional Victoria;
- (b) making public modelling showing projected long-term rentals, the impact on Victoria's tourism industry and legal advice about the bill's constitutionality;
- (c) working with short-stay operators to agree to a regulatory framework for the sector; and
- (d) making public a whole-of-government forward plan for sustainable growth of Victoria's long-term rental stock.'

The SPEAKER: The minister has moved that this bill be now read a second time. The member for Sandringham has moved a reasoned amendment to this motion. He has proposed to omit all of the words after 'That' and replace them with the words which are on the notice paper. The question is:

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

Those supporting the reasoned amendment by the member for Sandringham should vote no.

Assembly divided on question:

Ayes (51): Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Gabrielle de Vietri, Steve Dimopoulos, Paul Edbrooke, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Sam Hibbins, Mathew Hilakari, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Ellen Sandell, 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, Belinda Wilson

Noes (24): Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner

Question agreed to.**Assembly divided on motion:**

Ayes (51): Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Gabrielle de Vietri, Steve Dimopoulos, Paul Edbrooke, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Sam Hibbins, Mathew Hilakari, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Ellen Sandell, 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, Belinda Wilson

Noes (24): Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner

Motion agreed to.**Read second time.**

Third reading

The SPEAKER: As the required statement of intention has been made under section 85(5)(c) of the Constitution Act 1975, the third reading of the bill must be passed with an absolute majority. The question is:

That this bill be now read a third time.

Assembly divided on motion:

Ayes (51): Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D’Ambrosio, Daniela De Martino, Gabrielle de Vietri, Steve Dimopoulos, Paul Edbrooke, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Sam Hibbins, Mathew Hilakari, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Ellen Sandell, 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, Belinda Wilson

Noes (24): Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O’Brien, Michael O’Brien, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner

Motion agreed to by absolute majority.**Read third time.**

The SPEAKER: The bill will now be sent to the Legislative Council and their agreement requested.

Business interrupted under sessional orders.

Mary-Anne THOMAS: I move:

That the sitting be continued.

Motion agreed to.**State Civil Liability (Police Informants) Bill 2024***Council’s amendments***Debate resumed on motion of Anthony Carbines:**

That the amendments be agreed to.

John PESUTTO (Hawthorn – Leader of the Opposition) (17:13): I rise to speak on a dark day in Victorian democracy. Whilst the Premier dances, democracy in Victoria suffers. This bill is about protecting a corrupt, lying, rotten government. That is what this bill is about – a dark day for democracy. Let us remember what this bill is about. This bill is about a finding that the High Court delivered saying that the conduct that Victoria Police entered into, with the knowledge of the Labor government, was reprehensible conduct. This amendment, which was moved by Mr David Limbrick in the other house – who can never, ever be heard again seriously speaking in favour of checks and balances on government and executive power, having moved this amendment – protects bad behaviour. It protects people from scrutiny who should be scrutinised.

We are talking about people, and in particular one person who spent 12 years behind bars. I am not commenting on the case necessarily in detail. But if a conviction is overturned, is it not right and fair that a person can pursue and vindicate their rights in a court of law in this state without being prevented from seeking the full measure of the compensation which is fairly due to them? Well, not anymore,

because if the Allan Labor government continues to engage in corrupt and rotten behaviour, which it continues to do, how can we be certain that the government will not continue to use this device in the form of other bills and other amendments to protect itself from scrutiny? There is, under the Allan Labor government, a culture of cover-ups in this state. That is what this bill is about, and it is not just a standalone measure that the government has introduced to protect itself from scrutiny, to make sure that people who should be subject to detailed questioning about what they did, what they knew, when they did it and when they knew it. This government has a culture of it; we have seen it. Just a couple of years ago the government weakened the powers of IBAC to hold public hearings. That was a case of this rotten, corrupt government protecting itself from proper scrutiny, and we are paying the price for this as Victorians.

We know also that this corrupt, rotten, tired and exhausted government is underfunding our courts. Our courts cannot manage the case load before them. This is a government that thumbs its nose at scrutiny and accountability. How many times has the upper house, the other place, issued orders to ministers in this government to produce documents – and what does the government do? It just ignores those orders. Whether it is in relation to the Commonwealth Games or whether it is in relation to cuts to services, this government regularly defies this institution. It is now ensuring that aggrieved Victorians who have proper causes of action now face a government that is prepared to use this Parliament to protect itself from proper accountability and scrutiny.

We have a Premier who has overseen some of the biggest debacles in Victoria's recent history. Everything this Premier has overseen or touched has turned into a disaster. It is major projects blowing out. Everybody will recall the under-over minister when it came to the Metro Tunnel project when she first became a minister in this government. She wasted two years and goodness knows how many millions of dollars on that frolic. She oversaw the Commonwealth Games; \$600 million at least was wasted on the Commonwealth Games. The Premier misled this Parliament. A Premier who told the Public Accounts and Estimates Committee things that were not true misled PAEC, misled the Parliament and misled the Victorian people. Is it any surprise that this government under this Premier is prepared to bring a bill like this, which is simply covering up? This Premier, we know, refuses to appear before committees of this Parliament to provide answers. Whether it is on the Commonwealth Games or whether it is on the ambulance crisis, we have invited the Premier to do that.

The Premier, when she was confronted years ago with evidence of CFMEU corruption and misconduct, enabled it. She actually directly enabled corruption by the CFMEU. She enabled it, preferenced the CFMEU, in actions which were totally reprehensible. The Premier's conduct in relation to the CFMEU, not only her inaction but her willingness to preference the CFMEU, was totally reprehensible. When we called for a royal commission to hold people to account, what did the Premier do? The Premier refused, stonewalled on any response to that, until she found a weasel-word way out of the mess she had created and overseen as the minister directly responsible for the CFMEU, to whom she is beholden. This Premier is beholden to the corrupt CFMEU. She has enabled that corruption. She has done nothing to confront it, because she is powerless and lacks the leadership and courage to take on the CFMEU. When confronted with that challenge, what did this Premier do? This Premier asked Mr Greg Wilson to conduct a formal inquiry, so called, with no powers to compel witnesses, no power to follow allegations of criminal conduct and no public hearings. This Premier has allowed that corruption to continue. She is a Premier who herself now stands with those corrupt people who have continued, because all of this corruption continues and it continues because we have a Premier who is not prepared to act.

Is it any surprise then that this bill has been brought before this Parliament? This Premier's incompetence knows no bounds, nor does this Premier's weakness in the face of corruption that she was told about years ago. This Premier was armed with knowledge of that corruption and did nothing about it. She is the worst performing Premier I think this state has ever seen, and she has not been in the job for more than a year yet. Victorians are paying the price for this inaction, this indecisiveness. Everything the Premier has overseen has turned into a disaster.

All we are asking for and all we are defending is the idea of accountability. Even this week the government, when asked basic questions about corruption in the government, misuse of public funds in this government and mismanagement by this government, just stonewalled. Is it any wonder that as we speak we have a government protecting itself but a construction sector that still has to live with the consequences of the corruption that is occurring under the CFMEU? That corruption poses one of the most serious threats to the economic viability and fortunes of our state. The Premier says that she has a housing strategy. Well, you cannot have a housing strategy if the CFMEU you are beholden to, which is corrupt, continues to run worksites. Remember last week how disgraceful it was for the Premier of Victoria to look so powerless, indecisive and inactive when Mr John Setka turned up to the Footscray Hospital. The Premier was powerless to do anything about it. The next day, when we were told by the Premier that she had zero tolerance for corruption and zero tolerance for the actions of the CFMEU, she did nothing when Mr Setka turned up to the Metro project. The Metro project under Premier Allan is already beset with so many blowouts – not just the ones we know of but the blowouts we do not know about yet and which we know will come out eventually.

Roma Britnell interjected.

John PESUTTO: It is blowing the debt out, I say to the member for South-West Coast. When we come back to the bill, a bill about accountability, I say to you that we have a Premier who is not prepared to act in the face of corruption when it occurs at the hands of the CFMEU and who is prepared to use her numbers in this house and in the other house to protect her own government from allegations of similar behaviour. We know there is corruption in this government. We know from various stakeholders that there is corruption in this government.

Mary-Anne Thomas: On a point of order, Deputy Speaker, the Leader of the Opposition knows full well that the use of the word ‘corrupt’ is unparliamentary because it is untrue, and I ask that you rule him out of order and ask him to come back to speaking directly on the bill.

The DEPUTY SPEAKER: For the benefit of the house, an accusation that a member is corrupt is an imputation on a member if it is made directly. The word itself, if used in other ways, is not necessarily against the orders of the house. The Leader of the –

A member interjected.

The DEPUTY SPEAKER: That word is unparliamentary. The Leader of the Opposition’s time has expired.

Matthew GUY (Bulleen) (17:24): From the party of social justice and the party of libertarians –

Mary-Anne Thomas: There’s no need to shout.

Matthew GUY: You are going to get a shout; just deal with it. From the party of social justice and the party of libertarians we have a bill that says, if you are found guilty and subsequently cleared, we are going to cap your compensation – from the party of social justice. No wonder the Labor Party, which is endemically filled with corrupt people – from the CFMEU to Operation Watts to Operation Richmond and to Daintree, the Labor Party in Victoria has mastered the art of corruption – now walks into this chamber and says to Victorians who have been acquitted of crimes: ‘We will determine what you can and can’t claim for compensation.’ The member for Macedon should know all about this, because she was a recipient of the red shirts. While we are talking about the term ‘corrupt’ and we are talking about the Labor Party, who paid back hundreds and thousands of taxpayers dollars – they did not do it, but they paid it all back – I wonder about all those ministers who were a part of the payback of that money to the taxpayer: Anthony Carbines, the member for Ivanhoe; the member for Eltham; the leader of the government in this house, the member for Macedon; and the Premier. They were all involved. They all knew – they were all involved – so why would we be surprised?

Members interjecting.

Matthew GUY: On your feet.

The DEPUTY SPEAKER: Order! Member for Bulleen! The member for Bulleen will have some more time.

Mary-Anne Thomas: On a point of order, Deputy Speaker, from the man that brought us Ventnor and Fishermans Bend –

The DEPUTY SPEAKER: Order! What is the point of order, Leader of the House? I would appreciate it if your points of order were succinct.

Mary-Anne Thomas: The point of order is that the member on his feet is making imputations against a member of this house. He has strayed away from the bill, and I ask that you bring him back to the bill.

The DEPUTY SPEAKER: Thank you, Leader of the House. I understand the point of order.

Matthew GUY: On the point of order, Deputy Speaker, the member has raised a point of order in relation to factual material. It is a fact that the Labor Party repaid hundreds of thousands of dollars in relation to red shirts, and it is a fact the member for Macedon was part of it – and you are guilty of corruption on that too.

The DEPUTY SPEAKER: The member for Bulleen knows that it is not the role of the Chair to determine the facts said in this house. Imputations on members are disorderly, and I would ask you to refrain from impugning members from anywhere.

Matthew GUY: The hopeless Minister for Health, who struggled to answer questions today about her own performance, blames COVID – the only state that blames COVID for the failures in its health system – yet she is cutting back health services. She said COVID is not around anymore but now blames COVID when she is found to be woeful – a person who benefited from red shirts, just like the member for Ivanhoe, just like the Premier.

All I say on this bill is that it is a cover-up, capping people's right to compensation. As the member for Malvern said before, how can this be the case from the social justice political party, the Labor Party, who campaigned in here in 1999 on the Auditor-General, who campaigned on integrity, who has campaigned on matters all in relation to people's social justice rights but now says, if you are guilty and then acquitted, you are going to have your compensation capped? As the member for Malvern accurately said, what if this involved someone in a state school that involved, heaven forbid, some form of abuse? Then the state government will come in and say, 'This cannot now be dealt with, because the maximum amount has been paid out.' What an outrage from the party. And I might say about the upper house member, the Libertarian: what a joke. A man whose party preferenced Daniel Andrews, after he had all these rallies in the street, has been found out to be a fraud. The Libertarians are 100 per cent frauds. We knew they were frauds from the start. We said they were frauds from the start, and they have proven themselves as frauds from the start, just like the government proved themselves every day to be corrupt.

If it is not red shirts and it is not, dare I say, the former Speaker of this chamber and the former Deputy Speaker of this chamber, then it is Operation Daintree, Operation Watts, branch-stacking allegations and the United Firefighters Union. This is all within this term of office. This is not over 20 years; this is a whole decade of corruption from this mob. They are the worst government this state has seen – a mob elected on integrity who now say to Victorians their right to compensation is going to be capped because they do not want to have hearings that might find how many of them were involved. How many of them were involved from the start? Was it their chiefs of staff? Was it their advisers? Was it the ministers? As the member for Malvern said, how many other people are involved in this mess? You only pass legislation like this when you have got something to hide, because if there is nothing to fear, there is nothing to hide. When it comes to Labor, there is always a cover-up because there is always something to hide, just like there is something to hide on every Big Build building site around

this state. As the Leader of the Opposition has asked in this chamber multiple times, when will ministers answer questions in relation to their dealings with the CFMEU and these Big Build sites? They will not, because yet again, if there is something to fear, they will hide it. They will cover it up, because this government is absolutely, totally and utterly corrupt.

I just want to say again: from the party of social justice, it beggars belief how Labor will go back to their branches and say, 'We are the people who fight for individual rights when it comes to protection from the state.' A party that says, 'We will defend the little guy, the little person, the worker, against the state, the system' is now using the system to cover up and frankly to screw over the little person – pardon my language – in favour of the state, because when the state gets too big, the Labor Party gets too big. When they sit in office for the best part of two decades they become entrenched, like octopuses covering a chair, taking every arm over that chair. They suck on power. They stay in power and they become totally and utterly –

Mary-Anne Thomas interjected.

Matthew GUY: Like the member for Macedon, they take advantage of the system, like they did with red shirts, like they did during COVID, throwing out compulsory competitive tendering – tens of millions of dollars for their mates – and she cannot handle it because she is guilty.

Mary-Anne Thomas: On a point of order, Deputy Speaker, on relevance to the bill, the member has strayed away from the bill that is before the house, and I ask that you bring him back to making commentary on the bill.

The DEPUTY SPEAKER: I would argue we have all strayed a long way from the amendments that are meant to be in front of us.

Matthew GUY: We have not strayed from the central part of what we are talking about, and that is this government capping someone's right to seek fair and just compensation when they have been acquitted of a crime they, in the eyes of the law, as the member for Malvern said, did not commit. Because they have been acquitted, the government says, 'Well, thank you for that. We will now intervene in the legal system. We will now say, "Actually you don't have the right to seek fair and just compensation. The government will determine what that is.'" Why isn't a court determining what that is? How can it be that the government walk in here and say, 'We will remove an individual's rights'? How can the Libertarian David Limbrick get up in the upper house and say, 'I will support this legislation' and say that this is what their party stands for? I will tell you what this amendment has done. It has shown all of us what the Labor Party's true self is, but more to the point, it has told us all what the Libertarians, who preferenced the Labor Party at the last two elections, stand for. What we find is that one is a fraud and the other is corrupt.

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (17:34): I move:

That the question be now put.

The DEPUTY SPEAKER: I have not heard from the Nationals or the Greens, who are in the chamber. I will not put the question yet. I advise, if people want to have their chance, they do it soon.

Brad ROWSWELL (Sandringham) (17:35): I also rise to address the matter before the house today. What could be more important than the legal system and the principles of the legal system that have underpinned this state's history for more than 100 years? What could be more important than those principles of legal responsibility that have underpinned this state's history for more than 100 years? Today in this place, thanks to the work of the Legislative Council and the dirty deal that has been done between the Labor government, the Libertarian Party, the stoners and Pauline Hanson's One Nation party, what we have is a Victoria which is less fair, which undermines the principles of law and the legal system that have underpinned this state's history for more than 100 years.

What the member for Bulleen said quite eloquently, and the member for Malvern before him said more eloquently, is simply this: this circumstance has actually removed the rights for individuals who have been impacted by this circumstance to fight for fair compensation. At the moment there are four cases afoot that may be impacted by this situation. The High Court itself has called this conduct 'reprehensible conduct'. There is the story of Faruk Orman, who had spent 12 years in jail, whose sentence was quashed by the Court of Appeal because Nicola Gobbo, Lawyer X herself, was found to have ratted on him. What could be more important than the opportunity for Victorians who have had harm done to them by the legal system, by the undermining of our legal system, to get the fair compensation that they deserve?

I agree with the member for Bulleen wholeheartedly: this is a debate about principles, and those principles are being undermined. The principles of the Libertarian Party say that there should be no place or very little place for the state to interfere in these matters, and yet it is the Libertarian Party in this state that is seeking to undermine and restrict the freedoms of individuals, the freedom of Victorians to go to court, to have their say and to have their day and to receive fair compensation where the legal system has done them wrong and has done them harm. What could be greater than the opportunity for those Victorians who have been victims of the undermining of the legal system to have their day in court to get fair compensation when wrong has been done to them? Again, in cahoots with the Libertarians, in cahoots with the stoners, in cahoots with Pauline Hanson's One Nation party, this government has sought to undermine those legal principles. The member for Bulleen is absolutely right.

The Labor Party says that it cares about people. Well, this is a Labor Party who has been in government now for 10 years in this state, and Victorians need to ask themselves the question: do they feel any better off after the last 10 years of Labor? Do they feel like they are getting a fairer go after 10 years of Labor? Do they feel like life is getting easier, like their kids are getting a better education, like they are getting better health services, better police and emergency services or better transport and public transport services after 10 years of Labor? The answer loud and clear is absolutely not.

Then we come to the justice system, where there is currently a backlog of more than 80,000 cases in the Magistrates' Court alone. Now, this is not a problem of Victoria Police – far from it. Those Victoria Police members who even in the last two days have been putting themselves on the line to uphold the right, to defend justice, to defend freedom, to defend our way of life here in Victoria – this is not their problem. They are very good people. They are doing everything that they can to protect Victorians, but they are being undermined by a government who frankly does not give a stuff. The justice system in this state is failing Victorians, and the motion moved in this place by the government after the dirty deal done in the other place by the government together with the stoners, with the Libertarians and with Pauline Hanson's One Nation party undermines the basic principles of justice that have underpinned this state for more than a century, and that is just not right.

What we need to be doing in this state is upholding the law and upholding the right – upholding those principles of law that this state has relied upon for more than a century. What we do today is a real stain on our state's history. It changes the law in this state forever and a day. It will take a coalition government in 2026, following the election in November 2026, to look at this and to consider unwinding the circumstance which has been put upon the Victorian people by this Labor government after the dirty deals that they have done in the upper house today. It is unfair. It is unjust. I ask the Labor Party, I ask the Labor government, after 10 years to do better.

As the member for Bulleen said, the Labor Party say that they care. They claim to be the social justice party, the people who put the lowly and the people who need a greater start in life or a hand up ahead of everything else. If justice has not been served to Victorians, they have a right to take that to court to seek appropriate compensation for the wrong that has been done to them, but this bill removes that right, and that is not a good thing.

The other concern I have with this amendment this afternoon is the principle which follows. What this government is doing by its actions today is saying that in this circumstance it is okay for the Labor Party – in cahoots with some of the kooks and crossies across the way, in cahoots with them and having done a dirty deal with them – to undermine the principles of our legal system. Where does this lead us in the future? This says to every Victorian that if wrong has been done to you, it only takes an act of this Parliament for you to not get the justice that you deserve, for you to not get the compensation that you deserve. That is the principle that is being undermined here today. Members of the Labor Party – who claim to be the party of social justice, who claim to be the party of the lowly and of those people who need a hand up in this state – are the people who are actually undermining these principles.

It is a shocking day. Let this day be remembered: Thursday 12 September 2024, the day that basic principles of justice have been undermined and been undercut by the Labor government, who say they care but who just really do not, in cahoots with others. I have deep concerns with those four cases currently afoot in this jurisdiction in other courts that may be impacted by this. Who knows the circumstances of those cases, and who knows what fair compensation looks like for those potential victims of crime and victims of government failure in those particular cases? I contend that no matter the circumstance those people have the absolute, innate right to have their fair day in court – for their case to be heard and for this state, which has potentially done them wrong, to fairly compensate them.

This amendment will cap that compensation at a million bucks. The question that needs to be asked is this: if you have spent 12 years in His Majesty's service in prison here in Victoria, is \$1 million fair compensation for you being held in custody, in jail, for 12 years that you will never, ever get back? That is the point. It is this case today, but the principle that has been set by this amendment that has been agreed to in cahoots with the stoners, with Pauline Hanson's One Nation Party, with the Libertarians – the name of that party should be taken to the ACCC. It fair dinkum should be. They are not libertarians. They are seeking to restrict freedoms. It would be fair game for the name of that party to be at least investigated by the Victorian Electoral Commission, and it should be investigated by the Victorian Electoral Commission because it is false and it is misleading. The Libertarians are, frankly, not libertarians. As proven today, they are in cahoots with the government of the day, the Labor Party, who say they care about people but who just really do not.

The principles of our legal system must not be undermined. The principles of our legal system should not be undermined. The Labor Party today, Thursday 12 September 2024, has done that, and every Victorian who has potentially had harm done to them by this government or by its legal system today or might in the future should be on notice that this government is not on your side.

Brad BATTIN (Berwick) (17:45): What a very dark day it is when a government uses this place to solely protect themselves. This is about protecting information from getting out that could be damaging to them. We have heard people on this side talking about the what-ifs: who could end up in a position and what the compensation is. Those opposite are saying \$1 million compensation is fair compensation for someone who has spent 12 years in the prison system, whether it was just or unjust. If we look at some of the things from history, imagine if these were in Victoria. Lindy Chamberlain served three years in prison. In 1992 she was granted at that time \$1.3 million. So she was granted 30 per cent more for just three years in the prison system because it was proven at the time that she did not commit that offence and she was released. Imagine if it was Kathleen Folbigg, who was in jail from the ages of 37 to 57. She spent 20 years in jail for an accusation of child homicide on four separate occasions and has now been released because the evidence has come out saying that she did not do it. Would \$1 million be fair compensation for Kathleen serving 20 years in the justice system? It would have to change. What we have here is a government that is saying that would be okay – \$1 million for both of them in today's terms would be okay.

They are only doing it for one reason, and that is to protect themselves. The Lawyer X scandal will go down in history as one of the darkest moments here in our state. We already know from reading the reports there are people within that who should be held accountable. There are other parts of this, though. We need to know how deep that goes, and that is what this is designed to protect. As the

member for Bulleen said before, who on the Labor Party side was aware of this corruption happening here in this state? Did it go up to the level of a minister? Was a minister briefed, or did they, during the freedom-of-information exercise, hide those briefings under executive privilege so they could get away with what they were doing here in this state? Was it a chief of staff who was hiding it from the minister? Was a chief of staff involved in this, and was that corruption was within the Victorian Labor Party?

As we know, the Victorian Labor Party has a very recent history of corruption here in this state. We already know it starts as what some would call 'grey corruption'. Grey corruption is the small things, like maybe putting your dogs in a car and using a chauffeur-driven car to get them driven up to the north part of Victoria and you are wasting taxpayers money on that. How many stamps were used on that side during the red shirts rorts to ensure that their members could be protected? I have to admit one of my favourites of all time – for one of my stunts for it – is the caravan. When you go back, you see a Deputy Speaker in here signing his own documents to steal money from the Victorian people.

Mary-Anne Thomas: On a point of order, Deputy Speaker, the member on his feet is straying from the bill, which is the focus of this debate. I would ask that you bring him back to addressing the bill that is before the house.

The DEPUTY SPEAKER: As I said before, we have all gone a little bit further than the amendments. The member to continue, preferably on the amendments.

Brad BATTIN: In relation to the amendments, I was talking about the Deputy Speaker who was signing his own documents to get money from this Parliament – the Victorian people – saying he was residing in a second residence, which was a caravan in Ocean Grove. On the day that the party opposite named me for standing up for what was right at the time, I went for a little trip down there. Do you know the one thing we found? No-one at the caravan park actually knew him. They had not actually seen him. Not only was he claiming over \$100,000 in this place from people and stealing it, he did not even go to the place that he said he was supposed to be at. What a disgrace. That was a Deputy Speaker of this Parliament, and that is the problem with the corruption here in this place. Then it got worse. Then the Speaker was doing the same; the Speaker was claiming a second residence allowance that he was not entitled to, taking nearly \$40,000.

The problem with this Labor Party, like they have done with these amendments, is it is about protecting them. It is not about protecting the community, it is not about protecting what is right; it is about protecting them. At the time they said, 'We're going to bring in our new tough laws and our tough rules on members of Parliament on how they can handle their allowances. We're going to bring them in; we're just not going to backdate them. So what we're going to do is the Deputy Speaker and Speaker, oh, look, we make them pay back about half of it, and then we can set them up in the corner and they can collect their wages, they can collect their pensions and off they go into the sunset.' The reality is that was not the best outcome for what we needed here – exactly the same as these amendments. These amendments are going to restrict the rights of people who have gone through the justice system and ended up in prison, fairly or unfairly. It does not matter who it is. If they go through, get convicted and do jail time of 12 years prison here in Victoria and then that is overturned because of corruption from government or corruption within Victoria Police, they should be compensated. It is as simple as that. There are no ifs; there are no buts; there are no maybes. For any government to turn around and say that they should be compensated based on what the government says, not on what a court says, is fair, that is when we start to have more issues here in this state.

We have spoken about the Libertarians on this, and I can only concur with what has been said on this side. When we start to talk about the Libertarians and what their values are, they have absolutely and utterly torn up the values book, put it through the shredder and walked outside. They do not care about libertarian values. I have to ask the question of Mr Limbrick in the other place. I have met him plenty of times talking about policies, and I do not ever believe a policy was raised about capping how much a person can get in compensation, unless maybe a deal has been done between the government and

him. It will be interesting to see if Mr Limbrick all of a sudden gets something that goes in his favour, that sorts out something that maybe he wants in the future that the government was not that keen on. Do you know what I would call that? I would call it corruption. I would say that if a government wants to go and make deals in relation to getting trade-offs for what they want in a piece of legislation to suit them, including in these amendments, that should be investigated in itself, and Mr Limbrick should be held to account if he has done that in the upper house.

All of those people in the upper house who have decided to think it is a good idea to vote this way have gone against everything they are here for in protecting Victorians. As I have said before and so many have said on this side, it does not matter who it was that went into the jail system. If the corruption came from government and Victoria Police, that person should be treated exactly fairly before the law. Every person in our state should be treated fairly before the law.

I will go back to where I started: I think it is so important that when we are talking about real-life stories and we are talking about Lindy Chamberlain, who got \$1.3 million in 1992 – I am not that good at maths to work out what that would be today, but I am sure that would be well and truly a few million dollars compensation for three years in prison. To have your life taken away and sit inside a prison cell when you are wrongfully convicted here in this state and then be told that you cannot get just rewards when you get out is a sign of a government that have failed in every aspect of what they should be standing in here for. They have gone against every part of democracy here in our state to rush through legislation which, do not forget, was urgent legislation that had to go through four weeks ago, and we are still here debating it after the adjournment time on a Thursday three or four weeks later with a change in it that has just suited them. We need to make sure here in Victoria that the legislation that we get to see is scrutinised, goes through and is fair. On this side of the house we know that this legislation is simply not fair.

We know on this side of the house what we have seen from this government when it comes to hiding things, with the red shirts, the speakers and deputy speakers, and the stamps. The list just goes on and on of things that have been covered up on this side. The difference with those ones is they were covering up issues within the Victorian Labor Party using regulations. Now they are putting in place legislation to protect themselves – legislation to protect the Victorian Labor Party from being held to account – and that is a super dangerous precedent that every person in Victoria should be concerned about. Bringing in a law to protect a party from being questioned, from being held to account within the community, is something that every single person in Victoria should be worried about. We on this side know this is bad legislation. We know it is designed to protect those on the other side that they have been working to protect, and we want to make sure that we stamp out any corruption here in our state. That will be our goal. This legislation should not have got to the stage that it is at today, let alone get through this house.

Peter WALSH (Murray Plains) (17:55): One of the fundamental tenets of Westminster law is that everyone is equal before the law. This legislation says there will be another class of people that cannot actually claim compensation if they are wrongly jailed. What this legislation does is protect corruption in this state. It effectively protects decades of corruption. It goes back to Operation Purana and the taskforce that was set up to actually stop the gangland murders in Melbourne where the end justified the means. It was about stamping it out no matter what laws were broken. It took a long time to come to the surface, but it did come to the surface because eventually everything comes to the surface. And what that has done is show that at that time the police and whoever in government that may or may not have known about it decided that they would actually break the law, go outside the recognised court system in this state and make sure they punished people irrespective of whether they were guilty or not. That is why we are where we are today, because that actually corrupted the system of law. By having Lawyer X, by actually breaking that fundamental tenet of client privilege, we are now on the path we are on with this legislation to limit rights for people who were unfairly jailed. Someone spent more than a decade in jail because of wrongdoing in this state, and what this legislation is saying is

that person, and others, cannot get compensation for those 10 years. If I was that person, I would feel absolutely wronged by what has happened with this legislation.

Those who sit on the other side of the house here and those in the upper house who supported this change to the legislation are doing a disservice to all those people now and in the future who may be wronged by the justice system here in Victoria. As has already been said, to have the Libertarian Party, the party that was there to protect the liberties of Victorians, join forces with this mob on that side to actually take away people's rights and suggest an amendment to the legislation to get it through is just incomprehensible. The Libertarian Party and David Limbrick can never hold their heads high in Victoria ever again and say they are there for the people or they are there for the liberties of Victorians. They are not there for the liberties of Victorians; they are there to do their own special deal, whatever it is, to actually trade away someone's rights. For the person that has spent more than a decade in jail, David Limbrick and the Labor Party and the crossbenchers in the upper house that supported it have actually sold out that person's rights to justice. That is an absolute disgrace.

Once you start that downward spiral of actually doing deals to cover up corruption, to protect yourself, where does it end? How much longer will it be till we are actually in Putin's Russia, where people will be killed to cover things up? That is what happens when you get dictators. When people lose sight of the law, people get punished. It is no different to the intimidation on building sites. We have seen that being covered up with the CFMEU. People will not make complaints, people will not come forward, because they know it will be injurious to their personal health. They know they will be taken for a walk and their health will be affected by that walk because somewhere along the line they will be roughed up. That is why people do not make complaints on building sites. The government should actually be standing up for law, standing up for justice, rather than covering it up. It has gone on for too long. Ultimately, power corrupts, and that is why we have corruption here, because we have had a government for basically two decades that believe they can do no wrong. They believe the ethos of the Labor Party: 'We'll protect our own at all costs. We won't lift the lid on what's going wrong. We'll protect our own. We'll cover it up. We'll do whatever we have to do.' We saw that, as other people have said, with the red shirts and with the other examples of corruption that have gone on in this state over the last two decades.

When you keep the lid on it and you will not lift it up, you are as corrupt as the people who are corrupt, and that is what we are seeing with this piece of legislation. It is legislation to limit people's rights. But more importantly – and this is something most people have not touched on – this is about not going to court. This is about making sure there are no court cases. This is about making sure that senior police who may have been called to give evidence under oath in the Supreme Court of Victoria will not have to appear. Which senior police officers had knowledge of Operation Purana and the fact that the end justified the means? Did they really want to appear in court under oath and risk perjury by not saying something or actually tell the truth, which would have lifted the lid on the corruption that went on here in Victoria?

We have a senior police officer who was the former Premier's chief of staff. When he was opposition leader, he was also his chief of staff – someone that went from the police force to the political system and back to a senior police role. Would that person have really wanted to be called under oath in the Supreme Court about what went on with this issue? I think not. Which ministers would have been called into the Supreme Court to give, under oath, what they knew about what went on with Operation Purana and what they knew about what went on with Lawyer X? Ministers did not want to be called to the Supreme Court under oath. It is one thing for a corrupt government to have their own pet inquiry with their own pet person overseeing it that never, ever asks the hard questions and never, ever really gets to the bottom of anything but sets up this whole smoke and mirrors: 'We've had an inquiry and we have a report that says nothing.' We have seen that with the Wilson inquiry into the CFMEU. We saw that with the Coate inquiry into hotel quarantine. I sat there in my office watching the Coate inquiry. I am not a barrister – I do not pretend to be – but there would be two or three questions and I would think, 'The question has got to be this.' But, no, they would change direction and they would

go somewhere else. They never, ever asked the hard questions, particularly of the former Premier, as to what went on during hotel quarantine.

Members interjecting.

Peter WALSH: Twenty-seven times ‘I don’t recall’, as someone interjects. I know it is unruly to pick up interjections, but it is the Sergeant Schultz defence, isn’t it, for those that watched *Hogan’s Heroes*: ‘I know nothing.’ That is the whole issue. This is not only about restricting people’s rights to compensation if they are unfairly jailed; this is also about protecting all those in the system – in the Labor Party machine – that do not want to give evidence under oath in the Supreme Court, because they know that they would have to answer the questions, which would be very, very difficult questions.

As I said, the end justifies the means, and that is just not the way our system works. We become Russia. We become North Korea. We become Iran. We become a dictatorship where life is expendable for the good of those in power and they do not care about it. As others have said, it is a dark day for the Victorian justice system. It is a dark day for the Westminster system of government here in Victoria when a government believes they can use their numbers and they can buy off crossbenchers – buy off the so-called Libertarian in the other house – to get this legislation through.

We have seen a lot of things happen in this Parliament over the generations, but this is probably one of the worst things that has ever been done to undermine confidence in the justice system here in Victoria. For most people, they will not really understand it. They probably will not care. They will say, ‘Well, that’s a lot of money’ or ‘These people were allegedly criminals anyhow.’ But everyone has a right to be deemed innocent until proven guilty, and being proven guilty because of corruption in the police force – and most likely in the executive government – undermines that whole confidence in the legal system here in Victoria. I think everyone that votes for this legislation both in this house and in the other house should stand condemned for what they have done to the justice system – or the lack-of-justice system, which it is here in Victoria – particularly for those who have been jailed unfairly because of the system being corrupted. They stand condemned and condemned and condemned forever for what they have done to the system here in Victoria.

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (18:05): I move:

That the question be now put.

Assembly divided on Mary-Anne Thomas’s motion:

Ayes (47): Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D’Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, 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, Belinda Wilson

Noes (26): Brad Battin, 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, James Newbury, Danny O’Brien, Michael O’Brien, John Pesutto, Tim Read, Richard Riordan, Brad Rowswell, Ellen Sandell, David Southwick, Bridget Vallence, Peter Walsh, Nicole Werner

Motion agreed to.

Assembly divided on motion:

Ayes (47): Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, 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, Belinda Wilson

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Motion agreed to.

The SPEAKER: A message will now be sent to the Legislative Council informing them of the house's decision.

Business of the house**Postponement**

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (18:14): I move:

That the consideration of remaining business be postponed.

Motion agreed to.***Adjournment***

The SPEAKER: The question is:

That the house now adjourns.

Members interjecting.

The SPEAKER: Members will leave the chamber quickly and quietly. It is really not necessary. Disrespectful behaviour has been out of control this week. Members will leave the chamber if they are leaving the chamber. Members who are on the adjournment debate are reminded that I can walk out of here and not call you.

Planning policy

Brad BATTIN (Berwick) (18:15): (841) My adjournment matter is for the Minister for Planning, and the action I am seeking is for the minister to come and meet with Mr Norman Dennis, a constituent of Berwick, to inspect his land in Clarinda and work with him on a path forward for him to sell his land. There is an urgent need for this land sale for Mr Dennis as his son suffers from dermatomyositis. This is an uncommon inflammatory disease marked by muscle weakness and a distinctive skin rash. The condition affects adults usually in their late 40s and early 60s. If it is not managed correctly, it can increase the risk of cardiovascular disease, lung disease and cancer. There is no cure, but treatment can help the rash and help regain muscle strength and function. All Mr Dennis wants to do is sell his parcel of land and pay for his son's intensive treatment. Mr Dennis is in his 80s and has experienced roadblock after roadblock from council and VCAT over a number of years when trying to sell it to many developers who have been trying to purchase the property. This could all be solved with the minister's support, and when we have a man trying to sell the land to pay for his child's medical

treatment, we should be exploring all avenues to make this happen and not being roadblocks to stop it happening.

Education funding

Matt FREGON (Ashwood) (18:17): (842) My adjournment item this evening is directed to the Deputy Premier in his role as Minister for Education, and the action I seek is for the minister to provide an update to the house on the benefits that would result from our federal government fully funding their commitment to our public schools. It has been over a decade since this country recognised the importance of the Gonski report and a needs-based funding model for education. Despite this, Victoria has been short-changed for over that decade, with successive federal governments failing to commit the 25 per cent funding allocation of our public schools. I have three children. One of them goes to an independent school, two of them go to public schools, and it boggles my mind why more of our tax dollars go to educate my daughter than my boys. It does not make any sense, and the federal government should sort themselves out. I commend the Deputy Premier on his work to try and raise this with the federal Minister for Education, and I just wish they would lift their game and come to the party for Victoria for once.

Department of Energy, Environment and Climate Action workforce

Tim BULL (Gippsland East) (18:18): (844) My adjournment tonight is to the Minister for Environment, and the action I seek is for the minister to provide the specifics on the reduction of Department of Energy, Environment and Climate Action job positions in East Gippsland. This comes on the back of an article in the *Weekly Times* which published documents outlining DEECA job losses, including Forest Fire Management Victoria jobs. We have also had contact this week from family members and community members who have come into the office or emailed the office confirming that there will be a reduction in positions in locations like Orbost, Swifts Creek, Nowa Nowa and Heyfield. I have also been advised that some jobs will become regional, and some workers have been offered to reapply for positions with less pay. In my request for the specifics I ask the minister to clarify all this, but most importantly: how many DEECA positions are being reduced in Gippsland East and at what locations?

Bentleigh West Primary School

Nick STAIKOS (Bentleigh) (18:19): (844) My adjournment matter this evening is for the attention of the Deputy Premier and Minister for Education and concerns the Allan government's introduction of evidence-based teaching and learning practices in our schools. The action that I seek is that the minister visits Bentleigh West Primary School to see firsthand the school's teaching of phonics, which it has pioneered for many, many years. It was in June that the Minister for Education announced an update to the Victorian teaching and learning model which will be implemented in all government schools across the state from 2025. Specifically, the minister announced that all students from prep to grade 2 will be taught using a systematic synthetic phonics approach as a part of their reading programs, with a minimum of 25 minutes daily explicit teaching of phonics and phonemic awareness. This is something that the Bentleigh West Primary School has pioneered for many, many years. It has been a centre of excellence when it comes to phonics, and that is because it has got a wonderful principal Sarah Asome. I would like to pay tribute to her leadership not just while she has been principal but before as a teacher. I know that the minister is very, very keen to visit Bentleigh West to have a look at what they do, to have a look at a school that is really best practice when it comes to phonics and phonemic awareness. He can consider this a formal invitation to visit this wonderful school, and I hope to see him there soon.

Kindergarten funding

Nicole WERNER (Warrandyte) (18:20): (845) My adjournment matter is for the Minister for Children, and the action I seek is that she fund volunteer-run kindergartens and early years management organisations equally. The Minister for Children wrote to my constituent recently,

proudly speaking about the increased funding to early years management, EYM, organisations – an impressive 40 per cent increase over three years. These EYMs, such as Y Kinders and One Tree, have received this significant boost because it has been acknowledged that their costs have risen – and rightly so. However, what was left unsaid in that response was the glaring inequality of how our volunteer-run kindergartens are being treated. While the EYMs benefit from both the per-capita funding increases and the additional base funding, volunteer-run kindergartens are left with only a meagre 2.5 per cent annual increase – well below inflation. Over the three years the minister referenced, EYMs have seen a funding increase by 40 per cent while volunteer kindergartens have only seen a 7.5 per cent rise. What this means is that parent-run committees, which manage these volunteer kindergartens, are not just involved, they are critical to the fabric of early childhood education, particularly in rural and regional Victoria. In many of these areas volunteer-run kindergartens are the only providers of kindergarten and child care.

Commercial operators simply cannot break even, even with the equitable funding that exists, yet year after year we see EYMs getting more base funding while our volunteer kindergartens are forced to make sacrifices and find savings that are just not there. This creates a deep and personal impact. Parents who are already stretched thin feel as though they are flailing. They wonder why their costs are going up and their funding is shrinking. Today I stand here not just on behalf of these volunteer-run kindergartens but on behalf of the children and families who rely on them. I call on the minister to address this funding imbalance, to recognise the invaluable contribution of these volunteer-run kindergartens and to ensure that they receive the funding they deserve.

Sara Court, Fawkner

Kathleen MATTHEWS-WARD (Broadmeadows) (18:22): (846) My adjournment is for the Minister for Roads and Road Safety, and the action I seek is for the minister to join me in a visit to Sara Court in Fawkner, adjacent to the ring road and Mahoneys Road, to discuss noise and other concerns with local resident captain Sajid Nazir. I thank him and Hassaan Gul for their advocacy regarding these matters.

Punt Road public acquisition overlay

Sam HIBBINS (Pahran) (18:23): (847) My adjournment matter is for the Minister for Planning, and the action I seek is for the minister to finally lift the Punt Road public acquisition overlay. This overlay on Punt Road has been in place for 70 years, and I recently joined residents to commiserate this embarrassing milestone put in place when there was a now discredited vision for freeways cutting through the inner city. It has been retained by successive governments. They have never had any plan to use it. It was previously subject to a planning panel process, which did recommend to partially remove it, but the government ultimately opted to retain it in full even though its own advisory panel said that all this would achieve would be more traffic and further disruptions to residents living in the area. Over 140 properties are impacted, and the people who are living with this are forced to live in limbo on what could happen to their homes. Residents have had enough of the uncertainty that the overlay has caused.

Critically, as was outlined in the review process, the overlay is a barrier to development along this strip of land. At a time of a housing crisis why is the government keeping up a barrier to more homes being built in what is a residential growth zone? In addition to that, the government owns 22 properties along the alignment, many of which are either vacant or underutilised, which presents a much-needed opportunity to get more public and genuinely affordable housing built in our community. The government is constantly talking about housing supply. If that is the case, it is absolutely not acceptable to have an overlay sitting there for 70 years, leaving residents in limbo and preventing much-needed housing being built. I urge the government: remove the overlay, give residents certainty and allow for more housing to be built in our community.

Container deposit scheme

Katie HALL (Footscray) (18:25): (848) The action I seek is for the Minister for Environment to provide me with an update on the container deposit scheme in my electorate. The CDS is an amazing program that has seen huge buy-in from communities across the state. I know that many in my electorate have utilised the program to great effect, and what is not to love about looking after the environment and supporting great local charities? The people of Footscray have taken to the CDS with great enthusiasm. Could the minister provide me with information on how many containers have been deposited as well as how much money has been raised for charities in the Footscray electorate?

Mason Street, Warragul, development

Wayne FARNHAM (Narracan) (18:25): (849) My adjournment this evening is for the Minister for Planning, and the action I seek is that the minister pause the development at 23 Mason Street, Warragul. The reason I ask for this is because what was presented to the community and what was signed off by the minister has now been replaced with a completely different concept by Housing Choices Australia. It was put to the community that the building was to have a commercial side to it on the ground floor, and it was of a certain design and elevation. What Housing Choices Australia has put forward now is nothing short of Soviet Union 1970s block construction. It has units all the way to the ground, there are not enough car parks and it is not what was presented to this community. I would assume that if Housing Choices Australia, backed by the planning minister, put something forward to my community they would honour what has been put forward, but this is not the case. It is the ugliest building I have ever seen, and for construction in 2024 to look like something that has come out of the Soviet Union in the 1970s will not be acceptable to my community. So the action that I seek is that the minister pause, go to Housing Choices Australia and build what they presented to my community.

Triple Zero Victoria

John MULLAHY (Glen Waverley) (18:27): (850) My adjournment matter is directed to the Minister for Emergency Services in the other place, and the action I seek is for the minister to join me at Triple Zero Victoria. Located on Lakeside Drive in Burwood East in the heart of my electorate, this magnificent institution serves not only the residents of the Glen Waverley district but also Victoria as a whole. Triple Zero Victoria provides the critical link between the Victorian community and the state's emergency services agencies. It provides Victoria's 24-hour emergency call-taking and dispatch services for police, fire, ambulance and VICSES. In short, Triple Zero Victoria is an essential service for our state. They keep us safe and are there for us when Victoria is at its most vulnerable, and they deserve our heartfelt gratitude. The contribution our emergency services workers make to our state cannot be overstated. I was so happy to see the Triple Zero team alongside all their amazing emergency services personnel were given a lap of honour at the annual AFL emergency services match.

I would also like to take this opportunity to once again encourage the community to save 000 calls for emergencies. Our emergency services crews need to respond to the highest priority cases first, and therefore non-life-threatening situations should not get in the way of these emergencies. By allowing our emergency services to respond to urgent cases we are helping paramedics do their job, which is to save lives. Whether it be services such as Nurse-on-Call, pharmacists or the Victorian virtual ED, there is a vast array of options available to Victorians. I thank the minister and her team for all the work that they do, and I look forward to having the minister out in the Glen Waverley district.

Responses

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (18:29): The member for Berwick has raised a matter for the attention of the Minister for Planning. You, Deputy Speaker, have raised a matter for the attention of the Minister for Education. The member for Gippsland East has raised a matter for the attention of the Minister for Environment. The member for Bentleigh raised a matter for the attention

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of the Minister for Education. The member for Warrandyte raised a matter for the attention of the Minister for Children. The member for Broadmeadows raised a matter for the attention of the Minister for Roads and Road Safety. The member for Prahran raised a matter for the attention of the Minister for Planning. The member for Footscray raised a matter for the attention of the Minister for Environment. The member for Narracan raised a matter for the attention of the Minister for Planning and the member for Glen Waverley raised a matter for the attention of the Minister for Emergency Services. I will ensure that they are all referred to the relevant ministers for their response.

The DEPUTY SPEAKER: As we head into a bit of a break, it is customary and well in time to thank our clerks; our assistants; our staff; our Hansard people, who are writing what I am saying right now, I am sure; our PSOs and security for looking after us; and everyone who contributes to this wonderful show of democracy. The house stands adjourned until we return.

House adjourned 6:30 pm.