



Hansard

LEGISLATIVE ASSEMBLY

60th Parliament

Tuesday 13 August 2024

Office-holders of the Legislative Assembly

60th Parliament

Speaker

Maree Edwards

Deputy Speaker

Matt Fregon

Acting Speakers

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

Leader of the Parliamentary Labor Party and Premier

Jacinta Allan

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

Ben Carroll

Leader of the Parliamentary Liberal Party and Leader of the Opposition

John Pesutto

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

David Southwick

Leader of the Nationals

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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Tuesday 13 August 2024

The SPEAKER (Maree Edwards) took the chair at 12:04 pm, read the prayer and made an acknowledgement of country.

Bills

State Civil Liability (Police Informants) Bill 2024

Introduction and first reading

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (12:05): I move:

That I introduce a bill for an act to limit the civil liability of the state by extinguishing causes of action in relation to the provision of information and other assistance by specified human sources and for other purposes.

Motion agreed to.

Michael O'BRIEN (Malvern) (12:06): I ask the minister to provide a brief explanation of the bill.

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (12:06): The bill will extinguish all causes of action against the state relating to the provision of information or other assistance to Victoria Police by Ms Gobbo or Mr Acquaro.

Read first time.

Ordered to be read second time tomorrow.

Roads and Road Safety Legislation Amendment Bill 2024

Introduction and first reading

Melissa HORNE (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (12:06): I move:

That I introduce a bill for an act to amend the Road Safety Act 1986, the Melbourne City Link Act 1995, the EastLink Project Act 2004, the Road Safety Camera Commissioner Act 2011, the West Gate Tunnel (Truck Bans and Traffic Management) Act 2019, the North East Link Act 2020 and the Marine (Drug, Alcohol and Pollution Control) Act 1988 and for other purposes.

Motion agreed to.

Danny O'BRIEN (Gippsland South) (12:07): I seek a brief explanation of the bill.

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) (12:07): The bill will deliver and facilitate government commitments and obligations relating to 24-hour truck bans in the inner west, digital drivers licences and custom plates. The bill will also make minor amendments to improve the administration of infringement processes in transport legislation and provide for more inclusive language under the Road Safety Act 1986 in relation to Victoria's accessible parking permit scheme.

Read first time.

Ordered to be read second time tomorrow.

Health Legislation Amendment (Regulatory Reform) Bill 2024*Introduction and first reading*

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (12:08): I move:

That I introduce a bill for an act to amend the Assisted Reproductive Treatment Act 2008, the Drugs, Poisons and Controlled Substances Act 1981, the Health Services Act 1988, the Non-Emergency Patient Transport and First Aid Services Act 2003, the Public Health and Wellbeing Act 2008, the Radiation Act 2005 and the Safe Drinking Water Act 2003 in relation to regulatory and enforcement matters and to amend the Assisted Reproductive Treatment Act 2008, the Births, Deaths and Marriages Registration Act 1996, the Drugs, Poisons and Controlled Substances Act 1981, the Epworth Foundation Act 1980, the Health Services Act 1988, the Human Tissue Act 1982, the Public Health and Wellbeing Act 2008 and the Safe Drinking Water Act 2003 to make minor miscellaneous amendments and for other purposes.

Motion agreed to.

Emma KEALY (Lowan) (12:09): I ask the minister for a brief explanation of the bill.

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (12:09): This bill seeks to amend several health portfolio acts to modernise and streamline compliance and enforcement powers under those acts to support a graduated, proportionate and risk-based approach to regulation by the Secretary to the Department of Health. The bill also seeks to amend the Assisted Reproductive Treatment Act 2008 to dissolve the Victorian Assisted Reproductive Treatment Authority and to transfer regulatory functions to the secretary and management of donor conception registers to a new donor conception registrar. The bill also seeks to make other changes to improve regulation of assisted reproductive treatment, including changes recommended by the independent review of assisted reproductive treatment undertaken by Michael Gorton AM.

Read first time.

Ordered to be read second time tomorrow.

*Business of the house***Notices of motion and orders of the day**

The SPEAKER (12:11): General business, notices of motion 20 and 21 and order of the day 1, will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 5 pm today.

*Petitions***Cooba solar project**

Annabelle CLEELAND (Euroa) presented a petition bearing 1362 signatures:

Issue:

This petition of residents in Victoria draws to the attention of the Legislative Assembly the Cooba Solar Facility proposal for Colbinabbin, (Central Victoria). Those signing this petition are not against renewables, however are against the proposed location, being in the middle of the Heathcote Wine GI, on prime, highly arable agricultural land, on the eastern slope of the Mt Camel hill range. Colbinabbin, the town name derived from aboriginal meaning “the meeting of the black and red soils”, is renowned for its ancient Cambrian soil, and is not only a highly productive farming town, however highly sought-after grape growing country, and forms part of the popular Heathcote tourism mecca. The application also directly contradicts the Campaspe & State Planning Guidelines.

Action:

The petitioners therefore request that the Legislative Assembly call on the Government to reconsider the application of the Cooba Solar Facility, based on the location of the 665-hectare site with 740,000 eight-foot panels.

Ordered that petition be considered tomorrow.

Wild dog control

Tim BULL (Gippsland East) presented a petition bearing 839 signatures:

This petition of residents in the State of Victoria draws the attention of the Legislative Assembly to the urgent need to recommit to the wild dog control program, and calls on the Government to:

1. The three kilometre buffer zone for controlling dogs be retained without alteration,
2. All control measures currently available to doggers be retained without alteration,
3. The annual publishing of the number of location of wild dogs euthanized by doggers; and
4. The annual publishing of stock losses and reports made by community members in relation to wild dog attacks.

Ordered that petition be considered tomorrow.

*Committees***Scrutiny of Acts and Regulations Committee***Alert Digest No. 10*

Gary MAAS (Narre Warren South) (12:12): I have the honour to present to the house a report from the Scrutiny of Acts and Regulations Committee, being *Alert Digest* No. 10 of 2024, on the following bills and subordinate legislation:

Government Construction Projects Integrity Bill 2024
 Parliamentary Workplace Standards and Integrity Bill 2024
 Prahran Mechanics' Institute Repeal Bill 2024
 Residential Tenancies and Funerals Amendment Bill 2024
 SR No. 3 – Heritage Amendment Regulations 2024

together with appendices

Ordered to be published.

*Documents***Documents**

Incorporated list as follows:

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT – The Clerk tabled:

Crown Land (Reserves) Act 1978:

Order under s 17D granting a lease over Sandringham Beach Park

Orders under s 17B granting licences over:

Port Melbourne Ornamental Plantation Reserve

Princess Park

Interpretation of Legislation Act 1984 – Notice under s 32(3)(a)(iii) in relation to Statutory Rule 44 (*Gazette S425, 2 August 2024*)

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

Ballarat – C247

Bass Coast – C170
 Baw Baw – C153
 Boroondara – C381, C397
 Cardinia – C265, 273
 Colac Otway – GC228
 East Gippsland – C167
 Golden Plains – GC228
 Greater Dandenong – C248
 Greater Geelong – GC228
 La Trobe – C141
 Melbourne – C441, C472
 Port Phillip – C199
 Queenscliff – GC228
 Surf Coast – GC228

Subordinate Legislation Act 1994:

Documents under s 15 in relation to statutory rules 72, 73

Documents under s 16B in relation to the *Education and Training Reform Act 2006* – Ministerial Order No 1455 – Order Amending Ministerial Order No 1228 – Victorian Institute of Teaching Registration Fees

PROCLAMATION – Under SO 177A, the Clerk tabled the following proclamation fixing an operative date:

National Energy Retail Law (Victoria) Act 2024 – Whole Act – 30 July 2024 (*Gazette S413, 30 July 2024*).

Bills

Parliamentary Workplace Standards and Integrity Bill 2024

Council's amendments

The SPEAKER (12:13): I have received a message from the Legislative Council agreeing to the Parliamentary Workplace Standards and Integrity Bill 2024 with amendments.

Ordered that amendments be taken into consideration immediately.

Message from Council relating to following amendments considered:

1. Clause 3, page 5, after line 29 insert –

“non-compliance report means a report prepared by the Commission under section 32A(1);”.
2. Insert the following New Clauses to follow clause 32 –

“32A Non-compliance with sanctions imposed by Commission

 - (1) Subject to subsection (2), if the Commission is satisfied that a person has failed to comply, within a reasonable time, with a sanction imposed under section 30, the Commission –
 - (a) must prepare a report of that failure; and
 - (b) may recommend that one or more sanctions be imposed on the person as if the Commission had made a finding of serious parliamentary misconduct by the person.
 - (2) The Commission must not prepare a non-compliance report unless the Commission has –
 - (a) given the person an opportunity to respond to the proposed report; and
 - (b) considered any response by the person.
 - (3) A non-compliance report must include the following –
 - (a) the details of the Commission’s finding that the person has failed to comply with the sanction;
 - (b) the sanctions (if any) that the Commission recommends be imposed on the person;

- (c) any response by the person under subsection (2)(b).
- (4) A non-compliance report must not include any of the following –
 - (a) information that is likely to lead to the identification of –
 - (i) an individual referrer without their consent; or
 - (ii) an affected person without their consent;
 - (b) a finding or opinion that a person is guilty of or has committed an offence;
 - (c) a recommendation that a person be prosecuted for an offence.
- (5) The Commission must provide a non-compliance report as soon as practicable to the following –
 - (a) the individual referrer (if any) who made the referral for which an investigative report was prepared and the sanction was imposed;
 - (b) the person who is the subject of the non-compliance report;
 - (c) any other person or body to whom the Commission provided the investigative report under section 28(7) or (8).

32B Presentation of non-compliance report to Parliament – Privileges Committee

- (1) Subject to subsection (2), if a Privileges Committee receives a non-compliance report, the Privileges Committee must –
 - (a) consider the report; and
 - (b) in the case that the report includes sanctions that the Commission recommends be imposed on the person who is the subject of the report –
 - (i) invite the person to provide within 30 days a written response regarding the sanctions recommended; and
 - (ii) consider any response provided within 30 days by the person; and
 - (c) prepare and cause to be transmitted to its House, no later than 10 sitting days after the period referred to in paragraph (b), a report that contains –
 - (i) the non-compliance report; and
 - (ii) the recommendations of the Privileges Committee regarding sanctions; and
 - (iii) an explanation for any differences between the recommendations of the Commission and the recommendations of the Privileges Committee.
- (2) As soon as practicable after a Privileges Committee receives a non-compliance report, a Member of the Privileges Committee who has a direct or indirect interest in the subject-matter of the report, being an interest that could conflict with the performance of their duties as a Member of the Privileges Committee in considering the report, must –
 - (a) recuse themselves from the consideration of the report until the Privileges Committee has caused a report to be transmitted to its House in accordance with subsection (1)(c); or
 - (b) resign from the Privileges Committee.
- (3) For the purposes of subsection (2), a direct or indirect interest in the subject-matter of a non-compliance report does not include being a member of the same political party as the person who is the subject of the report.
- (4) A Privileges Committee must not reconsider or review any finding of the Commission in a non-compliance report.

Note

See section 112 for general requirements relating to transmission of reports to Parliament.

32C Presentation of non-compliance report to Parliament – Premier

- (1) If the Premier receives a non-compliance report, the Premier must –
 - (a) consider the report; and
 - (b) in the case that the report includes sanctions that the Commission recommends be imposed on the person who is the subject of the report –
 - (i) invite the person to provide within 30 days a written response regarding the sanctions recommended; and

- (ii) consider any response provided within 30 days by the person; and
- (c) prepare and cause to be transmitted to the House of which the person who is the subject of the report is or was a Member, no later than 10 sitting days after the period referred to in paragraph (b), a report that contains –
 - (i) the non-compliance report; and
 - (ii) a statement of the actions that the Premier has taken in response to the non-compliance report; and
 - (iii) an explanation for any differences between the recommendations of the Commission and the actions taken by the Premier.
- (2) Subsection (1) does not apply in respect of a non-compliance report that is related to an investigative report received by the Premier under section 28(8).
- (3) The Premier must not reconsider or review any finding of the Commission in a non-compliance report.

Note

See section 112 for general requirements relating to transmission of reports to Parliament.”.

3. Clause 41, lines 1 and 2, omit “**investigative report or summary report**” and insert “**reports**”.
4. Clause 41, line 4, omit “or a summary report” and insert “, a summary report or a non-compliance report”.
5. Clause 41, lines 6 to 7, omit “or a summary report” and insert “, a summary report or a non-compliance report”.
6. Clause 45, page 62, after line 13 insert –
 - “(da) monitoring compliance with sanctions imposed by it and issuing reports in respect of non-compliance;”.
7. Clause 49, page 65, line 7, omit “5” and insert “10”.
8. Clause 49, page 65, line 9, omit “5” and insert “10”.
9. Clause 49, page 65, line 15, omit “5” and insert “10”.
10. Clause 49, page 65, line 17, omit “5” and insert “10”.
11. Clause 52, line 14, omit “or 51(1)” and insert “, 51(1) or 58(1)”.
12. Clause 58, line 15, omit “The” and insert “Subject to section 52, the”.
13. Clause 58, lines 32 to 34, omit all words and expressions on these lines.
14. Clause 61, page 73, after line 2 insert –
 - “(fa) a function under section 32A (preparing and providing a non-compliance report);”.
15. Clause 83, page 94, line 29, omit “reports and” and insert “reports,”.
16. Clause 83, page 94, line 30, after “reports” insert “and non-compliance reports”.
17. Clause 83, page 95, line 1, omit “reports and” and insert “reports,”.
18. Clause 83, page 95, line 2, after “reports” insert “and non-compliance reports”.
19. Clause 139, line 6, before “In” insert “(1)”.
20. Clause 139, after line 8 insert –
 - (2) After section 21(1) of the **Parliamentary Committees Act 2003** insert –
 - “(1A) Not more than half the members of the Integrity and Oversight Committee may be members of a political party forming the Government.”.
21. Clause 141, line 27, before “or” insert “, the Integrity and Oversight Committee”.

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (12:15): I move:

That the amendments be agreed to.

The government has accepted the amendments to this bill that were passed in the Council. As the Premier has always said, this is Parliament’s bill, and the government has consulted extensively, including with all parties, to get the model right. We have taken on board many suggestions since

consultation began on the bill last year to ensure that we do get it right. This will be the first Parliamentary Workplace Standards and Integrity Commission of its kind anywhere in Australia, a standalone legislated parliamentary commission which covers MPs, ministers and parliamentary secretaries.

We have accepted proposals by the Greens which provide the commission with the function to monitor compliance with sanctions that it imposes for parliamentary misconduct and have included two additional amendments to give full effect to the commission's new function. This new function will allow the commission to seek information to determine if someone has complied with a sanction it has imposed. If the commission is satisfied that the person has failed to comply within a reasonable timeframe, it will be required to prepare a noncompliance report, which it must provide to either the Privileges Committee or Premier, depending on whether the person who was sanctioned was the Premier, an MP, a minister or a parliamentary secretary. The commission will be able to recommend further sanctions in line with a finding of serious parliamentary misconduct in its noncompliance report. Parliament and the Premier will have their own discretion to monitor compliance with sanctions imposed for serious parliamentary misconduct, improper conduct, detrimental action, failure to comply with an investigation request without a reasonable excuse and any sanction for noncompliance. If someone fails to comply with these sanctions, they may be referred back to the commission, as this could be considered a failure to uphold parliamentary standards and integrity. Parliament may also decide to refer them directly to the Privileges Committee.

The commission must afford procedural fairness regarding noncompliance reports. This amendment provides that the commission must not prepare a noncompliance report unless the commission has given the person an opportunity to respond to the proposed report and has considered any response by the person. A noncompliance report must include certain details, including the details of the commission's finding that the person has failed to comply with the sanction; the sanctions, if any, that the commission recommends be imposed on that person; and any response by the person to the proposed report.

The government house amendments provide for an additional amendment that will outline that a noncompliance report must not include information that is likely to lead to the identification of an individual referrer or affected person without their consent, a finding or opinion that a person is guilty of or has committed an offence, or a recommendation that a person be prosecuted for an offence. This additional amendment will ensure that noncompliance reports are prepared in the same way as investigative reports. The commission must provide a noncompliance report as soon as practicable to the following: the individual referrer who made the referral for which an investigative report was prepared and the sanction was imposed, the person who is the subject of the noncompliance report and any other person or body to whom the commission provided the investigative report. The government amendments will also ensure that the bill clearly reflects the commission's function to monitor compliance with sanctions imposed and to issue reports in respect of noncompliance.

More generally, the bill has been drafted so that all investigative reports will be tabled in Parliament, except when it is not in the public interest to do so. This is intended to encourage people who have had a sanction imposed to comply with the decision.

The government has accepted the Liberal amendment to the Integrity and Oversight Committee's oversight of commissioner appointments so that the committee's unanimous support is required before any acting appointment can be made. I might leave the member for Malvern to expand a little bit more on that if he so chooses.

In terms of qualifications of commissioners, the Legislative Council voted to amend clause 49 of the bill to require that a person is not eligible to be appointed as a commissioner if the person has held certain offices, such as a former state or federal MP, a member of a registered political party or a lobbyist, in the last 10 years. This is an expansion of five years on that which was introduced. In the spirit of ensuring that this bill be passed as soon as possible, the government supports this change.

The government has worked with every party on this bill and a number of independents to ensure that the model is right and that all feedback has been taken on board. Significant changes were made following the input of many MPs from right across the chamber, and we think that the model set out in the bill is the appropriate one to enhance the standards of accountability and integrity in Parliament. I commend the bill as amended to the house.

Michael O'BRIEN (Malvern) (12:20): I appreciate the words of the Leader of the House in relation to the Liberal and National amendments, which I will refer to shortly, but it is a shame that the members for South Barwon and Ringwood are not in the chamber to hear about this great upgrade to parliamentary standards and integrity that this bill is expected to introduce, because they are certainly two of the members who are responsible for this. I could go into former speakers and deputy speakers who have brought that high office into disrepute, and I am glad that I can say former speakers and deputy speakers, not incumbents.

This is a bill that has been effectively brought about because of Operation Watts, which was an investigation into the Labor Party's inappropriate misconduct and bad behaviour from Labor MPs. Let us not sugar-coat it: this is a direct response to Operation Watts, which did not deal with Liberals, Nationals, Greens or independents; it dealt with the Labor Party and the corrupt culture at the heart of it. Let us understand exactly where this bill has sprung from: it is from the recommendations of the joint Victorian Ombudsman and IBAC operation Operation Watts.

There are some amendments in this which we support, because we moved them. We have increased from five years to 10 years the period under which somebody is disqualified from being a parliamentary integrity commissioner if they have been a candidate, a member of a political party, a member of Parliament, a lobbyist or a councillor. We think that is appropriate. With great respect to all of our retired colleagues, I think that after five years, arguably, people are still too close to the institutions of politics to be seen by the community as being sufficiently independent.

We have also supported an amendment moved by the Greens in the other place, which is to enshrine in legislation that the chair of the Integrity and Oversight Committee should be a non-government member and that that important committee should have a non-government majority on it. That is the current practice. I should say it is the current practice because the government only agreed to that change as a means of heading off an upper house inquiry into correspondence where again Labor members of Parliament were trying to go after the former head of IBAC Robert Redlich. So a good outcome came about because of a dirty deal that the government did to try and head off an upper house inquiry into further misconduct by Labor members of Parliament.

There is unfinished business in relation to the Privileges Committee. The proposal that the Privileges Committee in both chambers should have a non-government chair and a non-government majority was a direct recommendation of Operation Watts, and the government have said they need more time. We will take them on their word. We will make sure they actually do that further work. I will put it on record that this is something we have said: we are committed to implementing the recommendations of Operation Watts. The government have said they are committed to implementing the recommendations of Operation Watts and that it is one piece of unfinished business. The government has said it needs more time. Well, the government has more time, but tick-tock, the clock is ticking.

In relation to the important question of legal cost, which is not in the legislation but is a matter that has caused some concern to members because of course ministers of the Crown arguably have access to Victorian Managed Insurance Authority coverage for legal costs in relation to actions undertaken as ministers, it would be completely unfair and would be completely unjust if ministers received a level of coverage for legal costs that is not equally available to other members of Parliament, be they government backbenchers, be they opposition members, be they crossbenchers or be they members of other minor parties. The government's view was that this needed to be dealt with as a policy response, not through the legislation. There have been some constructive discussions between me and my side of politics and the government. I do thank Ms Andrea David, who has been very helpful, from

the Premier's private office. I have found her to be very across the brief and very good to deal with. Perhaps some government members could learn from her, because she is really good to deal with.

As a consequence of those discussions I do have in my possession a letter signed by the Premier, the Honourable Jacinta Allan MP, dated 1 August 2024 in relation to these matters of legal costs. There is still some little bit of work to be done to iron out a couple of remaining questions, but we do take in good faith that the Premier, having provided us with this letter, will follow through and will ensure that there is a level playing field. While I will not quote the whole of the letter due to the time and other matters the house needs to get to, I will quote this one part of the letter from the Premier to me. It says:

I confirm that, notwithstanding any changes are made to the policy at that time, the approach of maintaining the same level of coverage for all members of parliament, regardless of whether they are also ministers and parliamentary secretaries will not change.

I think it is very important that there be a level playing field. Whether everyone has costs covered or no-one has costs covered, all we ask for is that there be a level playing field, that every member of Parliament is treated equally and fairly and that there be no special privileges accorded to ministers over officers of the Parliament, backbenchers, shadow ministers, government backbenchers or anybody else.

It is a shame that it has come to this. It is a shame that the bad behaviour of members of the Labor Party principally has led to Operation Watts and has led to this need for the Parliamentary Workplace Standards and Integrity Bill 2024 to be put before the house, but it is where we are. With that, I hope that the bill succeeds in improving standards and improving behaviour. I hope that the sanctions never have to be used, because we can actually lift our game collectively and behave ourselves, because the public of Victoria, the hardworking Victorians, the taxpaying Victorians, deserve no less than for their members of Parliament to be up to the normal standards we would expect in any workplace, and we arguably are subject to higher standards, being elected members of Parliament. With that, we support the amendments and we wish the bill success, although we do hope that it does not have to be used as much as it has needed to be in the past.

Ellen SANDELL (Melbourne) (12:27): The Greens will also be supporting this amended bill. I would like to thank all of those who worked on this bill. It has been a very long time coming. It is finally here – thank goodness. Also I would like to thank those who supported the Greens amendments to strengthen this bill and strengthen the integrity system in Victoria. As others have mentioned, this bill is being reintroduced because amendments were moved in the Council, and the most substantive of those amendments were the Greens amendments to legislate the requirement for there to be a non-government chair permanently and a non-government majority on the joint Integrity and Oversight Committee (IOC). This is one of Parliament's most important and powerful oversight committees. It is a committee that oversees a lot of our integrity agencies here in Victoria, and it is long overdue that it be not controlled by the government of the day, which it is supposed to oversee and keep checks on. So it is a very important integrity reform that I think will do us well in Victoria into the future.

I have to say it is a little bittersweet to be speaking on this bill today, because on one hand the Parliament has passed a bill that sets out to improve the parliamentary workplace standards of Victorian MPs, with the Greens amendments to the IOC, and also ensure that three of the six joint investigatory committees will now be sufficiently independent of the government of the day so they can provide proper, rigorous oversight of the government's decision-making and appointments to those committees, and all of that is a good thing. But on the other hand the bill again starkly illustrates the lack of genuine commitment of the Labor and Liberal parties to improving political integrity in this state.

Let me explain, because make no mistake, the passage of this bill does not actually change the fact that Victoria remains what the former Victorian Ombudsman described as the national laggard when

it comes to integrity matters. In terms of transparency, for example, Victoria continues to have the worst FOI system in the nation. We have the most FOI applications, the slowest responses and the most requests denied in full, and this is in large part because the Labor government is also coming dead last in terms of its proactive release of documentation and even refuses to release documents when ordered to by this very Parliament. When it comes to the strength of our anti-corruption commission, something that was also canvassed with this bill in terms of amendments the Greens put forward, IBAC is at best the equal worst in the nation with South Australia in terms of having the weakest jurisdiction to investigate all forms of serious corruption.

I think that that is something that is below the standard that Victorians expect. In terms of political lobbying oversight Victoria fails to even show up to the starting line. It still does not even have lobbying laws on the statute books, let alone laws that are sufficient or lead the nation in any way.

Finally, perhaps most pertinent to this bill and the amendments to this bill, we should consider how well this Victorian Parliament operates in terms of upholding its democratic functions and the oversight function of the executive, which is a really important function of the Parliament, because as we know, this Parliament is actually the least democratic in the country and one of the least democratic in the entire Westminster system. This chamber here –

Nina Taylor interjected.

Ellen SANDELL: I hear the member for Albert Park saying, ‘What?’ She has not been in this place as long as me, so I will give the member for Albert Park a little lesson on this chamber. This chamber, she may not be aware, is actually the only place in the Westminster system that has no non-government business time. That means that backbenchers like her, opposition members and crossbench members cannot actually bring matters to be voted on and debated in this chamber, including bills, and essentially we have almost no consideration of legislation in detail; it has only happened a handful of times in my 10 years in this place. That means that Victorians are being denied their proper democratic representation in Parliament and our Parliament is being prevented from holding the government of the day to account.

I have to say, all of this has been well known for a long time, including by the opposition, and that is what makes what happened in this place two weeks ago with the passage of this bill in the other place quite bizarre. I guess we all expected the Labor government to renege on its commitment to reforming our integrity systems in full, in particular its commitment to reforming the privileges committees to remove government dominance as recommended in Operation Watts by IBAC. We have seen quite a few broken promises from this Labor government recently, so I guess we were not too surprised when they broke their promise on this.

But what I was surprised about and what was quite bizarre was the opposition, the Liberals and Nationals. They talk a huge game when it comes to parliamentary accountability and integrity in this Parliament. Two weeks ago, at the same time this bill was being debated in the other place, the Liberal–National parties walked out of question time, supposedly in protest about the lack of government accountability to the Parliament and its failure to answer questions. The Liberals and Nationals walked out of this Parliament, so when the real opposition, the Greens, put forward amendments to actually change the system, to actually reform Parliament’s integrity systems, to reform Parliament’s privileges committees and to reform our budget estimates process, which is one of the least effective in the world, to make it free from government dominance so ministers would have to actually answer questions and be accountable to the Parliament, we obviously expected that the Liberals and Nationals, who were protesting outside about the government not answering questions, would actually support these amendments, because what we proposed in those amendments was that those on the opposition and non-government benches, the crossbenches, would no longer be blocked from fully holding the government to account.

What we proposed was that we would have a more open and accountable government and executive. If our amendments had passed, it would have meant that the opposition could drag ministers before PAEC for example, our Public Accounts and Estimates Committee. They could have actually brought ministers before that committee and held inquiries into the things that they seem so concerned about, such as budget blowouts on major transport projects. If the Liberals had supported our amendments – the rest of the crossbench supported them – we would have had the numbers to reform the PAEC system, which would have meant we could have a system where ministers would be required to come before our budget estimates process and committee to actually answer questions. We do not have that now. We do not have that, because the Liberals and Nationals did not have the guts to reform the system, because they think that one day maybe they will be in government and they do not want to be held to account when they are. Well, I do not know if they are going to be in government anytime soon.

It was pretty remarkable, actually, and pretty incredible that the Liberals and Nationals said no to more integrity, said no to more transparency in the Victorian Parliament and voted down amendments to require ministers to actually answer non-government members' questions and be more accountable on their portfolios to committees. So when they are crying crocodile tears about accountability and transparency, let us remember – the Victorian public will remember – that when it came down to it, when they had the chance to actually reform the system, to actually do something about integrity, to actually maybe do their jobs a little bit more effectively, they chose not to do so. In doing that, they showed that all their talk and bluster on integrity, on democracy and on accountability is just show. Their walkouts, their protests, their points of order – they are all just actually make-believe. In voting down the Greens' amendments to make all governments – not just the current government but all governments – more accountable, the Liberals and Nationals told Victorians directly and unambiguously that they would not be any better if they were elected to government.

We know that all of this protest from the opposition really is just theatre. They have no intention of changing the system. They were supposedly so upset about it that they had to storm out of Parliament. The Liberals and Nationals literally voted against change. So let us remember this when the Liberals next complain about the Speaker or let us remember this when the Liberals and Nationals complain about the lack of answers from a minister, the waste on a government public project or the corruption of Labor ministers: they had the chance to do something about it and they chose not to. They voted against Parliament holding the government more accountable for these things.

The opposition is no different from the Labor Party. They formed a joint ticket to block more integrity in this Parliament. The Greens amendments were supported by the entire crossbench from a huge spectrum of politics, from the left wing to the right wing, but the reality is that Labor and the Liberals were on a joint ticket to block real integrity reform to improve accountability, and they were on a joint ticket against getting better outcomes for Victorians.

To be honest, it is really no wonder the two-party system is rapidly dying. We have got the primary votes of Labor and the Liberal parties sliding downwards, and it is really no wonder when they are trying to lock people out of this place and block change to our broken politics.

The opposition can get up and storm out of Parliament all they like. Maybe next time there will be no point coming back, because this bill proves that it is only the Greens who actually want the highest political integrity standards in Victoria, only the Greens who actually want more parliamentary scrutiny and accountability in government and only the Greens who actually put up the amendments and actually vote for those amendments. Everybody else is just pretending.

Nina TAYLOR (Albert Park) (12:38): I think it is important when we are looking at this very important legislation to note that the government has accepted amendments to this bill passed in the Council – just to state factually – and as the Premier has said, this is Parliament's bill, and the government has consulted extensively. In spite of some of the inferences that were put forward just now, I have to say the government has genuinely and in good faith consulted extensively. I can say

that as members on our side of the house we certainly take it very seriously and certainly integrity is an incredibly important aspect of representing our communities. When I talk about consultation, I mean with all parties in an earnest effort to get the model absolutely right. And we have taken on board many suggestions since consultation began on the bill last year to ensure we get it right, because we are obviously existing in the imperfect space of human beings – although the Greens political party are absolutely perfect! Every one of them has never made a mistake in their life, and that is absolutely brilliant! However, coming back to the bill, this will be –

A member interjected.

Nina TAYLOR: As I said, they are absolutely perfect human beings, with no errors, no emotionality whatsoever! They are perfect human beings! If only we could live up to those lofty standards. But nevertheless I persist.

Mary-Anne Thomas interjected.

Nina TAYLOR: Yes, apart from when they incite some pretty bad behaviour in the community, which we have seen to date.

This will be the first Parliamentary Workplace Standards and Integrity Commission of its kind anywhere in Australia, and I think there is something to be said for that. I do commend all the consultation that has been undertaken.

Members interjecting.

Nina TAYLOR: Well, you could take the most negative inference, or you could take the fact that this is a really important step forward for Victoria and perhaps other states will follow suit. It is a standalone legislated parliamentary commission which covers MPs, ministers and parliamentary secretaries such as me.

We have also accepted the Greens amendment which provides the commission with a function to monitor compliance with sanctions that it imposes for parliamentary misconduct and included two additional amendments to give full effect to the commission's new functions, so you can see the iterative elements to the development of this very delicate but important legislation. This new function will allow the commission to seek information to determine if someone has complied with a sanction it has imposed.

I am not seeking to artificially protract the debate; I believe that the matter has been thoroughly transacted. Nevertheless I thought it was important to speak to the bill at hand because of the importance that it should hold in terms of seeking the best possible outcomes for integrity in this Parliament.

Peter WALSH (Murray Plains) (12:42): I rise to make a brief contribution as well. I would like to start that off by thanking the Shadow Attorney-General and all those that worked with him to make the changes to the bill that we are now debating in the house that have come back from the upper house, particularly the one around making sure there was actually support across the Parliament for the appointment of the parliamentary integrity commissioners. As the bill was originally structured, effectively the executive government of the day could carry the day and appoint those commissioners at their own will. I think the changes that the Shadow Attorney-General and others pushed for mean that there is going to be across the Parliament support for those parliamentary integrity commissioners, and I think to work in the spirit of the bill it was important to make that happen, as were some of the other changes that have been talked about.

I just want to touch on what the member for Melbourne was saying. The member for Melbourne talked about crocodile tears, and she took the words out of my mouth. The member for Melbourne has crocodile tears about what has happened with integrity in this state. Can I remind the member for Melbourne it was actually a Liberal-Nationals government under Ted Baillieu that introduced IBAC

here into Victoria, but it was the Labor Party, with the support of Greens preferences to elect the majority of their members to the Parliament, that actually watered down that particular legislation. So the member for Melbourne may have crocodile tears about what has happened to the Independent Broad-based Anti-corruption Commission in this state, but it is the government that they supported to be elected that actually made those changes that watered down IBAC. I might remind the member for Melbourne that they might think about whether they are just going to blindly give their preference to the Labor Party every time there is an election to do the things that they do around those particular things. Particularly the Greens did work with the Labor government to support the government to supposedly have an inquiry into Robert Redlich in return for the chair of the Integrity and Oversight Committee. Again, a grubby little deal was done between the Greens and the Labor Party around that.

Integrity is an interesting term, and I suppose no discussion in this house about integrity would go without us letting Patch and Ted out of the ministerial car for a walk. If you think about integrity, I think the real low point that I can remember in here, apart from all the other issues that have been raised by the Shadow Attorney-General about former Speakers, former Deputy Speakers and former ministers, was the transporting of Patch and Ted from Melbourne to Trentham in a ministerial car. That to me just went to the utter hypocrisy of the Labor Party; the taking for granted of the office of minister and putting two dogs in a ministerial car to drive them to country Victoria was just beyond the pale.

Brad ROWSWELL (Sandringham) (12:45): I also rise to address this bill and the amendments before the chamber. I do so as a former deputy chair of the Parliament's Integrity and Oversight Committee and someone who has had a deep interest in these matters for some time. I was not going to speak on these amendments, but when I heard the member for Melbourne on her feet and when I heard some Labor members of Parliament on their feet I just could not but help myself, frankly, to get up and to say something on the record.

Let it not be forgotten that under the former coalition government the Independent Broad-based Anti-corruption Commission was established, and let it not be forgotten that under this government, this Labor government – Andrews now Allan Labor government – with the support of the Greens, IBAC as an important integrity and oversight institution in this state has not only been undermined but had its resources cut. That is simply a matter of fact. It is true that the Greens are in the pocket of Labor and Labor are in the pocket of the Greens when it comes to this. I reference the *Age*:

Multiple Greens sources, who spoke on the condition of anonymity, said while the party wanted Labor to take integrity issues more seriously, MPs were treading carefully because their supporters wouldn't want them to assist in anything that could eventually contribute to the downfall of a left-wing government.

And there you have it. There you have it in black and white: the Greens in the pocket of Labor when it comes to integrity in this state; Labor in the pocket of the Greens when it comes to integrity in this state. They put themselves first, before the Victorian people. They put themselves and their own political interests before the interests of integrity and before the interests of the Victorian people. Shame on them.

The SPEAKER: I ask members not to bang the table when they are making their contributions.

Motion agreed to.

The SPEAKER: A message will now be sent to the Legislative Council informing of them of the house's decision.

Confiscation Amendment (Unexplained Wealth) Bill 2024

Royal assent

The SPEAKER (12:47): I inform the house that the Governor has given royal assent to the Confiscation Amendment (Unexplained Wealth) Bill 2024.

*Business of the house***Sessional orders**

James NEWBURY (Brighton) (12:47): I move, by leave:

That this house agrees to the following change to the sessional orders to come into effect on the next sitting day:

Omit sessional order 11 and insert:

11 Content of answers

- (1) Standing order 58(1)(a) is suspended and all answers to questions must be direct, factual, succinct and responsive.
- (2) The Speaker may determine that an answer to an oral question without notice or supplementary oral question is not responsive to the question and may accordingly direct the minister to provide a written response to the question and lodge it with the Speaker by 2 pm on the next sitting day. The Speaker will then forward the written response to the member who asked the question, and the Clerk must electronically publish the response.
- (3) The Speaker will determine the adequacy of each written response to a question provided under this sessional order. The Speaker may determine that a written response does not appropriately answer the question and may direct that the minister provide another written response by 2 pm the next sitting day. The Speaker will forward the written response to the member who asked the question. The Clerk must electronically publish the response.

Leave refused.

*Motions***Housing**

Gabrielle DE VIETRI (Richmond) (12:49): I move, by leave:

That this house calls for a moratorium on evictions of public housing residents in North Melbourne and Flemington so that they cannot be forced out of their homes against their will, noting that the Victorian Labor government has signed a \$100 million demolition contract for five public housing towers, including at North Melbourne and Flemington.

Leave refused.

Paris Olympics

Sam GROTH (Nepean) (12:49): I move, by leave:

That this house:

- (a) recognises the accomplishments of Victoria's Olympic athletes in Paris; and
- (b) notes a parade will not make up for the Allan Labor government's failure to support these athletes to represent Australia on Victorian soil after cancelling the 2026 Commonwealth Games, which cost taxpayers more than \$600 million.

Leave refused.

*Business of the house***Standing and sessional orders**

Sam HIBBINS (Pahran) (12:50): I move, by leave:

That so much of standing and sessional orders be suspended to allow general business, notice of motion 15, relating to the reintroduction of non-government business time to be moved immediately.

Leave refused.

*Motions***Government performance**

Brad ROWSWELL (Sandringham) (12:50): I move, by leave:

That this house condemns the Allan Labor government for their reckless spending and waste, noting the RBA has singled out Victoria as an economic underperformer, dragging the national economy down. All Victorians are paying the price for 10 years of Labor because they cannot manage money.

Leave refused.

Land tax

Brad ROWSWELL (Sandringham) (12:50): I move, by leave:

That notice of motion 47, standing in my name, relating to the establishment of a parliamentary inquiry relating to land tax, be agreed to.

Leave refused.

Middle East conflict

David SOUTHWICK (Caulfield) (12:51): I move, by leave:

That this house:

- (1) condemns the 7 October terrorist atrocities committed by Hamas;
- (2) notes that 111 hostages still unaccounted for in Gaza have been held for 310 days;
- (3) affirms Israel's people's right to defend themselves;
- (4) stands with Victoria's Jewish community; and
- (5) demands Hamas release all the hostages.

Leave refused.

*Business of the house***Program**

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (12:51): I move:

That, under standing order 94(2):

- (1) the orders of the day, government business, relating to the State Civil Liability (Police Informants) Bill 2024 be considered and completed by 4 pm on 14 August 2024; and
- (2) the orders of the day, government business, relating to the following bills be considered and completed by 5 pm on 15 August 2024:

Victorian Institute of Forensic Medicine Bill 2024

Subordinate Legislation and Administrative Arrangements Amendment Bill 2024

Prahran Mechanics' Institute Repeal Bill 2024.

Again we are back in the house with a very important and significant legislative program. The question I suppose on many of our lips will be whether we will see an opposition in this place at question time, taking up their opportunity to question the government of the day, question the executive, or whether or not they will just choose to walk out like they did last sitting week, vacate the space and let the government get on with it.

The SPEAKER: I ask the Leader of the House to come back to the government business program.

Mary-Anne THOMAS: Of course the government business program is a significant one for this week. I want to acknowledge our government's intention to move the State Civil Liability (Police Informants) Bill 2024 through this place this week and indeed to bring it to a guillotine tomorrow, and

we are doing that in the best interests of the people of Victoria. That is what motivates us each and every day.

In terms of the Victorian Institute of Forensic Medicine Bill 2024, underscoring of course the focus on justice this week, we will move to debate that bill. The institute of course is a very important part of our justice system, providing world-class forensic medical advice to coronial, criminal and other legal processes, and the legislation will help ensure that the institute can provide the most modern, up-to-date advice to our legal system. It is part of our government's broader reform agenda regarding this institute. The bill is a response to key findings of a review into the act. I note that the institute's enabling legislation has not been substantially changed in over 30 years, so this is a significant piece of legislation to be debated in this place.

In terms of the Subordinate Legislation and Administrative Arrangements Amendment Bill 2024, I would note that occasionally it is really important that the house deals with these kinds of technical bills. While they are, as I said, minor and technical, they do have very important implications for the work of Victoria's hardworking and highly professional public service. I note that elements of the bill are to amend legal definitions to provide greater clarity for our departments and agencies right across, as I said, the Victorian public sector and that these are clarifications that have been requested by those departments in order to enable them to do their work to the best of their ability.

I am sure that members on this side of the house will see the opportunity that this bill presents to talk about the great work of our government departments and agencies and of course the public service itself. As a former public servant myself, I am very proud that we have one of the best and most responsive public services in the nation here in Victoria.

And of course the bill that everyone is waiting for is the Prahran Mechanics' Institute Repeal Bill. The government will be debating and voting on that institute repeal bill. I note this bill is before our place because it has been requested by the institute itself, because having legislation in this day and age that governs one institute is perhaps not the best governance. It is a little bit restrictive in this day and age, so it is time to repeal that act. However, I do note that again I am sure many members of this place will use the opportunity to talk about not only perhaps the Prahran Mechanics' Institute but indeed mechanics institutes right across the state and the great history of mechanics institutes in this place. The member for Wendouree, a history teacher in her former life, I am sure will be making a great contribution on this.

It is another important government business program. As always, the Allan Labor government is focused on delivering for the people of Victoria. We take our lead from the experiences and concerns of everyday Victorians to help us drive our government business program, drive our legislative agenda and perhaps also, I might say, drive all the work that we do outside of this chamber. But as always, this side of the house is up and ready for robust debate on each and every one of these bills, and I commend the program to the house.

James NEWBURY (Brighton) (12:57): I rise to speak on the government business program, deeply concerned and alarmed at the design of the program this week. For those watching, what the government is trying to do this week is to split the program into two parts and deal with three bills that you could probably fairly say are not substantive statewide reforms. I am not in any way talking down those reforms, but you would not describe them as key priority reforms that have statewide impact, though I do know that the Leader of the Nationals is very, very much looking forward to leading on the Prahran Mechanics' Institute Repeal Bill 2024. He has been talking a very big game about how good his speech will be on this bill, so I would hope that the entire chamber is here, because he is very, very keen to impress us with his speech on this bill.

But the government is going to also try to ram a bill through this chamber. We saw today a bill introduced which the chamber has not seen – the chamber has not seen that proposed reform yet – and they seek to guillotine it tomorrow at 4 o'clock. So the process of the house will be that at some stage

late morning tomorrow that bill will be tabled in this place and by 4 o'clock that afternoon it will be rammed through this chamber. It is deeply, deeply concerning to see that the government will do that. That is why I move:

That paragraph (1) be omitted.

It is just fundamentally not right that you introduce a bill into this place and only a few hours later take it to a guillotine. And we know that tomorrow, in between when the bill is tabled and when the guillotine is brought in at 4 o'clock, there will be question time and other procedures of the house and there will be a lunch break. So most of the time between –

Tim Richardson: interjected.

James NEWBURY: We would be more than happy, member for Mordialloc, to stay in here for the entire time and debate you. But it is concerning that, for the very few hours between when the bill is tabled and the government guillotines it in this place, we will not have an opportunity to debate it.

So we might have at best perhaps an hour to consider the bill. Normally the standard adjournment period for a bill that has been laid on the table is two weeks, and federally the rule of thumb is, unless it is an issue of national security or national emergency, bills do not get rammed through quicker. It is standard that a bill is for national security or a national emergency before it is rushed through. This clearly is not the case in this circumstance. We see we are in the middle of a youth crime crisis and the government has not put its shoulder to the wheel on any matters to rush through any changes that would actually protect the community, but when it comes to this one bill, after perhaps an hour of debate it will be ramming it through. So the coalition has moved an amendment to the government business program because of this outrageous guillotine, and of course that being the case, we will not accept a program of this nature and will be opposing it. So the coalition will be opposing the government business program.

I do also want to note the coalition has proposed amendments to the sessional orders which would require the government to actually answer some of the questions that they are being asked. Last sitting week we saw a shameful display of 22 questions being asked and none being answered, and I think that reflects on the Premier and the ministry. So we will seek an opportunity to have those sessional orders considered and passed.

Lastly, I will briefly step away this week for a very short amount of time for my grandfather's funeral and would hope that no-one even notices I am not here. I think that would be the best part. I very sadly lost my grandfather, a beautiful man who lived 100 years. We were very fortunate, and I will miss him very much and love him very much.

Dylan WIGHT (Tarnait) (13:02): It gives me great pleasure this afternoon to rise in support of the government business program. Before I get to the substantive part of that I will note the Liberals' opposition to the government business program this week, surprising absolutely nobody. We get elected, all of us get elected, to this place to represent not just our constituency but all Victorians. I know that those of us on this side of the house are stridently committed to that, and we do that by coming into this place to debate incredibly important legislation and in particular, in the last couple of weeks and this week, legislation that is designed to keep Victorians safe. Deputy Speaker, I do not know about you, but in my opinion you do not keep Victorians safe by coming in here and engaging in cheap political stunts. The Leader of the House rightly in her contribution asked the question as to whether we are even going to have an opposition in here in question time, and it was the right thing to ask. To come in here in the last sitting week and witness what was nothing more than a confected tantrum –

James Newbury: On a point of order, Deputy Speaker: relevance.

The DEPUTY SPEAKER: The member had strayed from the government business program. I ask him to come back.

Dylan WIGHT: Where I was getting to and the point that I was trying to make was that all of us are elected to this place to represent all Victorians, and that goes exactly to what this government business program aims to do this week.

I will note that there is an amendment to the government business program to debate the State Civil Liability (Police Informants) Bill 2024, but there are also significant pieces of legislation, significant bills, on this government business program that need to be debated this week, bills that go right to the heart of keeping the Victorian community safe. That is a policy point that has been the source of some debate over the last couple of weeks, and our changes that we have introduced and debated in past weeks do exactly that – they go right to the heart of keeping Victorians safe and the Victorian community safe – and this government program does exactly that as well.

The piece of legislation in this government business program designed to do that is of course the Victorian Institute of Forensic Medicine Bill 2024. I will be making a contribution on this bill because I know that community safety is something that is incredibly important to my communities of Tarneit and Hoppers Crossing; I have said that in this place many times before. I will be making a contribution because what this bill is is a really important function for law enforcement. It is a really important function for law enforcement and for forensic officers with Victoria Police to be able to have the tools necessary for them to keep the Victorian community safe. There has not been a change to this area in Victoria for almost 30 years, and I think we can all imagine how significantly forensic science in that time has progressed. It is an incredibly important change that we are going to make this week that goes right to the heart of community safety.

As has been spoken about by the Leader of the House, we will also debate the Prahran Mechanics' Institute Repeal Bill 2024. I, like others, am incredibly looking forward to the Leader of the Nationals' contribution on this. I think a lot of these contributions are going to go to the role that the mechanics institutes all around Victoria have played for a significant amount of time. There is a whole bunch of history there, and I know there are a lot of history buffs in this place. I think it is really important just to recognise the contribution that these mechanics institutes have played right across Victoria but in particular in regional Victoria. I note that this bill comes at the request of the institute itself, so it is only appropriate that we debate it in this place. As I said, this is an incredibly important government business program, and I cannot wait to debate the bills on it.

Jade BENHAM (Mildura) (13:07): Again we rise to speak about the government business program, which the coalition obviously oppose given the weak legislative agenda this week. It actually contributes very, very little to the priorities of Victorians right now, which we know from talking to our communities. The member for Tarneit is absolutely correct when he says we are elected into this place to represent our communities and to keep them safe. What would be time better spent would be debating bills such as bail laws, for example, and actually contributing to keeping our communities safe, because that is what our communities, particularly out in the regions, are telling us they want to hear about. When we talk about cost of living or the health crisis, there is nothing on this government business program that is going to help any of that. The amendment to the government business program, which is essentially the Lawyer X bill, does not help everyday Victorians immediately. There are many other things that could be rammed through this Parliament to actually make change on the ground for those communities that we are elected to represent. This does not do any of that.

However, that being said, there are things that are incredibly important, like the Victorian Institute of Forensic Medicine. Technology moves very, very quickly, and this is a space where we need to keep our finger on the pulse – pardon the pun. There is the Prahran Mechanics' Institute Repeal Bill 2024. The Leader of the Nationals has been referred to a few times with regard to this bill. He is of course the lead speaker. This is an act from 1899. I believe the Leader of the Nationals has probably still got the original membership card, and in the 30 minutes that he has got he could perhaps give us a firsthand account of the history of the mechanics institute. And I am sure he will not mind me saying that, because he has been around a long time, the Leader of the Nationals. But we do like to concentrate on what is going on locally, and throughout regional and rural Victoria there are still many beautiful

mechanics institute buildings, and they are all beautiful buildings. As the Leader of the Nationals has said, it is the barbecue stopper of this week's government business program, so when that is debated I would urge everyone to pay attention.

We are just frustrated, and you can imagine why, when we spend our weeks out there in our communities talking about the issues that really affect families every day – and the top things on those priority lists are things such as health care, roads, cost of living, CFMEU corruption – and then we have an amendment to the government business program to protect the Labor government essentially rather than actually help out everyday Victorians and their families with things like the cost of living. You can imagine our frustration and why we continue to oppose government business programs that have little impact on the lives of everyday Australians when amendments to the government business programs could be presented that would actually make immediate change to those things that are a matter of urgency to everyday Victorians, particularly out in the regions. Our roads are crumbling. We do not drive on the left side of the road anymore; we drive on what is left of the road, particularly on country roads, with the potholes. There are things that could be done in this place, and that is our job. Unfortunately we are ticking boxes a lot of the time and having little to no impact.

However, the Victorian Nationals will contribute, as we do every week. We have got a full speaking program. Like I said, the Leader of the Nationals will be heading that with the Prahran Mechanics' Institute, but all of us here holding up the Nationals' speaking program – me, member for Shepparton, member for Euroa, member for Morwell – will be speaking on all of them, because we know we have a job to do in this place, and that job is to represent our communities in the best way possible, even with such a weak legislative agenda like we see here today. So, yes, we do oppose the government business program, and we will continue to do so until we have a more effective way to represent our communities.

Pauline RICHARDS (Cranbourne) (13:12): I am very pleased to have the opportunity to support the government business program today, and I am looking forward to the contributions that will be made. I do note the member for Mildura's sledge of the Leader of the Nationals as being around for long enough to have seen a few mechanics institutes, I think. I am really going to be looking forward to, as the member for Tarneit said, the contribution from the Leader of the Nationals on the barbecue stopper.

We have some very important legislation. I could not be in more disagreement actually with the member for Mildura that this is not an important legislative agenda. We have got of course the Victorian Institute of Forensic Medicine Bill 2024, the Prahran Mechanics' Institute Repeal Bill 2024 and the Subordinate Legislation and Administrative Arrangements Amendment Bill 2024. I completely reject the representation that it is a box-ticking exercise, because every time we undertake a reform we do need to make sure that the reform we undertake is appropriate and as required by the community, and that does include the context of the debate we are going to be having on the State Civil Liability (Police Informants) Bill 2024.

The Prahran Mechanics' Institute bill – I will be really interested to hear a little bit as part of the debate on the pronunciation of the word 'Prahran', because I think I call it 'Pran', but now that I think about it perhaps it ought to be pronounced with an extra syllable. That will not be the barbecue stopper that the member for Mildura has foreshadowed, but it will be part of the fascinating history of mechanics institutes in fact. I was looking a little bit at the mechanics institutes and their history, the Scottish antecedents and the importance of the mechanics institutes not just in Australia and in the Victorian context but also internationally – they seem to have had a formation in Glasgow. I do not want to preempt any debate on this particular piece of legislation, but they are contributions that I will be interested to hear.

I will not be contributing on that particular bill, but I hope somebody does mention the Narre Warren Mechanics Institute, which is going to have an emerging artists creative hub. It might not be the subject of this legislation, but it is important in the context of those of us who represent the outer south-east.

I am going to look forward to contributing to debate on the Victorian Institute of Forensic Medicine Bill 2024. I was fascinated, actually, to do some of that preresearch. One of the great gifts of this role as a legislator is you start to understand the importance of institutions of the state and the work that they undertake. It will be important to be able to ensure that the important agenda that we have set out in the government business program does acquit a modern, fit-for-purpose piece of legislation that covers this institution that in many ways is an institution that we will not have much to do with in our lives unless at the deepest and darkest times, which is obviously the role that it takes in Victoria. Interestingly, and I will be looking forward to the debate on this, it has a role internationally as a leader. Forensicare is leading the way on behalf of some of our international partners, including partners in areas in the Pacific and far beyond as well, so we will be making sure that we do have as part of our justice system a piece of legislation that is fit for purpose.

We have a lot to get done this week. I am disappointed, obviously, that those opposite will not be supporting the government business program and will seek to amend it, but I am as always looking forward to fulsome debates and thoughtful debates that really do consider the best of us and how we can represent our communities.

Sam GROTH (Nepean) (13:17): I rise to speak on the government business program and support the member for Brighton, my good friend, in his and the coalition's opposition to the government business program. I also note his amendment to the business program to omit paragraph 1. As he mentioned, a bill being introduced that will be debated and guillotined shows complete disregard for the longstanding practice of this house of allowing a bill to lay over for 14 days. Instead of that we are going to see a bill possibly debated for an hour – a very limited time to actually look at and consult on the bill and allow members to have their contribution on that.

This government business program is weak to say the least. The legislation we have seen, while maybe important, does not at all address current needs or what Victorians are dealing with after 10 years of this government. While everyone keeps mentioning the Prahran Mechanics' Institute – and, yes, there is so much history there, and I do also look forward to a history lesson from the member for Murray Plains, who has been in this place a lot longer than most others in here – I am not convinced that members saying that that is going to be the highlight of their week speaks to the strength of the government business program when there are so many other issues that Victorians are dealing with right now. If that is the highlight of a week in this place, are we as members representing our communities really doing our best to put the interests of Victorians at heart? I have respect that I will show to the member for Murray Plains, but if that is going to be the best thing we hear this week – no disrespect to the contribution or to the need for that bill, but if that is the highlight and the main thing – then what are the priorities of this government after 10 years of being here? Are they running out of ideas, are they running out of legislation or are they just hiding away from the facts and the real issues that Victorians are currently dealing with?

I will point to last week in this place and the member for Malvern, who I am looking forward to hearing from on a couple of bills this week, including the Victorian Institute of Forensic Medicine Bill 2024, which is obviously a very, very important bill dealing with some of the issues and tidying up and making that work more efficiently. But what we should have been hearing about from the member for Malvern this week was a bill that he tried to introduce last week around strengthening bail laws in this place. So many times I heard, when there is a place on the notice paper that literally says 'Introduction of bills', members on the other side of the chamber stand up and say, 'This is not the correct time to introduce a bill.' Well, if it is not the correct time to introduce a bill when on the notice paper under order of business it says 'Introduction of bills', then when is that time? When you talk about things that are important to the Victorian people, I would have thought that was hearing this week from the member from Malvern as well as other members of this chamber. Whether you agree or disagree, that is an area and that is an issue that is important to almost every Victorian right now. I do not think there is a member in this chamber who would not be hearing from their constituents about the current state

of crime, of youth justice and of the bail laws. If you are not, I think you have got your head buried in the sand.

Also, we talk about issues, and the Olympic Games have just finished. Maybe the Premier was taking some inspiration from some of the sports, but I tell you what, the Premier would have earned a gold medal last week with the backflips that she was producing, especially when it came to health funding. There is another issue we absolutely could be speaking about this week, and many members in this place have issues on the notice paper. I know I have one in regard to Rosebud Hospital locally – 3500 constituents want to see that being built. I know the member for Eildon has multiple petitions sitting on the notice paper, with over 15,000 signatures from constituents in her electorate in relation to hospitals in Yea and in Mansfield. There are other members in this place who have put notices on the notice paper in regard to health in their regions, and this government want to go and do a massive backflip but not actually sit and have the debate and address the issues in this place so the Victorian public knows what they are talking about.

I will also say, as we approach question time – and I will note the sessional order amendments moved by the member for Brighton – that I do hope, not just on behalf of the members in this place but on behalf of the Victorian people, that the government actually decides to give the answers to the questions. They can do it in their own roundabout way, but with 6-second or 11-second answers I do not believe this government is doing what is in the best interests of Victorians when it comes to accountability in this place. So I look forward to having the opportunity to discuss the amendments to the sessional orders that the member for Brighton has moved in the hope that this government will turn up to question time this week and actually answer those questions put to them by both the opposition and members of the Greens or the crossbench. I note that we will be opposing the government business program. The government needs to put the best interests of Victorians first.

The DEPUTY SPEAKER: The Leader of the House has moved the government business program motion. The Manager of Opposition Business has moved an amendment. His amendment seeks to omit paragraph (1). Therefore the question on the amendment is:

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

Members supporting the member for Brighton's amendment should vote no.

Assembly divided on question:

Ayes (51): Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Darren Cheeseman, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Matt Fregon, Ella George, Luba Grigorovitch, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

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

Question agreed to.

Assembly divided on motion:

Ayes (51): Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Darren Cheeseman, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Matt Fregon, Ella George, Luba Grigorovitch, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

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Motion agreed to.***Members statements*****North East Link**

Matthew GUY (Bulleen) (13:31): I was recently speaking to residents in St Andrews Crescent and Claremont Lane in Bulleen about seeking some changes to their homes because of the disruption of the North East Link. People have been left with huge issues in relation to cracking in their homes and in relation to noise attenuation – they cannot sleep, and it is just completely unfair how these people are living. What I find frustrating and what I want to put on the record is that the North East Link is now telling people that they cannot fix their problems because the Labor government is out of money. How can this be? How can the Labor Party bankrupt this state for the third time they have been in government – the 1980s, the 2000s and now again? They have come to government and bankrupted this state. They have turned our once proud city into a place with 30 per cent office vacancy downtown and 50 per cent office vacancy on St Kilda Road – outgoings only on St Kilda Road. It is such a disaster. Someone has got to pay for this mess. The Labor Party has got to pay for this mess. The people who put us in this mess have got to pay. Maybe if we were like Europe, where offences of financial misconduct in public office are a criminal offence, the Labor Party might get the message and Andrews, Allan and Pallas would listen.

Sarah Carter

Katie HALL (Footscray) (13:33): Sarah Carter always knew what to say or do, and it is very hard to know what to say or do when we are all so bereft. The outpouring of grief from across our community has been overwhelming. Sarah loved the inner west and the inner west loved Sarah. She led with empathy and purpose – she had that potent Labor combination – and she lit up a room, and the values that guided her were rock solid. When you have rock-solid values you turn up and you get things done and you bring people with you. To watch Sarah work was a masterclass in attention to detail and strategy. She had a way during her 16 years on council of staring nonsense in the eye and saying 'Not today'. As a friend, she was kind to a fault. She was funny and warm and cheeky. She was beautiful. Our last messages included dancing emojis, talk of happy futures, housing policy, that we missed each other and that we were overdue for a catch-up. My deepest condolences to Sarah's mum, sisters and loved ones. It is unsettling, unfair and confusing, but what an extraordinary gift it was to have had her. If you lead with purpose and kindness, then you will live a life like Sarah Carter's. Vale, Sarah.

Bush nursing centres

Tim BULL (Gippsland East) (13:34): We are all aware that the nurses' enterprise bargaining agreement is currently under negotiation, and what we are seeking is some guarantee that the bottom line of our small rural bush nursing centres will not be impacted by the outcome of this. We cannot have another process where we have a cost shifting onto small rural health services that are already struggling to stay afloat. I have six bush nursing centres in my electorate – at Dargo, at Gelantipy, at Buchan, at Cann River, at Swifts Creek and at Ensay – and the people who run these bush nursing centres are very concerned that they will not receive additional funds to counter for the outcome of that EBA. They are struggling to survive now. Our government must support our small rural health services and ensure they are looked after.

Bemm River bushfire preparedness

Tim BULL (Gippsland East) (13:35): I also want an update from the minister on the Bemm River firebreak. No work has started on our strategic firebreaks around the state, and I am told that one of the reasons is because of action by a Warburton-based environmental group that is protecting hollows in trees. I mean, if that is the reason, that is incredible. Human safety has to come first. This is a community with one road in and one road out. I want the minister to answer why that firebreak work has been held up and will not be completed before the end of this summer.

Nelson Park School

Ella GEORGE (Lara) (13:36): The Deputy Premier and I recently visited Nelson Park School to officially open their brand new learning spaces at the Libau Avenue campus. These works include new learning spaces for students and staff, office spaces, an art room, a sensory room, a STEM room and a standalone year 9 learning space. Thank you to school captains Sarah Allwood, Jaxon Brideson, Emmersyn Beggs and Lincoln Ballis, who welcomed the Deputy Premier and me to their school and did a terrific job with their speeches at the school assembly. At the assembly we heard from students about what these new spaces mean to them. Tyson, who is in the grades 5 and 6 class, said:

We have gone from 1 to 100. Our new buildings are comfortable and we can learn. We have new furniture and our teachers have places to meet. We have a great deck and a beautiful view. We are able to put our art work up and it is like a gallery.

Harrison from the grades 3 and 4 class said:

Our new rooms are quiet and comfortable.

And Mia from year 9 said:

All of the year 9 students are together, and we have been able to decorate our new space. It is beautiful.

The Deputy Premier sat down with students Blake Davis-Atkins, Tyson Mead, Amelia Uwand and Lyla Unsworth for an interview. I was so impressed by the questions they asked, such as 'How did you become Deputy Premier?', 'What did you think about Nelson Park School?', 'What sorts of jobs do you do as education minister?' and 'What dreams do you have for the children who go to school in Victoria?' A very big thankyou to principal Libby Gatgens, assistant principals Nathan Bush, Mel Vago and Sarah Yates and the teachers, staff and students at Nelson Park School.

Evelyn electorate schools

Bridget VALLENCE (Evelyn) (13:37): Congratulations go to both Mount Lilydale Mercy College and Wandin North Primary School for their award-winning achievements as part of Victoria's ResourceSmart Schools Awards. Wandin North Primary School was a finalist for Curriculum Leadership School of the Year and was the winner of Emerging School of the Year, an outstanding achievement for the Wandin North Primary School students and the school community and a testament to the leadership of principal Paul Bailey and the vision and the dedication of sustainability and environment teacher Laura Attrill. Wandin North Primary's new specialist sustainability class is

called HEROES – harvest, eat, record, observe, environment and sustainability. They have built a huge kitchen garden, a citrus patch, a school orchard, an indigenous garden and a pollinator garden, where the children can learn about biodiversity and eat the produce that they have grown.

Mount Lilydale Mercy College was a finalist for Curriculum Leadership School of the Year and Campus Infrastructure and Operations School of the Year. Mount Lilydale wonderfully won the Teacher of the Year – a massive congratulations to Andrew Feher for his significant achievement and well-deserved recognition for his work as an educator and a sustainability leader. MLMC also won Community Leadership School of the Year. Well done to principal Philip Morison and the entire school community. Mount Lilydale has a variety of sustainability programs at the school, including the refurbishing of bikes and equipment, a heritage fruit crop and livestock.

Glen Waverley electorate events

John MULLAHY (Glen Waverley) (13:39): The Glen Waverley district is proudly one of the most multicultural electorates in Victoria, and this means I get the privilege of engaging with culturally diverse communities. Recently I held a Chinese community forum, which gave an opportunity for residents to engage in a Q and A. I want to thank the member for Bentleigh, the Parliamentary Secretary for Multicultural Affairs, for joining me. I would also like to give a special shout-out to three amazing volunteers, Duan Jiayu, Kimberley Huang and Shen Lan. Thank you for your incredible work in making the forum a success. Thank you also to the Cloud Concert Youth Orchestra organised by David Sun. The musical talent was something to behold.

I also had the pleasure of popping into Glenallen School's tree day, where students enthusiastically participated in activities including photography, painting and preparing seeds for birds. I would like to give a special shout-out to principal Michael Cole, vice-principal Jennifer Healey and all the amazing staff at Glenallen, as well as the amazing students who approached the day with such positivity. Thank you to Mary Pozzobon from the Football Integration Development Association, as well as Mardi Scott and the team from Waverley Toyota.

On another matter, I want to congratulate the Waverley VIEW Club on its upcoming 40th birthday, and I wish the club all the best for another 40 years of serving its members and our community.

Finally, I was delighted to join the Waverley Woodworkers at their toy donation event recently. They generously donated 250 toys to 11 kinders and community groups, including the Vermont South Special School and Parkmore Primary School. I was proud to present certificates of appreciation to these amazing people, who represent the best of the Glen Waverley district.

Terry Reynolds

Brad ROWSWELL (Sandringham) (13:40): I rise today to acknowledge the extraordinary contributions of Mr Terry Reynolds, a remarkable community volunteer residing in the Sandringham electorate who has dedicated over 60 years to transforming and preserving Bayside's natural environment.

Terry worked tirelessly to restore Picnic Point, the largest area of native forest bushland from the city to Point Nepean. Investing 7000 hours of his time, Terry transformed the foreshore and bushland, clearing mountains of waste. Due to his efforts a once overgrown and neglected area has become a thriving community attraction enjoyed by many, many residents. Terry's efforts span the Hampton Pier, the former Hampton Hotel and the Sandringham Life Saving Club as well as rehabilitating the reef. His dedication has brought new life to areas that were once neglected. The impact of his work is visible every day as residents and visitors enjoy the natural beauty he has helped to restore.

Terry's passion for conservation and community is an inspiration to us all, and his legacy will endure for generations. His work has made our area not only more beautiful but also safer and more accessible for everyone. I say to Mr Reynolds: Bayside – our community – is forever in your debt. Your

unwavering commitment to the environment is truly remarkable. Thank you for all you have done and all you continue to do for our community.

Women's health

Luba GRIGOROVITCH (Kororoit) (13:42): Last week in my electorate of Kororoit we held a women's pain inquiry forum in Caroline Springs, and what an incredible event it was. The women from my electorate shared their lived experiences of dealing with pain and pain management, detailing what they have experienced firsthand when trying to seek help. Women face real and enduring challenges when seeking care and support for pain, and some of the stories that were shared were absolutely harrowing. We heard of women being denied pain relief, being told that their pain was not real and being misdiagnosed when seeking help. We also heard about the extensive impact that experiencing pain can have on women and of course those around them. Health issues grow roots into every aspect of a woman's life. As one attendee aptly put it, these roots are not able to be seen but they make everyday life a struggle. While these stories were difficult to listen to, we must hear them loud and clear. I am proud to be part of a government that is listening to these perspectives as part of the inquiry into women's pain.

I would also like to thank my friend Minister Mary-Anne Thomas for joining me at this event and for being such a brave and tireless advocate for women's health. I would also like to thank Professor Sue Matthews, Kym Arthur, Fi Macrae, Dr Louise Reynolds and all of the staff at Safer Care Victoria who made this event and inquiry possible. Finally, I would like to thank the women who so bravely shared their stories in the hope that change will come.

Gargarro Botanic Garden

Annabelle CLEELAND (Euroa) (13:43): Last week I had the pleasure of meeting with Jan Smith, Doc McDonald and volunteers at the Gargarro Botanic Garden as they continue to push forward with the development of this incredible project. They have now submitted a \$100,000 pitch to the Enabling Tourism Fund, which will allow for the next step towards the completion of the world-class botanic garden. The closure of the Heinz tomato sauce factory in the area allowed this ambitious, bold, beautiful and breathtaking garden to exist, creating a place that is wonderful for events, a place for education and a place to showcase native planting. I have been lucky enough to see this garden grow in recent years, with it becoming a crucial part of the Gargarro community, attracting tourism, promoting sustainability and improving the local economy.

Dhurringile Prison

Annabelle CLEELAND (Euroa) (13:44): I also co-hosted a meeting with my colleague the member for Shepparton and local advocates Sherri Smith-Hoyer and Rob Jones to discuss the future of Dhurringile Prison. Together we heard the concerns of more than 100 residents who attended, many of whom relied on the prison for work. It is clear from the meeting that the decommissioning of the prison site and the removal of local assets must be paused. A steering committee has been formed to advocate for the community. Their requests are logical and should be heard. We want more information on the decommissioning, we want to be kept in the loop about what is next for the prison grounds and we want a community open day to understand the future opportunities for this site.

Coburg High School

Anthony CIANFLONE (Pascoe Vale) (13:44): On 23 August it was a privilege to welcome Premier Allan to Coburg High School, welcomed by principal Brent Houghton, teachers, support staff, students, families and school captains Patrick Game, Emma Giles, Jonah Day and Mary Hobson. It was wonderful to have the Premier present awards and address the school's year 11 and 12 assemblies. The visit also was a great opportunity for the Premier to be briefed and updated on the Coburg High School master plan, stage 1 of which we have funded through a record \$17.8 million for a new technology hub.

Coburg Special Developmental School

Anthony CIANFLONE (Pascoe Vale) (13:45): On 7 August it was absolutely delightful to represent the Deputy Premier and the Minister for Education to officially open Victoria and Australia's newest school, in central Coburg. The brand new \$22.5 million Coburg Special Developmental School in Urquhart Street will be an absolute game changer for families and students with special and additional learning needs across the northern suburbs. With an increased capacity for 96 students spread across two beautiful, world-class double-storey buildings nestled along the banks of the tranquil Merri Creek, the school's new campus will support learning outcomes for many decades to come. As a young person who grew up locally during a time when the Kennett Liberal government shut down at least 12 local schools, it was an absolute honour to officially open a new local school in Coburg. Congratulations to principal Warren Tofts and the entire school community for this outcome, including students Brandon and Sarah, who spoke so well on behalf of students at the opening ceremony, and thank you to the Secretary of the Department of Education Jenny Atta, who also attended the day.

Coburg Primary School

Anthony CIANFLONE (Pascoe Vale) (13:46): On 25 June I was also very happy to visit Coburg Primary School to unveil their newest classrooms, which I was delighted to have delivered and secured to help cater for their growing enrolments. Thank you to Jacob Kantor and Matt Kerby the principal.

Government performance

Kim WELLS (Rowville) (13:46): How much more proof do we need before we realise the state Labor government is riddled with corruption? I am unclear if I should be directing this statement towards the Premier or if I should be directing it towards the leader of the Labor Party John Setka and the CFMEU, because it is the CFMEU deciding on how much our state projects will cost. Since this Labor government came to power, major projects have blown out by \$40 billion. Labor has been telling us that we all need to tighten our belts due to paying off the huge debts that occurred during COVID. Families in Victoria and the Rowville electorate have had to dig deeper into their pockets to pay down a crippling \$188 billion debt, a debt the government claim is because of COVID, yet from recent coverage it is clear that it is overcost and overbudget state projects that are the true cause of families now having to do it tough. With the CFMEU dictating to this government that a stop-sign holder should get \$120,000, which is \$45,000 more than a state primary school teacher gets in Victoria, Labor values its Labor mates more than the education of our future generations.

Park Towers Community Pantry

Nina TAYLOR (Albert Park) (13:47): It was an absolute delight to attend Park Towers last week with regard to the Park Towers Community Pantry announcement – yes, we had Minister for Housing Harriet Shing, and I was so excited. I have worked really hard advocating for these funds. It is really, really great: \$250,000 to help the Park Towers Community Pantry really move forward and \$66,000 which will be administered by the City of Port Phillip for the Emerald Hill estate. But really a big shout-out to Troy, because he is the mastermind when it comes to logistics, really looking out for his neighbours, making sure that they have fresh produce, ready-made meals and staples right in situ, onsite, no judgement, and true community connection and care in his customary style, so a big shout-out to him for looking out for his neighbours and really caring for his social housing community. It is all part of \$1.1 million in relief funding to community service organisations to be able to offer to social housing renters and others doing it tough.

Geography Teachers' Association of Victoria

Nina TAYLOR (Albert Park) (13:48): Yesterday I attended the Geography Teachers' Association of Victoria conference. What is really exciting is there are so many fantastic jobs in the geospatial space, so geography is the way to go. We have really got to rev that up. But parents need to get on board and realise there are some fantastic jobs for their kids.

Krishna Janmashtami

Nina TAYLOR (Albert Park) (13:49): Further, too, was the Janmashtami festival held by the ISKCON temple on Saturday. *(Time expired)*

Housing

Gabrielle DE VIETRI (Richmond) (13:49): Labor went to two elections promising social and public housing at the Fitzroy Gasworks, bragging an unprecedented amount, and they have announced and funded multiple times over social housing projects across the state. First it was the Big Housing Build, then it was the Housing Australia Future Fund, then it was the Commonwealth Games funding and now it is the housing statement. They keep bragging and banging on and on about how they are building social housing, yet behind the scenes they are quietly cancelling it all.

Last week the Premier blamed the Greens for holding up housing at the gasworks, knowing that she herself had signed off on killing it. Secret, leaked cabinet documents from May last year show that Labor secretly ditched the public and social housing, and now they are about to sign the contract selling off hectares of Fitzroy land to greedy developers in the middle of a housing crisis.

Well, I am here to say as the representative for Fitzroy: do not do it. Do not sign the contracts. You do not have a mandate to sell off this public land to private developers. This community have fought governments and they have won. We have saved the Fitzroy pool. We have stopped the east–west toll road. If you sign the contracts, people will show up to stop it, and this will be Labor’s legacy. The Allan Labor government will go down in history as the government that stripped homes from the poor to make developers rich.

The DEPUTY SPEAKER: I remind members that ‘you’ refers to the Chair.

Nine Network

Gary MAAS (Narre Warren South) (13:50): As a very proud member of the Media, Entertainment & Arts Alliance I would especially like to make a shout-out to some 500 journalists at Nine who had to take industrial action in support of their pay and conditions and in support of public interest journalism. It is incredibly difficult to do that, especially when you are under the scrutiny of such corporate types, who might even be at the Olympics themselves trying to enjoy a good time on the free run of other corporate organisations. But these very brave journalists did that, and it really is disappointing that they had to take five days strike action right at the beginning of the Olympics just to make management understand what their claims were about. I am very, very happy to say that those journalists who went on strike were able to get a 10.5 per cent wage increase over three years with higher loadings at the beginning of the agreement, protections for freelancers in their workforce, provisions for a diverse workplace and employee protections with the use of artificial intelligence. As I said, it is very difficult for those members to actually stand up to their employer to take that kind of action, but I congratulate all those MEAA members at Nine.

Fertility

Nicole WERNER (Warrandyte) (13:52): My husband and I were thrilled to recently announce that we are pregnant and expecting our first baby in January 2025. It is a dream come true for us after facing hurdles in falling pregnant. Fertility challenges are the reality for over one in six Australian couples, yet it is often unspoken about and for women it can be both stigmatising and isolating. There are so many that suffer in silence, so I felt compelled to speak out and share our story to encourage those who are going through their own fertility journey. Whether you are battling polycystic ovarian syndrome, like me, endometriosis or unexplained infertility, going through an IVF journey or facing miscarriage or loss, please know you are not alone.

Politicians are sometimes stereotyped as not caring about women or women’s issues. Recently the federal Treasurer made comments about how women’s fertility can be timed out and how women

should be having more babies. I know firsthand the pain of insensitive comments and the sometimes well-meaning questions when you would love to fall pregnant but have not been able to yet.

Women are strong, resilient and brave. Our role in representing Victorians here in Parliament is a special privilege, and today I am using this platform to let every woman out there who is on their own fertility journey know: you are amazing, you are not alone and there is hope for you.

Blue Ribbon Foundation

Paul MERCURIO (Hastings) (13:53): I had the great pleasure of attending the inaugural Blue Ribbon Foundation fundraising event at the Mornington Racecourse about a week and a half ago. It was a fantastic event and a great place to go, and great locals turned up. It was only after the fact that I realised my butcher's parents actually put the event together, so to Rhonda and Darryl Nation, congratulations on a great event and for raising over \$50,000.

There were lots of auction items, and there were two items that I was really interested in. One item was a lot of great local wines signed by the Prime Minister Anthony Albanese, and the other lot was six bottles of wine signed by Peter Dutton. The auctioneer started and put the Albo wines up for \$500. No-one on my table made a bid. We did have the member for Mornington on my table and also the federal member for Flinders on my table. Anyway, I eventually put my hand up and bought the wine. The next lot up was Peter Dutton's. Everyone thought it would go nuclear, and I am very sorry to say it fizzled. No-one made an offer, especially on my table. The auctioneer did have it at \$500 and dropped it to \$200, when we finally got a bid, not on my table, and it slowly crept up to \$350 – great. The moral of the story is I am always happy to put my hand up to support my team, whereas those on the other side clearly are not.

Ballarat Specialist School

Juliana ADDISON (Wendouree) (13:55): Last week I had the great pleasure of joining with the Minister for Education and the members for Ripon and Eureka to celebrate the official opening of the new buildings at the Ballarat Specialist School Gillies Street campus in my electorate of Wendouree. The Allan Labor government's \$10 million investment at the Ballarat Specialist School is amazing and includes a new admin area and specialist and junior years teaching and learning spaces. A massive shout-out to the wonderful students, especially Ollie, Josh, Amiee and Cameron for welcoming us and giving us a tour of the new facilities. I would also like to make special mention of principal Sam Sheppard, the teachers, the education support team and the admin staff, who do such a great job supporting students and their families.

The Ballarat Specialist School caters for the educational, social and emotional needs of children with mild, moderate and complex intellectual disability from across Ballarat and the region. It has such a great reputation that families move to Ballarat so that their children can attend the school. Students aged between three and 18 are grouped across the early years, junior and middle schools as well as the senior school at the farm campus. I am pleased that we are continuing to support the Ballarat Specialist School by building a new hydrotherapy pool at the senior campus. Having a hydrotherapy pool onsite for the senior students will support them to access hydrotherapy as well as reducing time out of the classroom. This is another example of how we are delivering the Education State for all Victorians.

Solar energy

Dylan WIGHT (Tarneit) (13:56): Many of those opposite would like to go nuclear, perhaps in more ways than one. But on the energy front economists could not be clearer. The *Economist*, a British weekly news magazine known since 1843 for economic insight, is not endorsing their nuclear fantasy. The *Economist* recently highlighted a different path in its special issue titled 'Dawn of the solar age'. The *Economist* reported solar power is growing so quickly it is set to become the biggest source of electricity on the planet by the mid-2030s and surpass all other energy sources by the 2040s. This growth is evident right here in Victoria. Recently reported in the *Herald Sun*, Solar Run's data from January 2020 to December 2023 had Tarneit with 2177 solar installations, earning it the title of

Australia's greenest suburb. The trend underscores the global shift towards renewable energy, contrasting starkly with nuclear power's decline in the Northern Hemisphere.

Recently I also had the benefit of visiting RayGen's factory in Hawthorn as well as their power plant in Carwarp just near Mildura, which is the world's largest next-generation, long-duration energy storage project. RayGen's power plant integrates multiple technologies to supply large industry as well as feeding distribution into the grid.

Westjustice

Sarah CONNOLLY (Laverton) (13:58): It was a pleasure to be out in Sunshine last week with the Attorney-General for the official opening of Westjustice's new offices. As many in this chamber know, Westjustice is one of the leading community legal centres operating in Melbourne's west, and as a member in this place I have had the pleasure of interacting with them and their amazing CEO Melissa Hardham for many, many years now. Mel and her team do a fantastic job of assisting people in our community. Whether it is initiatives like their school lawyer program, working with young people through schools to educate them about the legal system and their rights, including at Hester Hornbrook Academy in Sunshine, or assisting vulnerable folks suffering from mortgage stress, the work that Westjustice is doing is literally saving and improving lives across the western suburbs. Their new offices are located in the same building as Victoria Legal Aid, providing a necessary connection to low-cost and affordable legal services. In addition to their new offices, we were also there for the launch of Westjustice's new strategy for 2024 through to 2027, which focuses on helping vulnerable communities receive the targeted legal assistance they need, including financial counselling and social work services – services which are delivered in a way that is culturally safe, trauma informed and inclusive. Not only that, but it also places a strong emphasis on prevention and early intervention so that people do not experience these legal issues in the first place. So I am very happy to welcome Mel and her team at Westjustice to their new digs in Sunshine, and I look forward to continuing to work with Westjustice.

Eureka electorate volunteers

Michaela SETTLE (Eureka) (13:59): I am here to give a big shout-out to the community bank of Bacchus Marsh and the Darley sports –

The DEPUTY SPEAKER: The time has come for me to interrupt business for question time.

Business interrupted under sessional orders.

Questions without notice and ministers statements

Youth justice system

John PESUTTO (Hawthorn – Leader of the Opposition) (14:01): My question is to the Premier. I refer the Premier to the following victims: Dr Ash Gordon, stabbed to death by two teens, one of whom was on bail at the time; Davide Pollina, hit and killed by teens in a stolen car who had previously been on bail; and William Taylor, hit and killed by a teen in a stolen car who was then set free on bail again. When will the Premier acknowledge that this Labor government's weakened bail laws are costing lives?

Jacinta ALLAN (Bendigo East – Premier) (14:02): Let me say at the outset to those families and indeed any family who has lost a loved one in such tragic circumstances that of course our thoughts and sympathies are with those families and with those loved ones. I think for anyone who saw the heartbreak on the faces of the Pollina family, as was reported yesterday, our hearts go out to them and our thoughts go out to them. They are such unspeakable tragedies that are causing such grief. It is why, as part of the work that I, the police minister, the Attorney and the youth justice minister have been embarking on in recent weeks, we have listened to the voices of victims of crime. We have also listened to Victoria Police. It is why we have met with representatives from the court and also listened to people who work in the youth justice sector, because we do understand, and I have said this previously, that

we do have an issue here in this state with a group of young offenders who think they can take action without consequence. We know that we need to strengthen the framework around those young people. We are very –

James Newbury: On a point of order, Speaker, on relevance, the question asked whether the Premier will acknowledge that the government's weakening of bail laws costs lives.

Mary-Anne Thomas: On the point of order, Speaker, there is no point of order. The Premier was being relevant to the question, and I ask that you rule the point of order out of order.

The SPEAKER: The Premier was responding to the question that was asked in relation to laws that are costing lives, and I think the Premier was being relevant to that question.

Jacinta ALLAN: We have been having these conversations that build on the Youth Justice Bill that is currently before the Legislative Council, a bill that we are proud of because it is transformational reform that will see more young people diverted away from a life of crime. But it is absolutely apparent that there is a group of young offenders. And when it comes to bail laws, I do note that the bail changes that went through the Parliament last year had bipartisan support. They were supported by the opposition.

We have acknowledged that we need to do more, and today we announced how we are going to do more to protect Victorians – how we are going to strengthen the bail test, how we are going to strengthen bail revocation and how we are going to create a new separate offence. I say that the Parliament has an opportunity this week with the bill in the upper house to take this action immediately, and that is really a question for the Leader of the Opposition – to grasp this opportunity, make these changes this week and make a difference for community safety.

Members interjecting.

The SPEAKER: The member for Malvern is warned.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:06): In her answer the Premier said that she had been listening. The Premier said she had been having conversations. I ask therefore: has the Premier spoken with the grieving families of these victims to apologise for weakening Victoria's bail laws?

Jacinta ALLAN (Bendigo East – Premier) (14:06): Keeping the community safe is our absolute priority, and I want to be absolutely clear –

John Pesutto: On a point of order, Speaker, on relevance, the question was very direct and deliberately so about whether the Premier has spoken with the grieving families.

The SPEAKER: The Premier had just commenced her response.

Jacinta ALLAN: I want to be absolutely clear that we are building on those bail changes, which had the support of the Liberal Party in their passage through the Parliament, and that we are strengthening today with our announcement. I know the Attorney-General has –

James Newbury: On a point of order, Speaker, on relevance, this was a very direct question as to whether the Premier has shown the courtesy of speaking to the victims' families. The Premier is more than halfway through the answer and has not come anywhere near the answer. Those families deserve a response.

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

Jacinta ALLAN: I know that the Attorney has met with representatives of the family of Dr Ash Gordon. In terms of the other family representatives, let us remember a family today lost their loved son just two days ago, and I will not add to their grief and trauma by commenting further. I will focus on keeping the community safe.

Ministers statements: youth justice system

Jacinta ALLAN (Bendigo East – Premier) (14:08): I want to see every young Victorian do well in life. I want to see them go to school, get a job, stay out of trouble and make a great contribution to our great state. I also want to see an environment where kids who make mistakes as they grow up – and from time to time they do – have the opportunity to turn their lives around, and that is exactly what we are focused on. But we also know that, having community safety as our priority, there remain a small group of young people in our state, offenders who are out there today, who think that their actions do not have consequences, and that is why today we are saying: enough. We are saying that the reforms that our government has announced today – reforms to the youth justice system, reforms that can pass this Parliament this week – are strengthening the bail test, creating a dedicated crime for those who offend on bail and a dedicated magistrate to speed up the process with additional police prosecutors so that those actions have consequences sooner and also auditing our youth crime programs to see what is working and what is not. And, yes, we will also amend the Bail Act 1977 to specifically call out alarming crimes such as aggravated burglary or robbery, dangerous driving, carjacking or home invasions.

The SPEAKER: Order! Premier, in relation to comments on a bill before the house that has not been debated, just be mindful of not debating the bill and anticipating debate.

Jacinta ALLAN: Certainly. And, yes, we also remain committed – the only state in the nation to be so – to raising the criminal age of responsibility to 12. These changes build on a strong suite of reforms that are being debated this week, because we know that if we can stop crime before it starts that is the best community safety outcome, and that is why there is an opportunity this week for the opposition to join us in strengthening community safety in our state.

Youth justice system

John PESUTTO (Hawthorn – Leader of the Opposition) (14:10): My question is to the Premier. The government is banning victims and their families from having a say over whether young offenders are released on parole. Why is the Premier seeking to silence victims and their families?

Jacinta ALLAN (Bendigo East – Premier) (14:11): The Youth Justice Bill, which has passed through this place and is currently being debated in the Legislative Council, legislates for the very first time the voices and the experiences of victims of crime in the process around parole considerations. This is part of the Youth Justice Bill that also includes a requirement around young offenders listening to the experience of victims of crime, because we know that when young offenders hear directly from those victims they have a deeper understanding of the grief they have caused, and we know that this is important for helping young people to turn their lives around. We have an opportunity this week in the Parliament to strengthen community safety and to turn young people’s lives around, and it is a question for the opposition whether they will support this task.

Brad Battin: On a point of order, Speaker, in relation to relevance, when you go and have a look specifically at the bill, what the Premier is trying to have –

The SPEAKER: Succinctly.

Brad Battin: Succinctly. We are talking about relevance and what we are talking about specifically in this bill. The Premier is trying to mislead the house directly about what is within that bill and stating that the victims can be heard when the bill specifically says that victims cannot be heard in relation to this part of the bill.

The SPEAKER: The Premier was being relevant to the question that was asked. The Premier has concluded her answer.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:13): Noting the Premier’s answer to the substantive question, the government’s bill in the other place states at proposed section 622 that:

If the Youth Parole Board receives information from a person on the Youth Justice Victims Register, the Youth Parole Board must not have regard to that information when determining whether –

...

to grant parole to a child or young person ...

Why does the Premier have no respect for the voices of victims and their families?

Members interjecting.

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

Jacinta ALLAN (Bendigo East – Premier) (14:14): I was asked about respect for victims of crime. My respect for victims of crime goes deeply to why we are taking the actions we have announced today to keep our communities safe – to ensuring that, building on the work that has been done to date, we listen very carefully to victims of crime, their experience and how we have an opportunity to strengthen the laws in this state. The Youth Justice Bill that is before the Legislative Council does provide for that restorative justice approach. It does provide for a new youth justice victims register.

James Newbury: On a point of order, Speaker, standing order 58 does require the Premier to be factual. The question went specifically to a clause of the bill that requires something which is the exact opposite of what the Premier is now saying. The Premier is required to be factual, and I would ask you to bring her to the question that was asked.

The SPEAKER: I cannot determine whether the Premier is being factual or not. The Premier to come back to the question.

Jacinta ALLAN: I was asked about respect for victims of crime. Demonstrating our respect is that we are putting in the bill –

James Newbury: On a further point of order, Speaker, on relevance, the Premier was asked a very direct question about a clause of the bill. The Premier was not asked about any other matter, and I would ask you to direct the Premier back to the actual section which was read out to her.

The SPEAKER: The question, I believe, was: why does the Premier have no respect for the voices of victims and their families? The Premier was being relevant to the question.

Jacinta ALLAN: I point to the bill, which has a new youth justice victims register. The way we show respect to victims of crime is by passing the bill that is in the upper house this week.

James Newbury: On a point of order, Speaker, we are seeing again the Premier refuse to answer questions. We have just asked a very direct question where a clause of a bill was read to the Premier, and the Premier has refused to deal with the substance of the question. This is a joke, and I would ask you to bring the Premier to the actual questions that are being asked.

The SPEAKER: The Premier has concluded her answer. However, as I mentioned in my last ruling, the Premier was answering the question that was asked. I remind members that in the past the practices of this house regarding relevance have been interpreted to mean the minister must address the response to issues raised in the question. That is clear. However, I also remind members that under standing order 58(2) I cannot direct the minister how to answer a question, nor can the minister be compelled to answer in a certain form or manner just because the member asking the question desires a particular answer or a particular form of words in the answer.

The house is very aware that I am in its hands when it comes to making rulings about standing and sessional orders that it has agreed to. The house is able to change the rules surrounding questions and answers if it so desires. However, I can only refer to current rules when judging the appropriateness of questions and answers, and I must be guided by precedence and past practice when interpreting

how to apply those rules. If the house desires new rules, it may change them. However, until then I will be guided by the rulings and practice that have preceded my tenure in this house.

John Pesutto: On a point of order, Speaker, about relevance, I note your comments that the Premier cannot be compelled to provide an answer. Can I ask whether the Premier will undertake to this house to come back to this house with an answer about what specifically the Premier was referring to. I put in my question a deliberate and explicit reference to a clause in the Premier's own bill. The Premier only responded in general terms. I simply ask: if we cannot compel the Premier to answer, will the Premier undertake to at least come back to this house with an answer?

The SPEAKER: There is no point of order.

James Newbury: On a point of order, Speaker, on your ruling, firstly, I note in relation to your offer about any proposed amendments to the standing orders, we attempted to move some this morning and the government blocked those being moved. I do want to put that on record.

The SPEAKER: There is no point of order.

James Newbury: Speaker, further to your ruling, I seek your guidance on standing order 58. Standing order 58 also requires that an answer be direct. I put it to you that answering generally is clearly in contrast to responding directly. I would say to you that you have the power to require a minister to respond directly. If they are not answering the question in any way, they are not responding to the question.

The SPEAKER: There is no point of order.

Ministers statements: youth justice system

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (14:19): Can I start by remarking for the house that Victoria Police do an incredible job every day and night keeping Victorians safe, and on behalf of everyone in this house I thank them for their service to the Victorian people. When the chips are down and when times are tough for Victorians, police are the first people that they call. We have seen also, can I say, that our government has invested some \$4.5 billion in our Victoria Police service, the largest police service in the country. We have funded some 3600 additional police.

Our landmark reforms around youth justice strike a balance between youth diversion, youth cautions and our significant programs to turn young lives around, and ensuring that our youth crime prevention programs get the funding and resources to deliver the outcomes that Victorians need. We know that the unique offender rate that we have here in Victoria is seeing some 100 youth offenders committing up to two dozen crimes each. We know that our government needs to invest some \$34 million to establish our electronic monitoring trial that will see bail conditions met and hold to account those offenders who need to be supported to get their lives back on track and meet the obligations to the community that the courts have set for them. The trial will be implemented alongside more intensive bail supervision to keep those young people in education and employment and to keep them out of jail but to make sure they meet their obligations to the community.

We also are making sure that the Parliament leads on these matters. Not only are we doing that, but we are making sure that there are serious offences for serious crimes that are committed and for repeat offences that are committed by those in the community. We have already seen through Operation Trinity and Operation Alliance thousands of arrests for youth gangs and thousands of arrests for aggravated burglary – thousands and thousands. We will continue to hold to account people in the community who commit serious crimes. That is where our reforms go, while also providing opportunities for young people to turn their lives around.

Health services

John PESUTTO (Hawthorn – Leader of the Opposition) (14:22): My question is to the Premier. The Premier admitted last week that there will be back-office job losses in the health system. Is a surgical booking clerk, responsible for coordinating surgical procedures, a back-office job which will be cut?

Jacinta ALLAN (Bendigo East – Premier) (14:22): I thank the Leader of the Opposition for his question, and the context of the question from the Leader of the Opposition goes to the announcement last week that the Minister for Health and I made about how we are providing further additional funding, building on the record funding that we provided in this year's state budget for our hospital system. In terms of how that funding is being allocated to our hospital system, we have been absolutely clear that every single dollar needs to be focused on the delivery of patient care. My focus is absolutely on frontline patient care, and that has been made clear to hospitals. Also it needs to be seen in that context that under our Labor government there is more money than ever before being supported –

James Newbury: On a point of order, Speaker, on relevance and standing order 58, the Premier is required to be succinct. The Premier has not yet addressed the substance of the direct question that was asked of her. It was a very specific question, and the Premier has not even come remotely close to dealing with the question.

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

Jacinta ALLAN: In terms of that additional record funding that has been provided to our hospital system, as I said before, I have been very clear in terms of where this funding needs to be allocated. It needs to be focused on frontline patient care. This additional funding that we have provided to our hospitals on top of the additional record funding that has been provided by this government is the funding that hospitals have told us they need to be able to deliver that frontline patient care.

Peter Walsh: On a point of order, Speaker, on the issue of relevance, I ask you to bring the Premier back to answering the question as to whether a surgical booking clerk is actually a back-office job that will be lost in their job cuts.

The SPEAKER: I remind members that a point of order is not an opportunity to repeat the question. I do ask the Premier to come back to the question.

Jacinta ALLAN: In terms of how the health department, through our new agency Hospitals Victoria, will be working with hospitals, it is absolutely clear that with that focus on frontline patient care there is the opportunity to see efficiencies and improvements in those back-of-house functions.

James Newbury: On a further point of order, Speaker, you have twice asked the Premier to come back to the specific question, and the Premier has, with respect, ignored the ruling. I would ask you: what is the point of question time if you have a Premier who refuses to answer questions?

The SPEAKER: Manager of Opposition Business, a point of order is not an opportunity to make a statement. I believe the Premier was coming to answering the question that was asked.

Jacinta ALLAN: Indeed, as the Manager of Opposition Business was very keen to leap to his feet with his confected outrage, I was going to that point exactly around how we have been absolutely clear to hospitals that they should look at improvements to their back-of-house functions. That is a matter for the hospitals. In terms of the positions and those functions within hospitals, that is a matter for those hospital executives. We have been absolutely clear that the record number of patients that are being treated in our hospital system – by more healthcare workers than have ever been in our health system, who are supported by the most funding that has ever been seen before – means that we have a world-class health system in this state. That is a health system –

Members interjecting.

The SPEAKER: Order! It would be good if I could hear the Premier's responses.

John Pesutto: On a point of order, Speaker, on relevance, I see that there are around 20 seconds left, and it is clear that the Premier is not going to provide that information here. On relevance, can I invite the Premier to undertake to come back to the house with an answer to the question: is the surgical booking officer caught up in back-office jobs?

The SPEAKER: There is no point of order.

Jacinta ALLAN: We are supporting our hospitals with the care – the record number of patients being seen by a world-class health system. The only people who focus on cuts to our hospital system are those who did them.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:27): The government's delay in approving hospital budgets has already resulted in cuts to so-called back-office jobs like surgical booking clerks. Is it government policy that highly trained nurses take time away from their ward duties to cover surgical bookings?

Jacinta ALLAN (Bendigo East – Premier) (14:28): I thank the Leader of the Opposition for his question and the opportunity to acknowledge how nurses are absolutely the backbone of our health system. Those nurses are being supported by our government through the recent agreement that was reached that will support them with a 28 per cent pay rise. We will back our nurses every single day.

James Newbury: On a point of order, Speaker, on relevance, this is now an abuse of question time. Every single question is being ignored. It reflects very, very poorly. I would ask you if you would bring the Premier to actually answering the substance of the question.

The SPEAKER: A point of order is not an opportunity to make a statement. Your point of order was, I assume, on relevance. I ask the Premier to come back to the question.

Jacinta ALLAN: That is why we back the backbone of our hospital system, our nurses. That is why, also, the additional funding that we are providing to our hospital system – the most funding that has ever been provided to our world-class health system here in Victoria – is firmly focused on patient care and supporting nurses every single day –

James Newbury: On a point of order, Speaker, you have directed the Premier to come back to the question again today and the Premier is ignoring your ruling. I would ask you to bring her back to the question that she was asked.

The SPEAKER: As I have referred to previously, I cannot direct the Premier or a minister to answer in a certain form or manner. I believe that the Premier was being relevant in relation to hospital budgets. She has concluded her answer.

Cindy McLeish: On a point of order, Speaker, when the Premier sat down, she was midsentence. She had not concluded her answer, with all due respect.

The SPEAKER: There is no point of order.

Ministers statements: gendered violence

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (14:30): I rise to update the house on the Allan Labor government's commitment to creating safer workplaces for women across Victoria and ending gendered violence at work. Every Victorian worker deserves to feel safe and respected in their workplace regardless of their gender, and that is why the Allan Labor government has established the WorkWell Respect Network, part of WorkSafe's \$6.6 million investment in preventing work-related gendered violence. Recently I was proud to join WorkSafe and Victoria University to launch the WorkWell Respect Network. This critical collaboration brings together industry leaders and workplaces to share insights and best practice approaches. An incredible collection of organisations

have come together to work on the lived experience of women and non-binary people who work in high-risk industries.

While work-related gendered violence, including sexual harassment, comes in many forms, it is not always obvious, repeated or continuous, but it is insidious and it is never acceptable. Unfortunately, we know that the risk of experiencing harm from gendered violence also rises when a person faces multiple forms of discrimination, including their gender, sexuality, disability or ethnicity. On this side of the house we know there is no place for violence, aggression or sexual harassment at work. I am really proud that we are going to work with our partners to eradicate gender-based violence in the workplace for a safer and much more secure Victoria.

Youth justice system

Tim READ (Brunswick) (14:32): My question is for the Premier. Children belong in classrooms, not in prisons. The Aboriginal Legal Service, the Australian Medical Association, Amnesty International and other human rights organisations have all been consistently calling on governments around Australia to raise the age of criminal responsibility to 14 because detention is so harmful to such young children, who are still developing, and the long-term mental health consequences of imprisonment are so severe. Offenders in this age group are much more likely to reoffend if imprisoned. They need treatment, not trauma. Labor both last year and earlier this year promised to increase the age of criminal responsibility to 14 by 2027, so why is this government now deferring to an opposition it outnumbers two to one to abandon an evidence-based reform recommended by experts?

Jacinta ALLAN (Bendigo East – Premier) (14:33): I thank the member for Brunswick for his question, and the answer is: because we are taking action right now to support children under the age of 14 to remain outside of custodial settings. I am optimistic the member for Brunswick would recall the debate that he participated in during the last sitting week with the Youth Justice Bill. That bill includes a presumption against custodial sentences for children under the age of 14 – for 12- and 13-year-olds. We have the opportunity with the Youth Justice Bill that is currently in the Legislative Council, which has passed through this place, to take action for children under the age of 14 now. That is why that Youth Justice Bill contains raising the age to 12 – the first state in the nation to make this important reform. But also the Youth Justice Bill gives us the opportunity to transform the youth justice system for children – for all children, regardless of age – and to put the child at the centre of the change. We have the opportunity with this Youth Justice Bill to do this right now.

It may be a convenience for the Greens political party to use this as an opportunity to politically pointscore, but the fact remains that the Youth Justice Bill provides for an additional strengthening for children under the age of 14. It provides for strengthening around diversion – mandatory diversion – a cautionary program for Victoria Police and, most importantly, making sure that we are focusing on diverting a young person away from a life of crime regardless of their age. These are the changes that we are making now. We have the opportunity. I point out to the member for Brunswick that 14 is not in the bill that went through this place and is indeed in the upper house. What is in the bill is an opportunity to raise the age to 12 – the first state in the nation to do so.

Tim READ (Brunswick) (14:35): I thank the Premier for her answer, but when appearing before the Yoorrook commission earlier this year the Premier said:

... when you listen to people you get better outcomes for people. And if truth is about listening to First Peoples' experience of injustice then Treaty must be about listening, genuinely listening to how that injustice can be addressed and working together, empowering First People to address it.

Yoorrook made it very clear that we need to raise the age to 14 and implement progressive bail reform to end the overincarceration of First Peoples. This government is doing the exact opposite. Isn't this government just choosing to ignore what First Peoples are saying?

Jacinta ALLAN (Bendigo East – Premier) (14:36): Let me be really clear for the benefit of the member for Brunswick and his Greens political party colleagues. The bill that has gone through this

Parliament, the bill that is currently being debated in the Legislative Council, has for the first time put specific measures to provide for Aboriginal self-determination into our youth justice framework – for the very, very first time – and I would be deeply disappointed that the Greens political party would misrepresent what is in the bill. We have worked closely in the development of this bill with Indigenous Victorians on making sure that the bill includes principles and considerations specific to Aboriginal young people.

Sam Hibbins: On a point of order on relevance, Speaker, the question was not about the bill before the Legislative Council. It did not mention the bill, nor was it in the preamble. The question was in regard to the government’s promise to raise the age of criminal intent to 14, and now that promise has been broken today. That is what the question is about, and I ask you to draw the Premier back to answering the actual question.

The SPEAKER: The substantive question referred to the bill. The Premier was being relevant.

Jacinta ALLAN: The question went to measures to ensure that young people are not in custodial settings. That is exactly what the Youth Justice Bill is about, and I would hope the Greens political party can support that.

Ministers statements: gendered violence

Natalie HUTCHINS (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (14:38): I rise to talk about the number one community safety issue in this state: violence perpetrated against women and children by men that they know. Aboriginal-led family violence programs are leading the way to change this. Unfortunately Aboriginal women are 33 times more likely to be hospitalised from the impacts of family violence than their counterparts. It is absolutely critical that we act to improve access to culturally safe and self-determined services, and that is what Dhelk Dja does – that is, Safe Our Way – a program that is leading this work in the Aboriginal community. It outlines how government and Aboriginal communities partner to deliver a future free from violence.

Aboriginal access points put our commitment to enabling self-determination into action. Delivered by Aboriginal organisations alongside the Orange Door, they provide culturally safe referrals to services that Aboriginal women and children need. Wathaurong Aboriginal Co-operative has been announced as the new Aboriginal access point for the Geelong, Bellarine and Colac regions, providing community safety for so many members in that area. And Djirra is at the forefront of family violence prevention and response, holistically in culturally safe ways. Last week I announced Djirra will receive a new grant under the Aboriginal community infrastructure program to improve confidentiality and safety for their clients.

In Victoria we are on the cusp of treaty, and we know that the continued path of self-determination will deliver an increase in investment in services and infrastructure that enable this protection of women and children in the Aboriginal community.

Respiratory syncytial virus vaccination

Jess WILSON (Kew) (14:40): My question is to the Premier. Every baby in Queensland and Western Australia can be immunised against the dangerous respiratory virus RSV because those state governments ordered vaccine supplies. Victorian babies missed out because the Allan Labor government failed to secure supplies of the vaccine when it was available. Why do Victorian babies continue to pay the price for this government’s mismanagement?

Jacinta ALLAN (Bendigo East – Premier) (14:41): I thank the member for Kew for her question. I think it is important to note that our sickest of little babies are at the moment being protected with appropriate vaccines that are provided by our world-class health system. Can I say too, Speaker, that I understand the deeply held concern from parents who may be about to have kids or who have babies themselves. Whilst RSV amongst many little babies can be a common respiratory illness, for some it

can be deadly. As the parent of a baby who was airlifted from Bendigo to the Royal Children's Hospital, I know how potentially dangerous and deadly this virus is, which is why we will continue to ensure that our hospital system has access to the vaccines that are needed to treat our sickest of little babies.

I do not want any parent to go through my experience ever, which is why, alongside ensuring our hospitals have access to vaccines, the Minister for Health is working with her federal and interstate colleagues. It hurts me deeply that we cannot have this conversation with a level of respect for little babies. That is also why we are working so very hard to ensure that our world-class hospital system has the resources, the workforce and the funding that it deserves for the sickest of little kids to our elderly patients to people right across this state. We have a world-class hospital system. I know that because my child and my family members have had their lives saved by it.

Jess WILSON (Kew) (14:43): Premier, the next best option is Abrysvo, a vaccine which can be given to pregnant women to protect their newborn baby against serious RSV, but it costs upwards of \$350. Will the government commit to funding this vaccine, or will Victorian mums miss out again?

Jacinta ALLAN (Bendigo East – Premier) (14:43): I thank the member for Kew for her question. In terms of the advice to either parents or expectant parents in terms of the vaccines that they should be accessing, that is a matter for those families and their medical practitioner. I know the Minister for Health is currently working with her federal and interstate colleagues on the vaccination program, and we will continue to support –

James Newbury: On a point of order on relevance, Speaker, the question asked specifically whether the government would support funding the alternate vaccine, and the Premier has not yet addressed that specific and reasonable question.

The SPEAKER: I believe the Premier was referring to working with the federal government to address the issue, so the Premier was being relevant.

Jacinta ALLAN: And that work will continue, as should the work that families do with their medical practitioners to get medical advice about what the best measures are to protect them and their families.

Ministers statements: Victoria Police family violence training

Vicki WARD (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (14:45): Last week the member for Glen Waverley, the Attorney-General and I visited the nation's first centre for family violence at Victoria Police Academy. We heard that up to 60 per cent of police work can be family violence related, with over 95,000 incidents reported to Victoria Police in the last year. There are over 56,000 perpetrators annually. Sixty-two per cent of family violence incidents reported to Victoria Police involve a current or former partner, and over a third of reported family violence incidents have a child present. Since the royal commission, Victoria Police now has 21 regional family violence units servicing our state, 29 specialist family violence investigation units, 27 sexual offence and child abuse investigation teams, nine psychiatrists to support units and 415 specialist family violence positions.

We saw some of the intensive training police recruits undertake to respond to family violence incidents as safely and respectfully as possible. Importantly, lived experience is recognised, which is why members of Victoria's Victim Survivors' Advisory Council help to inform aspects of this training. Their state-of-the-art simulation laboratory reflects a range of domestic and public settings. They use actors to help cadets understand the complexity and diversity of family violence incidents. We saw how police can be confronted with challenging situations. Diverse strategies are employed to assess a situation, defuse the aggression and keep themselves, the affected family member and the primary aggressor safe. After 18 months in the community these new police officers return to the academy and

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debrief and reinforce their learnings. I thank Victoria Police, along with the Minister for Police, for their willingness to keep learning, reforming and improving and for the work they are doing.

The SPEAKER: I acknowledge in the gallery Dr Mark Robinson MP, member for Oodgeroo in the Queensland Legislative Assembly.

The time for questions has ended. The house will move to constituency questions.

Roma Britnell: On a point of order, Speaker, I am still to receive an answer from the Minister for Health to question on notice 660: can the minister categorically rule out the Labor government merging any of the South West Healthcare services within the next two years? Using tricky words like ‘no forced mergers’ is not answering the question. Speaker, you ordered the minister to answer the question, and she continues to defy your directive.

Bridget Vallence: On a point of order, Speaker, I have a number of questions that are overdue. These are all to the Minister for Skills and TAFE in the other place: questions 1135, 1137, 1138, 1139, 1140, 1141, 1148, 1149, 1151, 1215, 1220, 1221, 1222 – Richie Benaud – 1227, 1229, 1231, 1233, 1234 and 1235. And questions unanswered by the Minister for Jobs and Industry are questions 1216, 1223 and 1240. What are they hiding? If they could please have answers provided to my constituents, that would be much appreciated.

The SPEAKER: Could you please give your list to the clerks, member for Evelyn.

Constituency questions

Murray Plains electorate

Peter WALSH (Murray Plains) (14:49): (740) My constituency question is to the Minister for Ambulance Services, and I ask: how many times have ambulance community officers, or ACOs, been used to fill Ambulance Victoria shifts in Echuca over the last six months? Echuca paramedics are constantly being dragged away and held up in Bendigo or Melbourne because the hospitals there are unable to receive their patients immediately. I have got nothing but admiration for the ACOs who work part time to back up, particularly in smaller communities, but they are not meant to be full-time paramedics. The Echuca ambulance district provides services to large parts of southern New South Wales, and it is untenable that Ambulance Victoria is not able to provide enough staff to staff the rosters fully.

Lara electorate

Ella GEORGE (Lara) (14:50): (741) My question is for the Minister for Multicultural Affairs. How is the Allan Labor government supporting diverse communities in the Lara electorate? Last week I was pleased to visit the Macedonian community in Geelong to announce a \$230,000 grant towards their community centre. Centres like this bring people from Macedonian backgrounds from across Geelong together to share their culture, their history and their religion. They have a weekly seniors program with around 80 people attending every week and host a range of weddings and community celebratory events there. I know that funding like this \$230,000 will just go such a long way for the Macedonian community in Geelong, and I am really proud to be delivering it. There are many more community organisations like this in the Lara electorate, from the Croatian community to the Greek and the Sikh communities, and again I ask: how is the government supporting diverse communities in the Lara electorate?

Lowan electorate

Emma KEALY (Lowan) (14:51): (742) My constituency question is for the Minister for Housing on behalf of people waiting for public housing in the Wimmera area. In September 2021 the then housing minister put out a media release stating that ‘Shovels will be in the ground by the end of the year’ in relation to new housing in Horsham. In Parliament in mid-September 2021 the minister further stated that 31 homes would be built in Horsham. However, it was not until June 2022 that the

government acquired 50 Stawell Road, Horsham. This is now of course sitting vacant two years later. It is overgrown with grass and there is security fencing around it, but it certainly has not seen the shovel-ready project that was promised by Labor back in 2021. So I ask the minister: when will the government act to develop the land at 50 Stawell Road as public housing, rather than my people waiting for years for public housing in the local area?

Bayswater electorate

Jackson TAYLOR (Bayswater) (14:52): (743) One of my greatest priorities as a local member is to ensure we continue to invest in improving our roads and making them safer. I am absolutely stoked that the intersection at Alchester Village shops in Boronia is now well underway, with construction booming and jobs created, making sure that we do the work to make it safer for all locals, pedestrians and road users. My question is to the Minister for Roads and Road Safety: when can we expect to see construction wrap up on the works at the Alchester Village roundabout in Boronia? Of course I am incredibly proud of the work being done by the Allan Labor government not just there but also when it comes to investing in roads locally in my part of Knox. Whether it is the resurfacing of Napoleon Road of around 2 kilometres or whether it is ending years of talk by others to finally deliver the intersection at Burwood Highway and McMahons Road in Ferntree Gully, the Allan Labor government is delivering better local roads in my part of Knox.

Polwarth electorate

Richard RIORDAN (Polwarth) (14:53): (744) My question is to the Minister for Health. The Minister for Health announced a \$1.5 billion injection into the health service. I ask on behalf of the health services and the people of Polwarth: how much will the health services in Polwarth be receiving of the \$1.5 billion? There are three community health services provided by Hesse Rural Health; how much will they receive? There are two health services provided by Colac Area Health; how much will they receive? There are two campuses of Great Ocean Road Health; how much of the \$1.5 billion will they receive? Cobden Health has one outlet; how much money will that receive to help keep the budget alive? We have got South West Healthcare providing health services in Camperdown; how much money will they receive? Minister, this is an important piece of information that our community needs to know. The health services in Polwarth are in crisis. They are desperate for funding. There has been a petition of over 600 signatures delivered from the Timboon community calling on better support for their hospital.

Cranbourne electorate

Pauline RICHARDS (Cranbourne) (14:54): (745) My constituency question is to the Minister for Children in the other place. How will the children and community around Rangebank kindergarten benefit from the Allan Labor government's Building Blocks grants? Rangebank kinder plays a crucial role in shaping the early education of many children and families right in the heart of Cranbourne, specifically in Lesdon Avenue. It was a terrific pleasure to visit the kinder recently and meet some of the very clever young people who are learning and growing in our community. Their future is bright, and in many ways that is so much thanks to the Best Start, Best Life program. It is something I am very personally committed to and I will fight hard for. We are fortunate to have an extraordinary team of educators who support them, and I absolutely give my greatest thanks to them as well. I would like to take the opportunity to thank the staff at Rangebank for making it such an important and inclusive place. I look forward to reporting back to my community with the minister's response.

South Barwon electorate

Darren CHEESEMAN (South Barwon) (14:55): (746) My question is to the Minister for Public and Active Transport. When will the minister release an improved timetable for the Geelong line? With the Regional Rail Revival program well underway, with new, improved stations to be completed by the end of this year at South Geelong, Waurin Ponds and Marshall stations along with track duplication, the opportunity to have a new, improved timetable servicing the southern suburbs of

Geelong is pronounced. My question is: when will the new timetable be released to support that infrastructure?

Glen Waverley electorate

John MULLAHY (Glen Waverley) (14:56): (747) My question is to Minister for Ageing in the other place. How is the Allan Labor government supporting seniors of a migrant background who reside in the Glen Waverley district? My electorate of Glen Waverley is one of the most diverse in the state. We take pride in our cultural and linguistic differences, because through those differences we learn from each other and it brings our community together. We also know that as people grow older many revert to the comfort of their mother tongue, and therefore it is vital that we take proactive steps to ensure that senior support services are accessible in different languages. It is imperative that Victorian seniors of a migrant background have access to the help and assistance they need, including government programs, such as the seniors card, the companion card and the carers card. This is all part of the Allan Labor government's commitment to supporting our seniors and those from diverse backgrounds to build a fairer Victoria. I look forward to the minister's response.

Benambra electorate

Bill TILLEY (Benambra) (14:57): (748) My constituency question is to the Minister for Health. The information I seek is why a 20-bed ward contract with Mercy Health Albury that could reduce the bed blockage at Albury Wodonga Health is not being funded. Last weekend was horrendous. At one stage the health service needed an additional 50 beds. People were on the floor in the hallways but not in hospital beds. I have emails from last year between the two state health departments recommending that long-term patients be shifted to the nearby Mercy to free up beds. It was costed at \$20.8 million over three years, to be shared by both Victoria and New South Wales. Nothing has happened, and I am told that this will not be funded. There are 2299 on our category 3 surgery waitlist, and it continues to climb. The lack of beds is a significant contributor, and my constituents need to know why the Mercy option and plans for modular units have been dumped.

Narre Warren North electorate

Belinda WILSON (Narre Warren North) (14:58): (749) My question is for the Minister for Education. What benefits will the students at Hallam Secondary College receive from the Allan Labor government's \$24.2 million investment? Last week I had the pleasure of taking the Premier to Hallam Secondary College, where the incredible principal Simon, along with the school captains Max and Nanjera, showed us around their wonderful school. Nanjera wants to study international law and Max wants to study teaching. If teaching falls through for him, he has also got construction skills in the back pocket because of a VCE vocational major, so he has got the skills he needs for the job that he wants, regardless.

Members statements

Eureka electorate volunteers

Statements resumed.

Michaela SETTLE (Eureka) (14:58): I am rising to give a big shout-out to the community bank of Bacchus Marsh and the Darley sports and community hub for organising and hosting an amazing event last Sunday, the volunteer networking lunch. It was a privilege to sit in a room with so many people who are changing other people's lives every day and in so many different ways, from the sporting communities, like Darley and Bacchus Marsh football and netball clubs, to the essential services of Rowsley and Bacchus Marsh CFAs and the Bacchus Marsh SES; groups that are protecting our environment, like the Platypus Alliance and the Moorabool Environment Group; great social networks, like U3A, Bacchus Marsh Rotary and Lions clubs; and those that lend a hand to our most vulnerable, like Soul Food and Neighbours Place. This event brought all these groups and more together to talk about planning and funding for their organisations but even more importantly to create

synergies and connections to help each other in their tireless efforts to help others. It was a really great event, and a special thanks to John Cutler and Ian Prince for this truly great community event. Bacchus Marsh and Darley are full to the brim of compassionate and caring people.

Spring events

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (15:00): Well, spring is emerging, and Carlton are not going to make the finals. How good is that, Speaker? It is joyous, and I really want to share that with the member for Malvern. It is wonderful to see that Melbourne is really starting to emerge from its winter solstice and that the sun is emerging. You just cannot wait for the footy finals to start without Carlton. You cannot wait for the Spring Racing Carnival. It is always my favourite time of the year.

Bills

Victorian Institute of Forensic Medicine Bill 2024

Second reading

Debate resumed on motion of Anthony Carbines:

That this bill be now read a second time.

Michael O'BRIEN (Malvern) (15:01): I rise to speak on the Victorian Institute of Forensic Medicine Bill 2024. The institute is a very important institution in Victoria. It is important in our justice system, and it is important in our health system; it is important for lots of Victorians. Many Victorians only have interactions with the Victorian Institute of Forensic Medicine as a result of some trauma in their lives or the lives of those they love. The VIFM is obviously involved in providing coronial services or services to the coroner where required. The VIFM also provides services to support Victoria Police in investigations, and that is why it is so important that this institute be placed on a proper legislative footing, which is what this bill seeks to do. Whether it does it or not is open for debate.

This bill effectively seeks to reinstate the previous legislative basis. There was the Victorian Institute of Forensic Medicine Bill 1985. This bill seeks to re-establish the legislative basis for the governance of the VIFM in 2024. Obviously, governance standards, practices and procedures have changed quite a bit since 1985, so I understand the reason why the government is keen to update the legislative arrangements that underpin the VIFM.

One of the concerns that I do have and that I note at the outset is that we are advised that in 2023 the government conducted a review into the Victorian Institute of Forensic Medicine Act 1985 – that is the existing act – to determine whether the act was fit for purpose. The government says that this bill seeks to implement the findings of that review, but the government has refused to provide a copy of the review. I ask: if this is a government that is serious about better public policy, why would the government keep secret the review which has led to this bill coming before the Parliament? What is it in the review that is so earth-shattering, that is so controversial, that is so politically embarrassing for the government that it wants to keep it secret? I would have thought good public policy would suggest you undertake a review, you release that review to the public and the Parliament and you say, 'Well, this is what our findings were. This is why we want to make these changes, and here are the changes.' That way the Parliament and more broadly the Victorian community could judge whether the government has got it right. The government has provided no reason as to why it is keeping that review secret, and it is very much to this government's discredit that even when there seems to be no obvious reason for keeping things secret, this government does it anyway. It is almost a habit with this government.

They undertake a review and they keep it secret, and they tell us, 'Well, this is what you're getting. You can't see what the review says, you can't see what problems the review found and you can't see

what the recommendations were, and therefore you can't judge whether our bill is actually up to scratch or not.' This is why we approach this bill with some degree of scepticism. If this government was up-front and genuine and demonstrated good faith with the Parliament and the public about why it wants to bring forward this bill, it would have released the review on which it is based.

There is still time. The bill will obviously go through the house this week, based on the government business program and based on the numbers in this place, but the bill will then be debated in the other place, and I would urge the government to release the review or explain if there is some reason why they think it should not be produced. If there is concern that reputations of individuals at the VIFM might be adversely affected, then say so. But at the moment we are being kept in the dark and treated like mushrooms. The opposition, the crossbench and, more importantly, the Victorian people are being kept in the dark and treated like mushrooms by this government.

After 10 years this is what we see all too regularly: a government that has grown old, that has grown tired and that has grown arrogant, a government that does not believe it needs to explain why it seeks to change things and a government that does not believe it needs to justify the reasons for the bills it puts forward. It simply says, 'We undertook a review. You can't see it. This is what you're getting.' So excuse me for being a little bit cynical about these matters.

We do know there are some issues with the Victorian Institute of Forensic Medicine, and I should say at the outset that that is not to slight anybody who works there. As I said, it is a very important institution in the Victorian justice system and it is a very important institution in the Victorian health system, and I have no doubt that the people who work there are extremely capable and committed professional people who do their best, often dealing with very traumatic subject matter. So nothing I say that is critical of the government should be seen as a reflection on the people at the VIFM at all, because I have nothing but respect for the people who work for the VIFM and for the very difficult jobs that they undertake with skill, with care and with compassion.

My concern is with the government's funding, and I refer to a story on the ABC's 7.30 from 5 September 2022. The headline is 'Victims of violent crime forced to wait for forensic examinations in Victoria due to "dire" shortage of doctors', and I will quote a little bit from that piece because I think it is very important. It demonstrates how vital a well-functioning, well-funded VIFM is to Victorians. The article starts:

Victorian victims of sexual assault are being forced to wait in bloodied and soiled clothes, sometimes for more than a day, to see specialist forensic doctors.

On some nights in Melbourne, a city of 5 million people, there are no forensic doctors available to see victims of violent crime, in a situation experts have labelled "dire".

In 2020, Grace Stewart was one of hundreds of women forced to endure the consequences of this shortage.

Ms Stewart alleges she was raped in January that year.

She says it took her hours to comprehend what had happened to her and to muster up the courage to call a rape crisis line.

For 15 hours after that, nearly 30 hours in total, she remained in the same underwear that she was wearing when she was allegedly raped.

If she wanted to see the alleged perpetrator brought before the courts, she couldn't shower or change until she saw a forensic doctor.

That night, none were available.

"That's something that was quite traumatic," Ms Stewart told ABC Investigations.

"It made me feel icky. It was definitely gross, because you want to try and get the experience off you."

I could go on, but anybody who could read that, let alone watch the story, as I did, on television, and not be emotionally affected by it would have to be a very stone-hearted person indeed.

We do need a system that does not compound the trauma that victims of sexual assault already feel, and yet that is what we have in Victoria at the moment. The government has allowed a situation to be

created over its 10 years in office where in a city the size of Melbourne not a single forensic doctor was available on the night that Grace Stewart needed one. She was forced to wait 30 hours in soiled clothing before she could see a doctor and have the relevant tests. I am sure we all say that that is unacceptable.

My question is: what is it in this bill that is going to make a difference? What is in this bill that is going to make a change? Not a lot. VIFM – yes, you can argue about the governance and you can argue about the leadership. What is beyond doubt, what is beyond argument, is that the institute of forensic medicine needs more funding, and I do not believe enough is being done. The government will say, ‘Well, we announced a budget package a couple of years ago and a bit more’s being done.’ The reports I am receiving through people in the industry are that not enough is being done.

I do not doubt the government has got its heart in the right place when it talks about wanting to better support victims of sexual assault, and particularly female victims of sexual assault. I would like to think that we are all on the same team when it comes to these matters in this place. But we hear Grace’s story, and I commend her courage on speaking about it publicly. I cannot even imagine how difficult that was for her to relive that trauma and the trauma piled on top of trauma. I admire her courage. It needs people to speak out. Grace has spoken out. She has shown courage. She has done her part. It is now up to the government to do its part and make sure that Grace or somebody like her is never placed in that position again. The idea that in a city the size of Melbourne no forensic doctor is available to treat a rape victim when they need one is unthinkable.

We know there have been some cultural issues at the institute. The same report went on to detail that doctors at the Victorian Institute of Forensic Medicine have lodged complaints with WorkSafe Victoria about dangerous working hours. It is clearly not a very happy place, based on that. I acknowledge that was almost two years ago, but apart from a couple of budget announcements here and there I do not know that a lot has been done to really fix the problems, and for the sake of people like Grace Stewart we need to fix those problems. So I would be interested to hear from members on the government side what is being done to make sure that somebody like Grace, God forbid in that horrible position, will never have to go through that sort of compounded trauma ever again.

This is a very important bill, but I do not know that the bill is the answer. There are concerns that have been raised by the medical profession that the VIFM has a justice focus but it does not have enough of a health focus. I know that groups including the Australian Medical Association have expressed some concern about the level of consultation regarding this bill and about the extent to which the medical profession has been brought in as a partner with the institute. I know their concern is that the VIFM is seen as being very much a part of the justice system, and the health aspects, the systemic health aspects of the VIFM’s work, are not given the prominence that they deserve.

As the house would understand, I consult with a lot of different organisations on bills that come before this Parliament, and we have got a lot of bills this week. We have got this one, we have got the Subordinate Legislation and Administrative Arrangements Amendment Bill 2024, we have just had the Parliamentary Workplace Standards and Integrity Bill 2024 come back down from the other place and I think we are getting the ‘cover up Lawyer X problems bill’, or whatever the official title is, coming on tomorrow. But in consulting with the Law Institute of Victoria about this bill, I note that they expressed some real concerns as well about the way in which this bill deals with people’s personal information. As I mentioned, the VIFM deals with people at a very vulnerable point in their life. Generally somebody is using VIFM services because they have been the subject of trauma or because maybe a loved one or next of kin of theirs has suffered death. For that reason we need to be extremely sensitive about how personal information obtained by the VIFM in the course of its work is used.

In consulting with the Law Institute of Victoria, I wrote to them and they provided me with a letter detailing some of their concerns with this bill. They noted that clause 34 requires that, prior to the use or disclosure of information by the institute under clause 32 or 33, the institute must (1) notify the State Coroner of the proposed use or disclosure if the information relates to an investigation under

part 4 of the Coroners Act 2008 and allow them an opportunity to advise if they reasonably consider that the proposed use or disclosure of such information would prejudice an investigation and (2) notify the Chief Commissioner of Police of the proposed use or disclosure if the information relates to a criminal investigation or a criminal proceeding that has or may be commenced and allow them an opportunity to advise if they reasonably consider that the proposed use or disclosure of such information would prejudice such an investigation or such proceedings. In a nutshell the bill says that the VIFM could use or disclose personal information provided they have notified the coroner and/or the Chief Commissioner of Police and provided them with the time to respond. Under the bill any advice must be received by the institute within 21 days after the institute notifies the State Coroner or chief commissioner of the proposed use or disclosure. The law institute makes the point that with something as important and something as sensitive as the use of personal information collected by the Victorian Institute of Forensic Medicine it should not be a case of silence equalling consent. The fact that the institute does not hear from the coroner or does not hear from the Chief Commissioner of Police within 21 days should not be taken as a green light – that it is okay for the institute to use or disclose personal information as it sees fit. In matters so sensitive and so important there should be a positive obligation to get a response.

I do not believe that the law institute is being finicky or nitpicky in saying that. We are talking about personal information of people who have either died or suffered trauma themselves – let us face it, that is what the VIFM deals with – and the idea that that information could be used or disclosed by the VIFM without absolutely obtaining a positive affirmation that is not going to prejudice an investigation that is being undertaken by the coroner or the police is, I think, the least that the bill could do. I would ask the government to reconsider these matters, because I think that a positive obligation to wait for a response or to receive a response would be a far stronger safeguard, but the government has chosen not to do so, and I think that is absolutely the wrong call.

The law institute also raises, I think not unreasonably, the question of: what about the consent of the individual where it is their information? What about the consent of the individual's next of kin where the information might relate to a deceased person? If we are talking about personal information, shouldn't there be an obligation not just to contact the coroner or to contact police to see if releasing this is going to interfere with an investigation in some way but to contact the person concerned or the person's next of kin to ask if that is okay too, or to at least consider whether they have got a view? Again, I think those matters were put to the government, and the government's response was effectively, 'We don't believe that it's necessary.' We are dealing with people who have died in tragic circumstances or people have had horrific things happen to them such that the VIFM is involved in conducting examinations. I think that respecting the individual and respecting their rights and their autonomy is a very important thing, and I would again urge the government to reconsider it, because I do not think the government has got the balance right in this bill.

There are some aspects of the bill which we think are marginal improvements in terms of the governance of the VIFM, and I will come to them shortly. But it is probably appropriate for me to now place on the record that I move:

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:

- (a) properly consults with the medical profession in Victoria on the Victorian Institute of Forensic Medicine;
- (b) ensures that victim-survivors of sexual assault can obtain timely forensic medical services; and
- (c) improves safeguards for the use and sharing of personal information held by the Victorian Institute of Forensic Medicine.'

I do not move that reasoned amendment lightly, but I do so because I think these are three areas in which the government has dropped the ball. I think we do need to see far better consultation with the medical profession in relation to not just this bill but how the VIFM operates more broadly. I think we absolutely need to ensure that victim-survivors of sexual assault can obtain timely forensic medical services, and I do not know that playing around with governance structures and tweaks here and

tweaks there are going to get that done. I think it is far more important for people like Grace that services are available when she needs them than it is to split up the CEO's role and the director of forensic medicine's role, which this bill seeks to do. There is a time for worrying about governance niceties and there is a time for worrying about making sure that victims of sexual assault can get examined exactly when they need it – which is not in 30 hours time.

In terms of improving the safeguards for the use and sharing of personal information held by the institute, I think that is a no-brainer. The law institute has put together some very sensible concerns. I am disappointed that the government I do not think has treated those concerns with the respect, frankly, that they deserve, and it is for that reason that I move the reasoned amendment which is now before the house.

In terms of the governance changes – and to some extent these are some of the niceties, the formalities, but I do not think they go to the real issues that are confronting the VIFM at the moment – let us go through what the bill actually does.

Clause 4 outlines that a person should have regard to principles relating to professional standards, community benefits, sensitive conduct, the promotion of public health, the administration of justice, respect for cultural beliefs and recognising the diverse needs of Aboriginal communities.

I would agree with all that, although I would note that the reference to 'sensitive conduct' seems to be at odds with the lack of safeguards on the sharing of personal information, because there are requirements to consult the Chief Commissioner of Police, there are requirements to consult the State Coroner, but there is no requirement to actually consult the person whose information is proposed to be shared or disclosed. And there is no proposal to consult the next of kin of a deceased person whose information is proposed to be shared or disclosed. I think it seems that the guiding principles established by the bill are actually at odds with some of the specific provisions of the bill.

The bill seeks to clarify the objects, the functions and the powers of the institute. Clause 8 outlines the objects of the institute as follows, and I am probably not quoting exactly verbatim but enough so that Hansard will get the gist:

- to provide or assist in the provision of forensic services and human tissue services;
- as far as is practicable, to oversee and coordinate the provision of forensic services in Victoria;
- to assist the Coroners Court with its functions under the **Coroners Act 2008**;
- to contribute to public health and safety and the administration of justice;
- to contribute to reducing the number of preventable deaths;
- to contribute to the development of knowledge ...

in regard to forensic research and to assist in the provision of teaching and training. I do not think anybody would have any grave objections to that and I certainly do not, but, as I said, it is really the actions rather than the words that I think Victorians are more concerned about.

Clause 9 sets out the functions of the institute, and they are pretty much as you would expect. They include – and again I will not go through all of them – assisting the registrar of the Coroners Court, conducting medical examinations under the direction of a coroner, conducting forensic medical examinations in respect to deaths other than reportable deaths, receiving reports of reportable and reviewable deaths for referral to coroners, taking possession of bodies and releasing bodies following a coroner's order and carrying out actions in relation to human tissue – all the sorts of things you would expect the VIFM to be dealing with.

When it comes to the institute's board and governance, this is I think where some in the medical profession are not overly enthusiastic, it would be fair to say, about the way in which the government has gone about it. It says the board must consist of a chairperson and six to eight other members appointed by the Governor in Council on the recommendation of the Attorney-General. My understanding is that many equivalents to the VIFM in other states are located in the health department

rather than the department of justice. Through my consultations and those of Ms Crozier in the other place, the Shadow Minister for Health, many in the Victorian medical profession have flagged that they do not believe that the VIFM has enough of a health focus. This is a government that has shown enormous appetite for machinery-of-government changes over the years. The amount of government departments and authorities and agencies and bodies and committees and taskforces that have been created and merged and demerged and destroyed and rebuilt – you could fill *War and Peace* with it. This is a government that has shown itself quite willing, when it suits it for political purposes or for presentational purposes, to say: ‘Well, we’re creating a new body.’ There was a new one last week. Was it Hospitals Victoria? Another new body.

Jess Wilson interjected.

Michael O’BRIEN: Yes, well, new stationery, new business cards, no doubt a number of new communications directors – I am sure that will be the first thing they hire, member for Kew. It is lots of window-dressing and not a lot of substantive change. The question is: why, when we have got a government that is quite happy to engage in machinery-of-government changes for political spin purposes, won’t it actually look at whether the VIFM should be at least co-shared maybe between the Minister for Health and the Attorney-General? I think bringing the medical profession and the Minister for Health into it may allay some of those concerns that Victorian doctors have expressed.

There is a requirement that board members must have appropriate knowledge, skills and experience in one or more of a number of areas. They include forensic medicine or a relevant field of science – well, I think that is pretty self-explanatory; commercial, operational, legal or financial matters; clinical governance; the criminal justice system; or any other field relevant to the functions of the board, which would seem to be very, very broad indeed. So to the extent that this is seen to be some gatekeeping to make sure that only suitably qualified people can get onto the board of the VIFM under this new structure, I would not have thought that it excludes many people at all. I would have thought many people – in fact almost anyone who is interested in serving on a board anywhere – could lay claim to one if not more of those qualifications. Board members are appointed for up to three years and are eligible for reappointment but not for more than three consecutive terms. Well, I think it is useful to have some turnover from time to time.

Clause 20 provides that the board must establish a stakeholder advisory group to assist the board in its decision-making and the performance of its functions. There is not really anything which explains what the stakeholder advisory group is supposed to do apart from assisting the board in its decision-making and the performance of its functions. Clearly, if it is an advisory group, it does not actually have any real power. It can provide advice, but that is about it. So I would love for the government to explain how it sees this working. Is this supposed to be some sop to the medical profession, who are clearly unhappy with how the VIFM is being run and feel a bit cut out of it? Are they supposed to be all, ‘It’s okay’? Is the government’s answer, ‘Well, you can be on the stakeholder advisory group’? I do not think that is necessarily going to cut it, though. I think that the medical profession will say they should have a role in decision-making, not simply advising whoever the Attorney-General chooses to put on the board.

The bill provides for the appointment of a chief executive officer in clause 24 and also the role of director of forensic medicine in clause 26. You might say that is probably modern corporate governance, that is good practice. You have one person there who is responsible for the forensic medicine aspects of the organisation – a forensic medicine professional, a specialist, an expert, one would hope – and then you have a CEO, who is responsible for the other aspects of running the organisation. But no, because interestingly, the bill also provides that the same person may be appointed to both roles.

I ask: what is the point of setting up a structure where one role is to be in charge of forensic medicine for the VIFM and the other role is to be in charge of effectively everything else as CEO, but you can have the same person doing both jobs? If the purpose of splitting them is to make sure that there are

appropriate checks and balances and that there is appropriate specialisation given the highly specialised nature of the functions of the VIFM, so you want to have somebody concentrating on the forensic medical services that it provides and you want to have somebody concentrating on the organisational leadership, why would you then allow it to be the same person? You could only wonder: is this designed to tell either a current or a future incumbent that you can have two jobs? I do not understand why this is something that is useful. You would not see it in other organisations. Where there is a split based on professional qualifications versus organisational leadership, you do not then say the same person can do both jobs. It makes no sense at all. It undermines the intended separation of the two roles.

This is a concerning bill in many ways. It is why I have moved the reasoned amendment that I have moved. Most importantly, while at this stage we do not oppose the bill, people like Grace Stewart deserve so much better from this government and from the VIFM than they have received to date, and I do not think this bill is going to fix it.

Nina TAYLOR (Albert Park) (15:31): I am a little bit surprised that there are concerns about strengthening the governance with regard to this organisation. I think that premise of the bill being brought forward here today has surely got to be a positive as opposed to a negative; strengthening governance in the modern era makes sense. But I also take the point that it is not only about the bill today. There has been a steady process of reform in the lead-up to the reforms that we are bringing about in the chamber today.

What does the bill include? Well, it includes principles to guide the Victorian Institute of Forensic Medicine's work, a new governance structure and clarification of VIFM's objects and function, as well as the introduction of a new information-sharing framework, really providing greater clarity in that regard. I think if we get to the core elements of the reform process being brought about here, on the one hand it is seeking to support VIFM in exemplifying contemporary standards of public sector governance and service delivery, but it also ensures VIFM remains well positioned to continue to provide world-leading and best practice forensic services, factoring in the gravity of matters – very, very serious matters, and I do not think there is any dissension on that element per se – that VIFM has to deal with day in, day out, seven days a week.

I do want to speak, before proceeding to the nuanced elements of this bill, to the progress of reform that has led us here today. There are some important matters that have been raised in the chamber, and I think that it is a good opportunity to speak to the reforms that have been brought about to get the best possible service delivery. Our government has invested \$100 million-plus in VIFM since the 2021–22 state budget. I am just pointing that out as a factual statement, because one can see that that is a significant investment, as is appropriate when you look at the seriousness of the matters which VIFM has responsibility for. The purpose of that investment has been to enable VIFM to build its capability and essential service delivery, including through the addition of magnetic resonance imaging capability, infrastructure improvements and a new case management system.

The boost in funding has also enabled VIFM to continue its transition to a new clinical forensic medicine service delivery model across metro and regional Victoria, factoring in, without being too blunt on the issue, that crimes can occur anywhere in the state, hence the need for service delivery. I am stating the obvious, but just to emphasise that whether it occurs within a metro context or a regional context it is about guaranteeing that forensic medical examinations can be available to victim-survivors of sexual assault on their terms 24 hours a day, seven days a week. So you can see that when it comes to having a model that is able to be replicated across the state, there has been a concerted investment, because it is recognised, the importance of providing such a critical area of service delivery, among many aspects and matters that the service has to deal with.

How does the bill operate? It replaces the current Victorian Institute of Forensic Medicine Act 1985 as VIFM's enabling legislation, noting that VIFM's enabling legislation has not substantially changed in over 30 years, despite the expansion of its services and changes to public governance best practice.

I am probably going to go contra a couple of points that were made there about ‘Why governance now?’ Well, 30 years have transpired. I think it is good and proper and it is timely to be able to bring about these changes. Furthermore, VIFM’s statutory objectives and functions have been updated in an ad hoc fashion over time to reflect its service expansion, resulting in a disjointed expression of and confusion about VIFM’s responsibilities and priorities. The reason I am making that point is that it shows there is a direct imperative to make these important changes that we are bringing about in the chamber today.

Moreover, the question was posed, ‘Why these changes?’ The current act does not provide guidance on how VIFM can use or disclose data and information for purposes other than the primary purpose of collection. So again here we have a very important and good opportunity to provide clarity where it is needed. To date, prior to this bill – and I am anticipating the positive passage of this bill, but of course that will happen as it happens – the legislation has limited VIFM’s ability to use data collected to support important public health policy and research. One of the best ways to improve service delivery and outcomes of course is to be able to properly assess the functioning of the body or the service that is being delivered, and hence data collection and information sharing – I should say, with important caveats built into the system – are appropriate if we are to continue the process of reform in this space.

What changes to the current act does the bill introduce? The reforms will modernise VIFM’s enabling legislation to assist VIFM to meet community expectations and reflect its role in supporting government, the coronial and justice systems and VIFM’s engagement with other service users and partners. They will enable VIFM to operate from a more contemporary foundation, enhancing its independence to better perform its critical role in the justice system, and there within itself you can see, as I have emphasised, that the point of independence is to ensure that it does have exemplary standards of public service delivery.

The bill also introduces principles that will guide VIFM in exercising its powers and functions. I think this is a really important element. When I attended a panel that VIFM undertook a few months back, what was very apparent and certainly a priority for the organisation – and I say that objectively – was that they reflect a people-centred approach to service delivery and require the highest quality clinical governance and rigour. That probably goes without saying because we know the ramifications of the outcomes of the testing and so forth that are undertaken when you are looking at forensic medicine. But I think it is important to state that because that is certainly an important element of reform in this space.

I should also note, when we are looking at what VIFM has to have regard to in terms of guiding principles, that they include a requirement that the diverse needs of Aboriginal people should be recognised, as should the importance of their connection to culture, family, community and country and the importance of self-determination to Aboriginal people. For example, this may include giving consideration to culturally sensitive ways of engaging with the families of deceased Aboriginal people. There are many more aspects to this legislation, but I am just pointing out the very nuanced, important and timely elements when we are looking at that issue of meeting community expectations – evolving community expectations, can we say. Hence I proffer that the governance and guiding principles amendments in this bill are important and are significant, and the significance of those elements should not be diminished for the point of trying to pick and find elements of the bill for the sake of debate. I think it is important that we do adhere to what are well-grounded and well-founded elements of the reforms being brought about.

The principles also require any person performing a functional power of VIFM to have regard to, as far as possible, meeting professional standards relating to scientific integrity and ethics; pursuing benefits to the community and the justice system; recognising the significant nature of the events to which the institute’s services relate and the need to be sensitive and responsive to persons affected by those events; promoting public health and safety; promoting the administration of justice; respecting the cultural beliefs – and I have already spoken to some of those specifically in regard to our Aboriginal

community – of persons affected by the events to which the institute’s services relate; and as I was saying before, recognising the diverse needs of Aboriginal communities and so forth. So we can see that when we are talking about making a much more contemporary and responsive grouping of principles that underpin the organisation, I think it makes good sense when we read through them and see why these changes are being brought about today.

Tim McCURDY (Ovens Valley) (15:41): Let me follow on from the comments made by the member for Malvern. I want to commend him for his in-depth, thorough and full understanding and description of the bill for us. It certainly lays the foundation for us as those on this side speak on this bill. As we know, it is the Victorian Institute of Forensic Medicine Bill 2024, and it will replace the Victorian Institute of Forensic Medicine Act 1985. As the member for Malvern alluded to, this Labor government does not always get it right first time round, and that is why he has suggested a reasoned amendment. That reasoned amendment is that:

... this house refuses to read this bill a second time until the government:

- (a) properly consults with the medical profession in Victoria on the Victorian Institute of Forensic Medicine;
- (b) ensures that victim-survivors of sexual assault can obtain timely forensic medical services; and
- (c) improves safeguards for the use and sharing of personal information held by the Victorian Institute of Forensic Medicine.

I do hope that the government considers this reasoned amendment as we push through this week. It is important that we get these things right rather than coming back and fixing them up one or two years down the track.

In terms of the substance of the bill, as I said, the Victorian Institute of Forensic Medicine has been around since 1985, and it provides forensic, medical and scientific advice and expertise to the justice system, which is very important. In 2023, as the member for Malvern suggested, the government conducted a review into the VIFM act to determine if it is still fit for purpose. The review has taken place, but it was not released – and not surprisingly, with the secrecy that surrounds this government. Quite often we see with this government that these reviews that are conducted are not released, and how can we tell? When we talk through these changes, hopefully improvements, how do we know if we are getting it right in this legislation? Without seeing this review, it does make things difficult, so I urge the government to try and be more transparent. If you want us to support legislation, you must be more transparent to help us understand what these reviews say so we can stand here hand on heart and speak with you, with the government, rather than moving a reasoned amendment because we do not know what is in that review.

In 2021 the Victorian Law Reform Commission handed down *Improving the Justice System Response to Sexual Offences*. In that there were a couple of recommendations:

- to extend access to forensic medical examinations across Victoria, including by the increased use of forensic nurses
- to give victim survivors the option of a forensic medical examination, without requiring a report to the police.

So again there are more recommendations, and let us hope that they will get implemented through this bill. The government has said that it has provided \$19.5 million in the 2023–24 budget to support VIFM’s transition, and let us hope that comes to fruition.

I would like to focus on clause 8 and highlight a couple of the objects. The bill will provide or assist in the provision of forensic services and human tissue services, as far as practicable oversee and coordinate the provision of forensic services in Victoria and assist the Coroners Court with its functions under the Coroners Act 2008. Of course it will also contribute to reducing the number of preventable deaths and, finally, contribute to the development of knowledge in regard to forensic research and assist in the provision of teaching and training. I am pleased to see the government supporting the institute in terms of reducing the number of preventable deaths, because as we know, our streets at the moment in Melbourne are not very safe, and we want to do all we can to reduce these

preventable deaths. We certainly see it in the youth crime sector at this stage, and it is quite frustrating for both VicPol and communities. Anywhere we can look at preventable deaths it is certainly a positive way to go.

I also want to look at clause 9. There are various functions of the institute, and they include to conduct medical examinations at the direction of a coroner and to conduct forensic medical examinations in respect of deaths, other than reportable deaths, for purposes consistent with the objects of the institute. It will also receive reports of reportable and reviewable deaths that are referred to the coroner, and it will receive requests for investigations into fires and refer those to a coroner. There is a whole list of these functions through clause 9 that are quite sensible and practical. It will also provide clinical forensic medicine services to Victoria Police, the Coroners Court and other relevant entities and carry out actions in relation to human tissue. They are just some of the parts of clause 9 that I wanted to highlight to ensure that they will make it into the act, and as I say, they will certainly help as we move forward.

Clause 11 is around board appointments, and the member for Malvern talked about that, with general governance.

Clause 34 is around the disclosure of information and notifying the coroner. I note that the Law Institute of Victoria expressed concern at the use or disclosure provisions that relate to individuals' information. In particular the Law Institute of Victoria notes that both clauses fail to introduce any requirements for consent of individuals or next of kin where the individual is deceased. The Law Institute of Victoria also notes concern around failure by the Chief Commissioner of Police or the State Coroner to respond within the 21-day period. Does that mean consent is given or not given, if that 21-day time lapses? Some clarification or clarity on that would be very useful, and one of the government members might be able to help me with that in their contribution.

That brings me to the reasoned amendment. As I mentioned – and I read that out before – there are three parts to that. Although governance changes are a step in the right direction from the 1985 legislation, there are still concerns that we have, and that is why we have moved this reasoned amendment.

The AMA do have some concerns. As I said, the Law Institute of Victoria has concerns. Hence I encourage the government: do not be arrogant, do not think you know it all. Consider the reasoned amendment and think about what somebody else has to offer on this side of the chamber. Let us face it, if you had done that with the Commonwealth Games you could have saved Victoria \$600 million. Sometimes it is about listening to others, not just listening to those in your little room. Again, I commend the member for Malvern on his work. As I said, I hope the government does consider this reasoned amendment and listens to the member for Malvern, because it is quite a practical reasoned amendment, and I do support that reasoned amendment going forward.

Katie HALL (Footscray) (15:49): I am very pleased to make a contribution on the Victorian Institute of Forensic Medicine Bill 2024 and would like to start my contribution by noting that the VIFM is a truly world-class organisation operating here in Victoria. This legislation is designed to enhance its capabilities and the quality of service that it provides. Its ability to accurately collect and analyse forensic data is a crucial part of our justice system, and I first encountered its work when I worked for Victoria Police and then during my time with the organ donation service, because of course the Victorian Institute of Forensic Medicine also manages the tissue bank, which is another vital service provided to Victorians for tissue donation.

As technology has evolved so has the scope of the work undertaken by the VIFM. Changes to the governance structure of the organisation will better reflect changes to the role that the VIFM now plays in our criminal justice and medical systems. Best practice operations in critically important services can only be achieved through best practice governance, and the VIFM has not had any formal changes to its governance structure in several decades. In this time what constitutes best practice governance,

particularly within the public service and the public sector, has changed significantly. This bill would see the VIFM governed, like many government organisations, by a board of experts. By replacing the current VIFM board with a technical skills based board, we can ensure that it reflects the current governance standards for public entities, including supporting good service delivery and accountability.

As I mentioned before, one of the great services provided by the VIFM and one that we can be enormously proud of with their expertise is the life-saving work of the tissue bank. The Donor Tissue Bank of Victoria has supplied nearly 20,000 people with tissue transplants and grafts since its inception in 1989, and from everyday operations to assisting victims of bushfires and road accidents the work undertaken by all in this space is critical. I would like to extend my thanks on behalf of my community in Melbourne's inner west to all of the staff and the team at the tissue bank who do this crucial work for Victorians. These legislative changes will help ensure that the scientists, the surgeons, the pathologists and all of those undertaking the important work of the VIFM are supported to the greatest extent possible.

This bill seeks to exemplify the contemporary standards of public sector governance and service delivery and will help the VIFM maintain its status as a world-leading forensic medical institute. What this bill will do is replace the Victorian Institute of Forensic Medicine Act 1985 – I was three years old when that act was introduced – as the Victorian Institute of Forensic Medicine's enabling legislation. The bill will support the VIFM in maintaining its status as a world-leading forensic medical institute. It will replace the 1985 act and clarify the VIFM's objects and functions to improve alignment with their current service offering. It will reform the VIFM's governance structure by replacing the current board with a skills-based board to ensure that it reflects the current governance standards. It clarifies when and how the VIFM may use and disclose information for purposes other than the primary purpose of collection. It clarifies the VIFM's employment arrangements, including the transfer of Victorian public service staff from those being employed by the Department of Justice and Community Safety to those being employed by the VIFM. It strengthens and clarifies the VIFM's support role for government, for the coroner and for the justice systems and amends other legislation that will support and complement the reforms.

This work I think continues on the government's record \$100 million-plus investment in the VIFM since the 2021–22 state budget to enable the VIFM to build its capability and essential service delivery, including through the addition of MRI capability and infrastructure improvements and a new case management system. The boost in funding has also enabled the VIFM to continue its transition to a new clinical forensic medicine service delivery model across metro and regional Victoria, guaranteeing forensic medical examinations can be available to victim-survivors of sexual assault on their terms 24 hours a day, seven days a week, and that is incredibly important work and a very important addition to their capability.

I would also like to just note why these reforms are needed now. As I mentioned, the enabling legislation has not changed in over 30 years despite the expansion of its services and changes to governance best practice. Furthermore, the VIFM's statutory objects and functions have been updated in an ad hoc fashion over time to reflect its service expansion, and that could potentially lead to some confusion around roles, responsibilities and priorities. The current act does not provide guidance on how the VIFM can use or disclose data or information for purposes other than the primary purpose of collection, and this limits its ability to use data it collects to support important public health policy and research such as tissue donation.

I would also like to mention with the time I have available and again commend the work of the Legal and Social Issues Committee in their recent inquiry, led very ably by the member for Lara, on organ and tissue donation. I think it is one of those areas in Australia we do not often like to talk about, because obviously it is a fairly confronting thing to talk about organ and tissue donation, but that inquiry, I think, as well as this reform just emphasise the Victorian government's commitment to supporting this important sector and supporting the clinicians who work in it and of course the donor

families, because often when someone cannot be an organ donor they can still be a tissue donor. Tissue donation is an absolutely crucial part of the system, and I would also like to acknowledge the families of tissue donors who have generously consented to donating their loved ones' tissue for life-saving and life-changing support of other Victorians. That of course is all enabled by the tissue bank's work, and it is quite a remarkable institution we have here in Victoria and one that should be celebrated and provided every support possible by the Victorian government to do that crucial work. So again I would like to acknowledge and thank everyone at the VIFM and everyone at the organ donation service for the work that they do with the tissue bank, and I commend this bill to the house.

Cindy McLEISH (Eildon) (15:59): I rise to make a contribution on the Victorian Institute of Forensic Medicine Bill 2024 and note that this is another bill that the coalition are putting forward a reasoned amendment for, which was put forward by the member for Malvern, because again the government have failed to do all of the work that is required to satisfy not just us but the stakeholders that they have uncovered every stone and they have done all that they can to make this bill the best bill that it can be. The bill that we have before us repeals the Victorian Institute of Forensic Medicine Act 1985 and establishes the Victorian Institute of Forensic Medicine; it sounds a little bit confusing, but that is what it does. It has not had much of an overhaul, really, since 1985. A number of the issues and things that have reared their heads over that time are being addressed, but certainly not all. I draw your attention to the second-reading speech, in which the minister at the time said:

Government also conducted a review of the VIFM Act to ensure it remains well positioned to continue to provide best-practice forensic services.

That is all well and good. He is telling us that, but we have not seen that evidence. We have not seen a copy of that review. I am unclear as to why that is the case, because if you understand from the review point of view what has happened, what has been uncovered, the sorts of things that were looked at and what was not looked out, it helps you form your view about whether or not this bill is in fact the best that it can be. He went on to say:

The Bill implements key findings from the review and is the final plank of reform for this vital service.

Given those comments, you would think that the opposition would have nothing to be concerned about, nor would the stakeholders, but it appears that a number of stakeholders do have concerns, whether that is the medical or the legal profession. There have been a few issues down at the institute. They have got some great workers, but unless it is adequately funded, these issues will not be addressed. The second-reading speech also mentions that:

The Bill will support VIFM to maintain its status as a world-leading forensic medical institution.

There have been a couple of failures there, which I will talk about a little bit later, that show that at the moment, because of that lack of funding, it is not as good as it can be, and I am not sure that the minister who introduced the bill was aware of all of that.

The key features of the bill include the introduction of principles to guide the institute's work. There is a new governance structure, and it outlines a number of those factors. There are the guiding principles. There is the establishment of a stakeholder advisory group in clause 20. It seems to be a little bit of a theme in a lot of bills that there have been these stakeholder advisory groups – I see that there is one at Puffing Billy, there is one at alpine resorts and we have got one here. But it does not really give us a lot of the detail about what that stakeholder advisory group is to do. Clauses 8 and 9 clarify some of the objects and functions. There is information about transitional arrangements for staff going from the Department of Justice and Community Safety (DJCS) to the VIFM and an information-sharing framework.

I just want to outline a little about what sort of work is conducted there. We have clinical forensic medicine, which is a sexual assault examination – this is made at the request of Victoria Police – and it is supposedly done in a timely manner in a safe environment. These are exceptionally traumatic times for anyone who is undergoing or who has had a sexual assault, particularly rape victims. They

have crisis care units in hospitals and in multidisciplinary centres, and it is so important that the collection technique is right, that cut-off times are right and that cross-contamination is reduced. Also, not just sexual assault but physical assault victims are dealt with here – family violence victims, sometimes the alleged perpetrators – and this is around documenting injuries and collecting evidence, which could include blood and urine samples. Other services include forensic pathology or radiology, and these are what we often know around the medico-legal aspect of looking at unexplained or unexpected deaths – the investigations and examinations. I think a lot of people have seen the TV shows and have a bit of an understanding about what that looks like. There are times that there are very unexpected deaths, sudden deaths and deaths from external causes. This sort of work takes up a little bit of the time, but there is also a lot of work that is done on prevention of death and injury to help prevention in the community. Both of those areas – the forensic pathology and the clinical forensic medicine – help provide that independent forensic medical and scientific expertise to the justice system.

I have not mentioned that this sits under the Department of Justice and Community Safety, and I think it is important to just remember that at the moment. I have outlined some of the work done in the donor tissue bank, so you will understand why it is important to know where this sits and the shortcomings of that. We have mentioned that the act was first established in 1985. The donor tissue bank was established in 1989. I was a member of the Legal and Social Issues Committee that looked into increasing the number of registered organ and tissue donors, and there is a lot of information that is not known about tissue donation – what can be done and how many lives can be improved through tissue donation. We have tendons, ligaments, skin and heart valves, and skin donations are so important for burns victims. When we have major events like Black Saturday, where there were many, many people who were burnt, or even the New Zealand earthquakes, there is not enough skin in the tissue bank in Victoria, so they have to import it from overseas. You would not think that. We visited the tissue bank as part of our inquiry, and it was particularly enlightening. Equally, the Lions Eye Donation Service actually facilitates the retrieval of corneas for life-saving eye surgeries.

Whilst we have this established, there are a number of failures. Firstly, the donor tissue bank, as I have said, sits in the department of justice, and the connections between the department of justice and the Department of Health are not as good as they could be. They were very critical of where they are established. In fact we made two recommendations around this: that DJCS and the Victorian health department better support DonateLife by increasing the understanding about tissue donation in the medical community and publicly report on progress. This is because it is under the department of justice, and they are missing some of the key elements out of the Department of Health. When you look at the reasoned amendment put forward by the member for Malvern, one of the points is that it properly consults with the medical profession on the VIFM, and that is so important, because we have heard of the failures. Recommendation 37 was also about facilitating better sharing of hospital medical records and patient information with the tissue bank because you might get better relationships and you might get better outcomes. The bill before us fails to look at that very unique interaction between justice and health, and I think that there could have been work done in that space.

Also we have had failure in the clinical forensic medicine space. A couple of years ago there was an extensive report done by the ABC and Richard Willingham, who is known to most of us, on some of the issues of sexual assault victims. It talked about Grace Stewart. Grace had been raped in January of that year, and it took her hours and hours to think about whether or not she would do something about it. She sat in her soiled clothing, then she thought, 'I'm going to go and do it.' She went ahead and then had to wait another 15 hours to be seen. When we have got the minister talking about this being world-leading forensics, we can do better in this space. The governance arrangements need to make sure we have these strong links between the health system and the justice system and that people like Grace do not have to wait for 30 hours in total between when the incident has happened and when she was examined. If there is a problem with the workforce, if there are not enough workers and doctors available, this is indicative of a lack of funding. I do not see that governance arrangements are really going to fix this. I would like to see where we do not have those that have suffered from violent sexual

assaults having to wait too long. It is a very big deal for somebody to come forward. It is very difficult for people to come forward. We need better access to forensic examinations to support those women who have been assaulted violently.

Josh BULL (Sunbury) (16:09): I am pleased to have the opportunity this afternoon to contribute to debate on the Victorian Institute of Forensic Medicine Bill 2024. Before I go to some of the changes that are contained within this bill before the house, the VIFM bill, I do think it is an important opportunity to put on record this government's determination and commitment to community safety. Striking the balance between community safety and fairness and opportunity right across our state and right across our community is of course something that we on this side of the house will continue to work very hard to deliver. We will of course, as we have done consistently, take the advice of experts, of agencies and of all of those people that I have heard others mention in their contributions this afternoon who do what is a very important job for our state and for the community and who work right across our justice system – Victoria Police and its agencies as well – when it comes to dealing with what are complex matters within our state.

I am certainly not going to spend any longer making comments about some of those opposite than I need to other than to say what we have seen both today and consistently, time and time again, whether it be in question time, whether it be in other opportunities throughout debate, is those opposite playing politics instead of putting people and community safety first.

Steve McGhie interjected.

Josh BULL: We have seen that, sadly, for the Victorian community time and time again – not just this week, member for Melton, not just this year, but for a very long period of time. What the people of Victoria deserve is of course a sensible government that makes practical decisions, a balance between justice and opportunity and a team that will, as I mentioned earlier, work with our outstanding agencies that do some amazingly important work that is indeed very challenging each and every day within our local communities, not being driven by blind ideology or making a whole series of illogical decisions but actually working with those that work in justice, those that work with Victoria Police, each and every day to make sure that people within our community are supported. We of course are determined to strike that critical balance.

What this piece of legislation is doing – and others have taken the opportunity this afternoon to go to a range of these matters – is of course bringing into line a series of changes to the Victorian Institute of Forensic Medicine, the VIFM, to effectively bring in a range of governance arrangements that are going to help their work in a whole range of different ways, which others have mentioned as well. Making sure that we are providing the tools and the resources to this agency is something that is very important.

The previous piece of legislation that governed the arrangements of the Victorian Institute of Forensic Medicine was – and others have mentioned this in their contributions – brought into the Parliament in 1985. The Victorian Institute of Forensic Medicine is – and this is quoted, I should say, directly from their website:

... an institution focused on forensic medicine, serving the community and the justice system. Our statutory responsibilities are to provide independent forensic medical and scientific expertise to the justice system, tissue for transplantation, and to both teach and undertake research that will benefit the community.

What I think we have sought to do with in this bill is support the VIFM in exemplifying contemporary standards of public sector governance, which we have done with other agencies as well, and service delivery, maintaining of course what is a world-leading forensic medical institute. The bill will replace, as I mentioned earlier, the Victorian Institute of Forensic Medicine Act 1985 as the Victorian Institute of Forensic Medicine's enabling legislation. The bill goes on to support, as I mentioned, the world-leading forensic medical institute in making sure that those governance arrangements do enable the important work to be done each and every day.

What we are seeking to do is change legislation that has been on the books – those governance arrangements – for over 30 years, making sure that the service, the changes and the arrangements that are in place support that critical work not just within the agency but also in the way that the agency relates, of course, to the justice system. It is an incredibly important piece of work.

There are a number of changes in the bill, and I will rattle those off in the relatively short time that I have: to replace the Victorian Institute of Forensic Medicine Act 1985, which I mentioned; to clarify the VIFM's objects and functions to improve the alignment with the current service offering; to reform the governance structure, which I also mentioned, by replacing the current board with a skills-based board to ensure the reflection of current governance standards for public entities, including supporting good service delivery and accountability and including the establishment of a new CEO role; to clarify when and how the VIFM may use and disclose information for purposes other than the primary purpose of collection; to clarify the employment arrangements, and that includes the transferring of Victorian public service staff from being employed by the Department of Justice and Community Safety to being employed by the agency; to strengthen, clarify and support the role for government; and of course to amend other legislation to support and complement those reforms.

As I mentioned earlier – and other members have gone to some of these points in their contributions – we will be a team that will continue to engage with all of those agencies doing important work within this space and of course all of the others right across all of our portfolios. For this specific piece of legislation, we indeed worked closely with a number of key stakeholders – the Coroners Court of Victoria, Victoria Police, the Aboriginal Justice Caucus and other government departments – to make sure that much of that homework, much of that listening if you like, was done to ensure that these arrangements, as I mentioned earlier, which have been on the books for some time, continue to support the science, the research and the investment so that we have a body that can function in the very best way in what are in so many instances the most important of matters and that is able to get this right. There should not be – there may be, but there should not be – any debate about the importance of the work that is done and how important it is within these matters to ensure that the great work that is being done by all of the staff is to be commended and supported.

What we know is that these matters often, in so many ways, affect lives and go to the heart of community safety and issues within our community. We will continue to be a team that will deliver all of that support in each and every way that we can. I am really pleased to say that at each and every opportunity that we have occupied the government benches we have always strongly consulted with and listened to those that are close to science, those that work in science and the people that provide all of the research to government, to ensure that we are bringing what is important legislation to the house – and not just legislation but decisions, initiatives, programs and projects that make our Victorian community better and stronger and fairer. That is the team that we will continue to be.

I want to acknowledge, in the final 20-odd seconds that I have left, all of the work that has been done to bring this bill before the house. That work is really important. It is something that I know is valued. It is something that is valued within all of our communities, and I certainly take the opportunity this afternoon to commend this very important bill to the house.

Emma KEALY (Lowan) (16:19): I rise to speak in support of the reasoned amendment put by the member for Malvern on the bill we are debating today, the Victorian Institute of Forensic Medicine Bill 2024. A particular element of the member for Malvern's amendment really goes to the fact that we need to consult with the medical profession when it comes to devising what the future of the Victorian Institute of Forensic Medicine or another alternative authority might look like. This is so important because it is actually based on the findings of a government report, *Improving the Justice System Response to Sexual Offences*, undertaken by the Victorian Law Reform Commission back in September 2021. It shows that there are many, many elements that are lacking when it comes to, particularly, responses to those who have been subjected to sexual assault and rape and how they are dealt with by the health system. Even reading through some of the notes that were provided to us to brief us around the reasoning behind this legislation, you cannot help but feel sick to your stomach at

how women are still being treated in this state, how unresponsive our system is when it comes to rape and sexual assault and how it is still the victims who are the ones who are treated horrifically. It is the victims who are often forgotten, and it should never, ever be government systems that are further perpetrating any trauma or grief or an extension of any assault which has taken place.

It is disgraceful to read through an ABC news report from back in 2021 and to read the quotes and the commentary from a woman who was made to sit and stay in her soiled underwear and to keep her same clothes on for the purposes of collecting evidence but unable to access a forensic doctor or a forensic nurse for an examination for 30 hours. There will be some people within this chamber, there will be some people who review this who might be in the gallery today, there will be some people watching from home and there will be some who perhaps catch up on this at a later stage, but for anyone who has been sexually assaulted – from the women that I have spoken to and from my own experiences – I can tell you the first thing they are going to feel like is having a shower. The first thing you want to do is completely wash off any feeling of association with the grub who sexually assaulted you or raped you. To read a quote:

It made me feel icky. It was definitely gross, because you want to try and get the experience off you.

This is not a unique situation or scenario for women in the state of Victoria, and yet the legislation we have got before us today does not deal with this issue; it does not deal with the horrific statistics of the number of women who are raped and sexually assaulted in the state of Victoria and yet cannot access a forensic doctor or a forensic nurse in the right place at the right time and are being forced to wait. As a result, so many times victims of rape and of sexual assault would prefer to have a shower and start dealing with their own recovery in their own way rather than hold their perpetrator to account – to wait for 30 hours feeling gross but knowing that they have to put up with that for the off chance that they will get evidence collected that would enable police to press charges and then have a jury decide that it was actually rape or it was actually a sexual assault. The hurdle is too high. The hurdle is far too high in Victoria.

I will refer to statistics from 2021. These statistics were reported in that same ABC report I referred to earlier, which is entitled ‘Victims of violent crime forced to wait for forensic examinations in Victoria due to “dire” shortage of doctors’. In 2021 according to the Victorian Crime Statistics Agency there were 4431 rape cases in Victoria. There were 5919 cases of sexual assault. There were only 404 women who had an examination following sexual assault. There were only 119 women who had a physical examination. This is disgraceful, and this is why I completely support the member for Malvern’s reasoned amendment.

It is essential, to properly deal with this critical issue that we have got in the state of Victoria, that the health sector be consulted. They must be consulted to understand how we can have more doctors and nurses trained in the forensic examinations that they need to be able to offer so we have much, much higher rates of appropriate and timely examinations following sexual assault and rape. There must be more input from the health sector around ensuring that those trained forensic doctors and nurses are in the right place at the right time, because at the end of the day we have got doctors and nurses who know they can do better. We have got a police system which knows that there are women who are not able to access appropriate supports, are not able to have evidence collected, because there is simply no-one available.

This is highlighted as being bad in Melbourne. It is a dire situation the further away from Melbourne that you get, and for my electorate of Lowan, which is in some areas 5 hours from Melbourne, it simply is not an option as to whether you have evidence collected or not. There are enough barriers in place for women to come forward following sexual assault and rape in a small country community where you know everybody, you know the police, you know the perpetrator and you know the people within your community who cross over different community groups and who may be even in your workplace who know about this. It is hard enough to come forward and say, ‘This has happened to me. This is my story. I want to press charges.’ But when you have got an additional barrier in there in knowing

you have to travel sometimes 100 kilometres or more for a physical examination, it is simply too much, and as a result perpetrators are not held to account. Victims never get a sense of justice. They never get to tell their story. So many women do not tell their story ever, because they feel that they are not going to be believed or the justice system will let them down – or, in this instance, the state system will let them down because it has not got enough doctors and nurses trained up to take the simple evidence that will enable a prosecution and a charge to go ahead.

While I understand this bill is taking on board some of the recommendations of the Victorian Law Reform Commission's report, it does not go far enough. It is a disgraceful situation that we have got so many rapes and sexual assaults being reported in the first instance, but the second point is that we have got so, so few women, less than 1 per cent of women – I think it was actually 0.05 per cent of women – who are actually able to access a forensic doctor or a forensic nurse following rape or sexual assault. That is not good enough. The state government is failing far too many women.

The government had an opportunity to do better with this legislation to support women victims of family violence, of rape and of sexual assault, and they have not met that high bar. I do not even think it is that high a bar; I think it is quite a low bar. Victim-survivors should come first. This legislation has not met that. I urge the government to consider the reasoned amendment put forward by the member for Malvern and to understand that there are people within the health sector who feel very, very strongly about this. They know that they can do better. We can all work together to make sure that victim-survivors are extraordinarily well supported in their time of need immediately following the assault but, furthermore, that we support the police, we support our health sector and we make sure that this scenario is stopped for victim-survivors of sexual assault and rape so that it either does not occur or, when it does, we make sure that the appropriate supports are there for them.

Gary MAAS (Narre Warren South) (16:29): I too rise to make a contribution on the Victorian Institute of Forensic Medicine Bill 2024. As we have heard from other speakers in this place, the bill aims to support the Victorian Institute of Forensic Medicine in continuing a high standard of forensic delivery while modernising the role it plays in supporting our government and the coronial and justice systems whilst also ensuring it is fit for purpose.

I might just say at this point it was a great pleasure to be sitting on the Legal and Social Issues Committee last year when the bulk of work was done into the inquiry into increasing the number of registered organ and tissue donors. I did subsequently leave that committee just before the report was handed down, but it was tabled in March of this year. What being on that committee did highlight for me was the incredible work that is taking place in Victoria, specifically in relation to organ and tissue donation. It was really quite insightful to be going down to the tissue bank, which is out in the dark back streets of Southbank, to see the incredible work – the very fast and often quite emotionally taxing work – that is taking place over there to ensure that the loved ones of families are looked after and not further traumatised but also that the life-giving gift is given as a result of all that difficult work that comes through there. It was a really insightful thing to not only go there but also be on that committee and see the fantastic work that is being done in forensics in this state.

The bill also ensures that the Victorian Institute of Forensic Medicine remains a world-leading and best practice service and keeps up to date with fast-changing technological development. It establishes the VIFM as a public sector entity that continues to provide forensic and human tissue services, teaching, training and research. The VIFM undertakes important work, providing services and research that benefit public health and safety and help ensure our Victorian legal system is just too. It may not be the type of service that we see in our everyday lives, and it might not be as glamorous as it is on *CSI*. Just as an aside, speak to any schoolteacher these days and they will tell you that kids want to get into forensics. They want to join the police force but only for forensics; that is what they want to get onto, such is the impact of that show *CSI*. But the work is important, and our health, safety and legal systems would not function without it.

Work carried out by the VIFM is often difficult, and it is not for the faint of heart. People in forensic positions may help families and victims understand what happened in a mysterious crime, undertake medical examinations of victim-survivors of sexual assault and provide expert opinions to the court. When there are questions about a crime, the emotional toll on victims can be even more overwhelming. This legislation proposes streamlined and more sensitive processes to ensure victims and their families receive the necessary support during a potentially traumatising time. The VIFM also assist the Victorian Coroners Court and Victoria Police, and they also undertake necessary research. All those key stakeholder groups have been consulted. Recent research by the VIFM investigated the increasingly high prevalence of technology-facilitated sexual assault. This provided anecdotal observation of the caseload for this new offence, and they were able to modify their practice in response and look into further research.

Our government incidentally has a very strong track record of investment in the VIFM, with more than \$100 million invested in the institute since the 2021–22 state budget. In 2021, \$93.1 million was provided to enable the service to include the delivery of MRIs, infrastructure improvements and a new case management system. In 2023 a further \$19.47 million was allocated to enable the service to deliver its clinical forensic medical service across metro and regional Victoria, with guaranteed forensic medical examinations available to victim-survivors of sexual assault on their terms, 24/7. The government understands the work of the VIFM has a significant impact on public health and safety.

The bill itself replaces the Victorian Institute of Forensic Medicine Act 1985, or the VIFM act, as the Victorian Institute of Forensic Medicine's enabling legislation. It supports the VIFM in maintaining its status as a world-leading forensic medical institute through updated and modern standards of public sector governance and a people-first approach to service delivery. This includes establishing a new CEO role and clarifying when and how the VIFM can use or disclose information for purposes other than primary collection. The bill allows VIFM to use information for the purpose of conducting research or in policy development that establishes clear safeguards to ensure the sharing of information is tightly controlled. These safeguards include that the VIFM must notify the State Coroner or Chief Commissioner of Police, depending on a proceeding or investigation, to ensure use of information and that that will not cause prejudice.

It also strengthens and clarifies VIFM's support role for government and the coronial and justice systems. The bill introduces guiding principles that ensure VIFM exercises its power and function not only with sensitivity but with due consideration as well. It does that in a couple of ways: through ensuring anyone performing a power under the VIFM act has regard for professional standards and scientific integrity to promote a just legal system and public health and safety; and secondly, it requires the respect of cultural beliefs and of religion, including that of First Nations communities and their connection to culture, country and family as well.

So why are these reforms needed then? The reforms provide a much-needed update to legislation that really has not changed much in over 30 years, despite the state's significant growth and scientific progress that has been made in forensic medicine. It will streamline the VIFM's responsibilities and its priorities. The way that the current act sits, it does not provide guidance on how the VIFM can use or disclose data, limiting the ability to use it for crucial public health policy and research as well. The bill comes after a review of the VIFM act, which was conducted in 2023 by the Department of Justice and Community Safety, with key findings being implemented.

In conclusion I will say that the Allan Labor government understands the need to modernise the Victorian Institute of Forensic Medicine and bring it up to the contemporary standards that all Victorians expect. We recognise the crucial work that the VIFM undertakes in supporting the whole Victorian community through not only its services and its delivery of those services but its reporting mechanisms as well. And finally, the government recognises the research that they undertake not only impacts our state but also contributes to the global understanding of forensics in public health and criminology. I commend the bill to the house.

Brad ROWSWELL (Sandringham) (16:39): I also stand to address the Victorian Institute of Forensic Medicine Bill 2024. In doing so I commend the contribution of my colleague the Shadow Attorney-General and member for Malvern, who undertook a comprehensive analysis of the opposition's perspective on this particular bill. I thank my colleagues the member for Ovens Valley, the member for Eildon and the member for Lowan as well. The Victorian Institute of Forensic Medicine was established via the Victorian Institute of Forensic Medicine Act and has been operating since 1985. The institute is principally responsible for providing independent forensic, medical and scientific expertise to the justice system and for both teaching and undertaking research for the benefit of the community. In 2023 the government conducted a review of the VIFM act to determine whether the act was fit for purpose, the findings of which this bill seeks to implement. It is noteworthy, however, that the government to date has refused to provide or make public a copy of that review, so the bill before us today is taken more or less at face value and in good faith that the government in formulating this bill has remained faithful to the recommendations that came from that review.

The Victorian Institute of Forensic Medicine Act 1985 was originally introduced as the Coroners Bill (No. 2) by then Labor MP Jim Kennan in 1985. It was renamed after the ascent of the Coroners Act in 2008. In September 2021 the Victorian Law Reform Commission (VLRC) handed down its report *Improving the Justice System Response to Sexual Offences*. Recommendations relevant to forensic medicine include that:

The Victorian Government should, as part of the Sexual Assault Strategy, develop measures:

- a. to extend access to forensic medical examinations across Victoria, including by the increased use of forensic nurses
- b. to give victim survivors the option of a forensic medical examination, without requiring a report to the police.

Notwithstanding these recommendations, in September 2022 the ABC reported that the forensic examination system in Victoria is failing victims. One victim-survivor of sexual assault was forced to remain in her soiled clothing for 30 hours due to the unavailability of a forensic doctor to see her after reporting her sexual assault to police. The report also noted that doctors at the VIFM had lodged complaints with WorkSafe about dangerous working hours. That ABC report, in my view, should be a watershed moment for every Victorian concerned with these matters. In 2022, the ABC report stated that forensic doctors undertook 404 sexual assault exams and 119 physical assault exams. But in that same year crime statistics tell us that in Victoria there were 4431 rapes and 5919 indecent assaults, so of the 4431 rapes in Victoria in that year there were only 404 sexual assault exams undertaken. Of the 5919 indecent assaults in 2022 there were only 119 physical assault examinations undertaken by forensic doctors. I think this speaks to something much more important perhaps than what we are considering here at the minute, and that is the availability of such services for Victorians when they need them. Perhaps there is a question here about not just the availability of but the resourcing for such services that Victorians rely upon. It should be to our great shame that these statistics are before us today. All credit to the Australian Broadcasting Corporation for bringing these very, very damning statistics to the fore.

The government claimed that it provided almost \$19.5 million in the 2023–24 budget, including some \$7.5 million in ongoing funding, to support the VIFM transitioning to a new clinical forensic medicine model. I guess the question I have in relation to that is: what is the guarantee that the government can give Victorians who are victims of sexual assault and physical assault that this government funding will indeed deliver for them the security, the safety and the certainty that they require at the time at which they require it?

There are a number of clauses in this bill which aim to strengthen the act, and I commend those. Clause 4 outlines that persons should have regard to principles relating to professional standards, clause 8 outlines the objectives of the institute, clause 9 sets out the functions of the institute and clause 10 sets out the powers of the institute and so on and so forth. But again, given that watershed moment of that 2022 ABC report, given that in the member for Malvern's analysis and inquiry in

relation to the opposition's positioning on this bill he spoke to the Australian Medical Association and he spoke to the Law Institute of Victoria, both of whom raised what we see as legitimate concerns relating to this bill, I wholeheartedly support the member for Malvern's reasoned amendment.

The Australian Medical Association outlined to us that their main concern arises from them not being adequately consulted on this bill, that they believe the bill should have a greater health focus and that it is in fact drafted as a justice bill instead of having a specific health focus. The Law Institute of Victoria had concerns regarding use and disclosure of information pertaining to individuals. They do not believe that legislative safeguards are sufficient et cetera. That is why I wholeheartedly support the member for Malvern's reasoned amendment, which seeks to refuse that this bill be read a second time:

... until the government:

- (a) properly consults with the medical profession in Victoria on the Victorian Institute of Forensic Medicine;
- (b) ensures that victim-survivors of sexual assault can obtain timely forensic medical services; and
- (c) improves safeguards for the use and sharing of personal information held by the Victorian Institute of Forensic Medicine.'

I believe that the member for Malvern's reasoned amendment is entirely sensible and entirely pragmatic. I would commend it most wholeheartedly for the government's consideration. This issue, this matter, before the chamber today is far too important to get wrong, and it is far too important for us to not do the very best we can certainly by those victim-survivors of sexual assault and those victim-survivors of physical assault living within our Victorian community, so I wholeheartedly support the member for Malvern's reasoned amendment.

While the governance changes set out in this bill undoubtedly are a step forward from the 1985 legislation, there remain legitimate concerns that the VIFM is a troubled organisation. These changes will not resolve the cultural and other problems that have beset the organisation. The processes around the use and disclosure of individual information are not as tight as they could be, and this bill, in our view, will not fix the problems with the VIFM that were identified by the VLRC and highlighted in the ABC's 2022 report. Again, I commend the member for Malvern for his work on this bill and for the reasoned amendment which he has brought before this chamber, and I encourage the government in good faith, given the serious nature of the matter before the house, to consider the member for Malvern's reasoned amendment, to take it on board and to do the right thing by not only those stakeholders but also victim-survivors.

Kathleen MATTHEWS-WARD (Broadmeadows) (16:50): I rise to support the Victorian Institute of Forensic Medicine Act 2024, or VIFM, which will replace the Victorian Institute of Forensic Medicine Act 1985 as the enabling legislation. The act will support the VIFM to maintain its service as a world-leading forensic medical institution and will ensure it can continue to surpass modern standards of public sector governance and service delivery.

VIFM was established in 1985 as part of the Coroners Act of the same year to provide forensic pathology and scientific services to the State Coroner and the Victorian justice system. Since then it has evolved to establish the Donor Tissue Bank of Victoria, and in 1995 it incorporated clinical forensic medicine to examine victims of crime under an agreement with Victoria Police. The forensic services division currently produces over 40,000 forensic reports every year, and the workload is increasing with the growing Victorian population. Key features of the bill include the introduction of principles to guide VIFM's important work, a new governance structure, clarification of VIFM's objectives and functions and an information-sharing framework. The bill implements key findings from a 2023 Department of Justice and Community Safety review of the VIFM act and follows on from over \$100 million in government investment since 2021. The VIFM was provided with \$93.1 million in 2021 to build capacity and service delivery, invest in lab equipment and infrastructure, improve MRI capability and undertake technology updates. In 2023 a further \$19.47 million was invested to move to a model that meets victim-survivor needs and to ensure a sustainable and efficient service.

The expansion of their services over the last 30 years has been significant, and this bill establishes clear functions to clarify the coverage of services provided by VIFM. It will ensure that it remains in a position to support the Coroners Court, Victoria Police and other public entities through its services. This bill will also clarify VIFM's role in conducting research, teaching and training other entities.

When I think of forensic medicine my mind goes immediately to TV shows like *Bones* and *CSI*, finding clues to help the police catch the bad guys in relation to homicide investigations. The reality is though that only around 1 per cent of the work that VIFM's forensic pathology does is from homicide. The VIFM provides the justice system with crucial evidence that underpins safe convictions and appropriate acquittals and physical assault examinations, including victims of family violence who are patients of the VIFM's clinical and forensic medical team. The team are crucial in sensitively obtaining information about the incident from the patient, collecting forensic evidence if relevant and documenting any inquiries. The clinical forensic medicine staff also undertake medical examinations of adult sexual assault victims across the state of Victoria at the request of Victoria Police. This information can assist in determining the cause of injuries and forms the basis of expert medical evidence that clinical staff can provide to the courts. This information is the only independent evidence to support the victim's statement regarding the nature of the assault they suffered and most importantly helps with gaining convictions and gaining justice.

I am proud of the Allan Labor government's budget investment of an additional \$269 million to prevent family violence and to support women's safety through initiatives for prevention, support, early education and information sharing between authorities. The City of Hume in the Broadmeadows electorate consistently records some of the highest rates of violence against women in metro Melbourne compared to other local government areas; in 2020, unfortunately, it ranked second. My recent visit with the Minister for Victim Support Minister Erdogan in my Broadmeadows electorate with members of some organisations who work together as providers for the victims legal service highlighted the important work they do in support for victims of violence. VLS provides free legal advice and support for victims of crime who need help to get financial assistance or compensation and provides counselling and health information and reports for the police.

The visit brought together representatives from Victoria Legal Aid, Northern Community Legal Centre, Women's Legal Service Victoria, Victorian Aboriginal Legal Service, Djirra and civil justice, and all of those organisations do incredible work in Victoria. It was a great discussion, and it is always great to catch up with Jenni Smith, CEO for Northern CLC, who is also on the Broadmeadows revitalisation board and the Broadmeadows station working group with me. The Northern CLC do incredible work in my electorate and provide legal services, community legal education and law reform advocacy to meet the needs of people across the north-west, and I think they are opening a new office in Wallan soon, which will be helpful for your constituents, Acting Speaker Kathage. They are able to advocate for those at a time when they need it most, assist victims in recovery and provide a sympathetic and compassionate approach.

Another important role of the VIFM is their role in toxicology services for Victoria Police. Scientific research conducted at the institute over many years has shown that certain drugs increase the risk of having a collision on our roads. Work conducted in the lab led to the initiation of the world's first random drug-testing program in Victoria in 2004. VIFM continues to collaborate with Victoria Police to identify the range and extent to which drugs and alcohol contribute to road trauma. Their data is vital to the work to increase road safety across our state. The government's *Victorian Road Safety Strategy 2021–2030* seeks to halve road deaths by 2030. The strategy's objectives are to ensure all Victorians are safe and feel safe on and around our roads and to embed a culture of road safety within the Victorian community. The strategy aims to deliver a suite of initiatives that are achievable and have an impact in the short term but also prepare the state for the future. The Labor Victorian budget 2021–22 invested \$385.8 million over four years to deliver a road safety plan tackling the root causes of road trauma and holding repeat offenders to account, with VIFM data being a vital component.

This bill will streamline VIFM's functions and powers to reflect its growth in service and to allow flexibility to evolve over time. The functions I have already detailed are only the tip of the iceberg. It is worth a trip to their website to read the incredible work they do, including assisting families through difficult times through the coronial admissions and inquiries office; the Donor Tissue Bank of Victoria, which collects human tissue grafts for surgical transportation; familial DNA sample collection to try and connect missing persons; human identification services; teaching, training and research; and expert consultancy, to name a few.

Due to the sensitivity of the majority of VIFM's functions, the bill introduces principles that will guide VIFM in exercising its powers and functions. They reflect a people-centred approach to service delivery. These are meeting professional standards relating to scientific integrity and efforts; pursuing benefits to the community and to the justice system; recognising the significant nature of the events to which the institute's services relate and the need to be sensitive and responsive to persons affected by those events; promoting public health and safety, which as you know is a passion of mine; promoting the administration of justice; respecting the cultural beliefs of persons affected by the events to which the institute's services relate; and, importantly, requiring that the diverse needs of Aboriginal people, the importance of their connection to culture, family, community and country and the importance of self-determination to Aboriginal people should be recognised.

The bill also introduces a new governance structure, replacing the current VIFM council with a skills-based board and introducing a new chief executive officer role. The CEO will manage alongside the director of forensic medicine role that already exists under the current act. New board members will be appointed based on knowledge, skills and experience in matters relevant to VIFM's operations, including expertise in the field of forensic medicine or a relevant field of science; commercial, operational, legal or financial matters; clinical governance; the criminal justice system; and any other field relevant to the functions of the board. This will ensure the board has a broad skill set to govern VIFM effectively, and it will be accountable to the Attorney-General.

Finally, the bill introduces an information-sharing framework and sets out clear processes for how information may be used and shared. VIFM collects and creates vital information through its support of the coronial process as directed by the Coroners Court, police investigations and requests by Victoria Police and through carrying out other training and research functions. The current act does not clearly allow for VIFM to use or disclose data and information other than what it was originally intended for: coronial or police use. This limits VIFM's ability to use this data to support public health policy and research, and I think there are real opportunities here with this data; it is very important. The new information-sharing framework will ensure that there are appropriate safeguards in place whilst still allowing VIFM to expand access to information that is of high value to medical and scientific research, public health policy and teaching.

The department of forensic medicine is a world-leading teaching institution and has made major contributions to the international fields of forensic medicine, science and law. The revised safety of the information-sharing framework will allow the VIFM to conduct research and include the ability to communicate their research findings. The results of investigations will benefit the community as well as the justice system. Previous research and development conducted by the VIFM academic programs has significantly contributed to death and injury prevention both within Australia and internationally. I commend the bill to the house.

Jess WILSON (Kew) (17:00): I too rise to speak on the Victorian Institute of Forensic Medicine Bill 2024. From the outset can I commend the member for Malvern for the mountain of work he has put into this bill and for the detailed reasoned amendment he has put forward in the chamber today, and I look forward to speaking on that further shortly. The purpose of the bill is to establish the Victorian Institute of Forensic Medicine and repeal the Victorian Institute of Forensic Medicine Act 1985, to introduce guiding principles for the VIFM and a new governance structure, to clarify the VIFM's objects and functions and to establish an information-sharing framework.

We know that in 2023 the government conducted a review into the VIFM act to determine whether it is fit for purpose. Unfortunately, while the findings of that review form the contents of this bill – this bill seeks to implement those findings – not dissimilar to many other reviews and reports under this government, it has refused to release a copy of that review so that there can be greater transparency around the findings and assurances to the Victorian people that all of the recommendations of that review are being implemented through this piece of legislation. It is disappointing that we do not have greater detail as to what the contents of that review and what the raft of findings and recommendations were, and unfortunately we have to take the government on its word that it has implemented through this piece of legislation the key findings.

The VIFM plays an important role in providing independent forensic medical and scientific expertise to the justice system, and it also has a critical role in the system around teaching and undertaking research. VIFM doctors, nurses and scientists investigate deaths reported to the coroner, examine alleged offenders and medically assess and support victims of crime. It has an incredibly important role within our judicial system and within our justice system to provide that very deep support for victims of crime, particularly victims of some of the most serious offences. It provides crucial evidence that often underpins convictions and appropriate acquittals, and so it is very much a vital element and a very important part of our justice system here in Victoria.

In September 2021 the Victorian Law Reform Commission handed down its report *Improving the Justice System Response to Sexual Offences*. Within that report there were recommendations relating to forensic medicine that included:

The Victorian Government should, as part of the Sexual Assault Strategy, develop measures:

to extend access to forensic medical examinations across Victoria ...

to give victim survivors the option of a forensic medical examination, without requiring a report to the police.

Unfortunately, since that report was handed down the VIFM has failed in its responsibility to promptly provide a forensic examination to at least one victim-survivor of sexual assault. I will come back to this experience shortly, but the experience of that victim-survivor, the experience of Grace Stewart, is incredibly concerning, and unfortunately the bill before us today does nothing to address the myriad concerns that were identified in that case. Since that report was handed down the requirement and the responsibility to provide a prompt forensic examination to victim-survivors of sexual assault has been questionable. It is clear on that basis alone that the VIFM is in need of significant reform so it can be more capable of servicing the needs of the justice system in a timely and effective manner and it can also ensure that it is treating victim-survivors with the dignity and the respect they deserve and need.

While the changes outlined in this bill to the VIFM are important, particularly some of those governance changes that are outlined in the bill, unfortunately it does not alleviate the concerns we have with the cultural problems that have beset the organisation for some time.

We have serious concerns on this side of the house about the lack of consultation with key stakeholders, especially regarding the processes for the use and disclosure of individual information, and also around the lack of consultation with the medical community, given the concerns that victim-survivors have outlined and their own experiences. This bill importantly will not fix the problems with the VIFM that were identified by the Victorian Law Reform Commission's 2021 report, *Improving the Justice System Response to Sexual Offences*, as I have outlined.

The story of Grace Stewart is one that should concern every single Victorian. Grace was forced to endure the consequences of a shortage of forensic doctors in response to the alleged sexual assault that she experienced. She was left and had to wait hours in what she described as bloodied and soiled clothes. For more than 30 hours in total she was forced to remain in that clothing, because there was no doctor available to examine her. Unfortunately, we see that this legislation does nothing to address

these concerns. It does nothing to ensure that there is appropriate resourcing and appropriate funding so that there are forensic doctors and forensic medical staff available.

We know from this experience and from this story that forensic doctors completed 404 sexual assault exams and 119 physical assault exams, but at the same time, Victoria's Crime Statistics Agency data shows that in the same year there were actually 4431 rapes recorded in Victoria and another 5919 indecent assaults. So you can see the disparity there between the number of offences recorded, the number of alleged incidents recorded and the number of forensic examinations that were actually taking place, and this comes back to the severe shortage of forensic doctors and medical staff available to victims of crime and victim-survivors of sexual assault in particular.

That takes me to the stakeholder concerns with this piece of legislation. In particular the AMA have spoken to the fact that they were not adequately consulted and have said that they believe the bill should have a greater health focus, when it is in fact drafted as a justice bill. We need to make sure that the health concerns are brought into this piece of legislation, because at the end of the day it is an organisation, an institute, that deals with victim-survivors of sexual assault and tries to provide that support to victims of crime. But unfortunately, we have seen from stories and we have seen from the review previously from the law reform commission that there is not appropriate resourcing when it comes to providing that much-needed support for victims of crime, and providing that health lens over this piece of legislation should have been the approach taken by the government.

The Law Institute of Victoria has also raised significant concerns regarding the use and disclosure of information pertaining to individuals. They do not believe that the legislative safeguards as drafted in this bill are sufficient, and the fact is that the VIFM must consult with coroners and the Chief Commissioner of Police but not actually have the consent of individuals or the next of kin if an individual is deceased. That is why I strongly commend the member for Malvern's reasoned amendment, which calls on the government to better consult with the medical profession. I note that the AMA, as I said, have significant concerns here about that lack of consultation to ensure that victim-survivors of sexual assault can obtain timely forensic medical services and to improve safeguards for the use and sharing of personal information held by the VIFM. It is very important that we make the VIFM the best possible institution and maintain its status as a world-class provider of forensic services, teaching, training and research. I call on the government to consider the member for Malvern's reasoned amendment to ensure that it does do that and that this piece of legislation goes that far.

John MULLAHY (Glen Waverley) (17:10): It is a pleasure to rise in support of the Victorian Institute of Forensic Medicine Bill 2024. From the outset I would like to thank the Attorney-General in the other place. Her team has put tremendous work into this piece of legislation, and I trust that it will make a positive impact on Victorians.

In debating this bill, it would be remiss of me not to mention the significant investments of this Allan Labor government into both our health and our policing sectors. The importance of supporting our police in their duties and looking after Victorians is not lost on us, and we have invested some \$4.5 billion into Victoria Police. This makes a practical difference on the ground, with more than 3600 new police officers sworn in and protecting our communities. These officers graduate at the incredible Victoria Police Academy. This magnificent facility is located in the heart of my electorate along View Mount Road in Glen Waverley. I recently had the pleasure of joining the Minister for the Prevention of Family Violence and the Attorney-General in the other place at the academy last week to look at the centre for family violence to learn about the incredible work that goes on there. I thank the ministers for their generous time and look forward to continuing to work together in ensuring that the Glen Waverley district is a safe and vibrant community.

Much is said about crime and youth justice, and I want to make a specific point about this topic. The vast majority of young people who commit crimes are suffering from mental health illness, come from an unstable upbringing or are in financial distress. The way in which we deal with these individuals should always ensure that whilst appropriate punishments are handed out, we make every effort to

ensure that they do not live a life of crime. We must do everything in our power to give every child, no matter their background, a hope that tomorrow will be a better day, and we must give them hope that they can get an education, that they can get a good job and that they can live a successful and fulfilling life away from crime. The Premier and many members have on multiple occasions stressed this point, and I also wish to add my voice to this in relation to this bill, as it seeks to improve our justice system.

It is imperative that we work closely with the doctors, teachers, carers, support workers and everyone on the ground to guide our young people onto a path where their sense of belonging is with responsible role models and not criminal gangs. I cannot accept that we should put a blanket label on children who have committed a crime, some still in primary school. They deserve a chance to turn their life around and learn right from wrong and create a better future for themselves. I would ask members opposite to think about the long-term benefits for our state. Instead of a lifetime of jumping from prisons to correctional facilities, these kids could live a life contributing to society. To show empathy in working with our youth who are troubled and unwell is not an endorsement or a condoning of their crimes; criminal behaviour is completely unacceptable, and it must be dealt with accordingly. It is, rather, the opposite. As wrong behaviour is reprimanded, they are encouraged to go down a different route. I strongly believe that good governments can both condemn bad behaviour and find positive pathways for troubled children to follow.

The other component of the Victorian Institute of Forensic Medicine Bill 2024 concerns how the VIFM can improve its service delivery in regard to our medical and health sectors. This government's record of strengthening our hospitals and healthcare system cannot be understated, specifically in the eastern suburbs of Melbourne. The most recent budget entailed an overall package of \$572.5 million for the Monash Medical Centre at Clayton. These major works will include an expansion of the emergency department, a new intensive care unit, birthing suites and operating rooms, and this will provide an additional capacity of 7500 more surgeries and 2400 more births annually. This is especially important for residents in the Glen Waverley electorate, as they directly benefit from having such a world-class medical facility nearby. Further evidence of this government's commitment in backing our hospital system is the fact that since we have come into government we have recruited more than 5000 additional doctors and 13,000 additional nurses.

I must also mention the Allan Labor government's funding of the priority primary care centre clinics in filling the complete void left by the federal Liberal government. This Labor government stepped in to once again look after the wellbeing of Victorians – and a special shout-out to the incredible team at the Glen Waverley Priority Primary Care Centre. It is a privilege that we have a free, high-quality medical care facility in our community.

In specifically referring to the Victorian Institute of Forensic Medicine Bill 2024, I make a special mention of this government's investing in a local mRNA vaccine manufacturing facility down there in Clayton. Victorians did it tough during COVID's one-in-100-year pandemic. We all felt the brunt of strict but necessary measures to keep everyone safe. I distinctly remember we were promised in Victoria that our pathway out of the lockdown was to reach a vaccination threshold, and yet the Morrison government stole our share of vaccines and gave them to New South Wales.

Of course the purpose of this project is not to protect ourselves from terrible governments in Canberra; it is a significant investment to have sovereign vaccine manufacturing capacity in our state. This creates Victorian jobs, boosts the economy, improves research and provides an incredible training opportunity for the next generation of scientists and healthcare professionals. Residents of the Glen Waverley district know that we are building a locally based world-class facility which will change lives for decades to come. Whilst I do not have time to go over every single investment in our healthcare and justice systems, they go to the crux of what this bill is about: replacing the Victorian Institute of Forensic Medicine Act 1985 as the VIFM's enabling legislation.

To understand this bill it is necessary to explore what the Victorian Institute of Forensic Medicine does. The VIFM provides independent forensic medical and scientific services to support the justice system. It is an incredibly important service as it assists victims, families, police and other judicial agencies, and through the changes made in this bill this government is continuing to support the VIFM in its endeavours to maintain its quality and expertise. Since its inception in 1985 the VIFM has consistently provided world-class forensic pathology and medical breakthroughs which have transformed the way it serves the community. This reputation has exceeded Victoria's borders as it has expanded its knowledge nationwide and internationally by building partnerships in nations such as Bhutan, Ukraine, Lebanon and Armenia. The VIFM represents the best of Victoria's innovation and research, and in keeping with this government's proud record of investing in our healthcare and justice systems \$93.1 million was provided in 2021 to expand capacity and improve its infrastructure and in 2023, \$19.47 million was granted to transition to a new service delivery model. From investigating head injuries in sport to researching technology-facilitated sexual assault, this vital program must have the necessary legislative guidelines to ensure that we as a state can maximise its benefits.

This bill clarifies the VIFM's objectives and goals to better align with its current role, as well as modernising its governance structure to ensure that it is fit for purpose and accountable. It also clarifies when the VIFM may or may not use or disclose personal information, and it adjusts the employment arrangements of staff working at the VIFM.

I want to stress the importance of ensuring that when significant pieces of legislation such as these are drafted, extensive consultation must occur, and I am happy to mention that the government worked closely with stakeholders in the development of this bill. The VIFM, the Coroners Court of Victoria, Victoria Police, government departments and the Aboriginal Justice Caucus were all consulted in the collaborative process which occurred.

Victorians deserve and rightly expect the government to invest in innovative methods and to build our sovereign research facilities as well as to expand capacity in both our judicial and healthcare sectors, and that is why I am proud to be part of the Allan Labor government, which does just that. I again thank the minister and her team for their efforts in preparing this important piece of legislation, and I commend this bill to the house.

Jade BENHAM (Mildura) (17:18): I would like to say it is my pleasure to rise today to speak on the Victorian Institute of Forensic Medicine Bill 2024, but again it is one of those topics that I have intimate knowledge of, so I am pleased that I can rise in this place to give a point of view from ground level today. As we have heard from speakers this afternoon, the Victorian Institute of Forensic Medicine was established in 1985, and in 2023 there was a review into the VIFM to determine if the act was in fact fit for purpose. In September 2021 the Victorian Law Reform Commission handed down the report *Improving the Justice System Response to Sexual Offences*, and the recommendations relevant to forensic medicine included that:

The Victorian Government should, as part of the Sexual Assault Strategy, develop measures:

- a. to extend access to forensic medical examinations across Victoria, including by the increased use of forensic nurses
- b. to give victim survivors the option of a forensic medical examination, without requiring a report to the police.

The key point that I take out of point (a) is 'across Victoria' – not just in the city. This stuff is not just city based. The member for Kew raised the point earlier that victim-survivors need to be put at the forefront of policymaking in this space, and that includes out in the regions, where it is hard to find doctors. We have an incredible shortage of medical professionals, including forensic nurses and forensic doctors.

I do want to take a moment though to thank those that work at the Mallee Sexual Assault Unit. Again, this is one of those services in Mildura that we are very, very fortunate to have. The Mallee Sexual

Assault Unit and the Mallee Domestic Violence Services do an incredible job, but they are so overwhelmed with cases. They have been and I have been discussing the urgent need – it was urgent five years ago; it was urgent probably 10 years ago – for a new multidisciplinary centre. We know what an MDC is, but in isolated communities like Mildura, having the sexual offences and child abuse investigation team, the sexual assault unit and the family violence unit all in one place next to the legal precinct, if you will, is vitally important. I thank the Minister for Police, who came to Mildura a few weeks ago to meet with members of Victoria Police and have a look at the site that has been purchased. There are a few planning issues with that site that need to be addressed, but it is a step in the right direction. The staff at the Mallee Sexual Assault Unit, even though there has been a changeover recently, do work that is vitally important, and I thank them for that.

Back to the review: the findings of the review are what the bill seeks to implement, but as we have heard today it falls terribly short. This bill will not help those that have been assaulted get an examination quicker. It will not guarantee the adequacy of funding needed to put more forensic nurses and doctors on the ground, and again this is probably because there has been a very real lack of adequate consultation with those at the coalface. We have heard from those key stakeholders. That concern has been expressed by key stakeholders, which I will get to shortly.

There is a reason that I wholeheartedly support the member for Malvern's reasoned amendment, which I will read to you, because I have got 5½ minutes left:

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:

- (a) properly consults with the medical profession in Victoria on the Victorian Institute of Forensic Medicine;
- (b) ensures that victim-survivors of sexual assault can obtain timely forensic medical services; and
- (c) improves safeguards for the use and sharing of personal information held by the Victorian Institute of Forensic Medicine.'

Again, point (b) is ensuring that a victim-survivor of sexual assault can obtain timely forensic medicine. There have been many members in this place today refer to the 2022 ABC report that reported that the forensic examination system was failing victims in Victoria. One victim-survivor of sexual assault was forced to remain in her soiled clothing for 30 hours due to the unavailability of a forensic doctor. That to me is so awful, from intimate knowledge in the space, and I heard the member for Lowan earlier during her contribution say that after a rape or sexual assault, regardless of who the perpetrator is, the first thing you want to do is get clean. Now, I cannot speak for other victim-survivors, but the first thing you want to do, as the member for Lowan said, is wash it off and get as far away from it as possible. Having to wait around for 30 hours – a day and a half – in your soiled underwear and clothing is not only 'icky' and 'gross', as was quoted in the report; it is demeaning. It voids you of any dignity that you have got left by that stage – and that is not much – and it just gives you so much time to sit with your thoughts and ponder what has just happened.

Imagine what that does to your psyche. Not only have you been through this traumatic physical event, but then there are mental health flow-on effects after that. This bill does not do much to address that. You cannot really understand or imagine what that does to your psyche unless you have lived it. Those victim-survivors are the ones that should be at the centre of this bill, and there are concerns that they are not. Like the member for Kew said earlier, it is crucial that victims of crime are deeply supported, especially in crimes like this.

There have also been concerns – and many members have raised them today – from several different key stakeholders. Those of course are coming from the Australian Medical Association and the Law Institute of Victoria. The main concerns of the AMA arise from them not having been adequately consulted, as I mentioned earlier. They believe this bill should have a greater health focus, as the member for Kew said earlier, when in fact it is drafted as a justice bill, and they have concerns about a few other things as well, which could be addressed by supporting the member for Malvern's reasoned amendment. The Law Institute of Victoria has a concern regarding the use and disclosure of

information pertaining to individuals. They do not believe the legislative safeguards are sufficient. The VIFM must consult with coroners and the Chief Commissioner of Police, but they do not need the consent of the individual or next of kin if the individual is deceased.

Again, these things could be addressed with adequate consultation, which is why I do urge the government to seriously consider supporting the member for Malvern's reasoned amendment and simply to do better in supporting and actually making real change on the ground as far as victim-survivors and changes on the ground go, because that is where it is needed. We can talk about investment and how many dollars have been put into policy, but what are the outcomes, and why aren't we measuring this stuff by outcomes? There have been statistics talked about in this place. The member for Lowan had a few that were really concerning. That is how we should be addressing policy solutions to make actual change on the ground.

With that in mind, again, I fully support the member for Malvern's reasoned amendment, and I encourage the government to do the same. This bill is a step in the right direction, but it falls critically short of doing what it is intending to do.

Michaela SETTLE (Eureka) (17:28): I am pleased to provide a contribution to this very important bill, the Victorian Institute of Forensic Medicine Bill 2024. Lots of previous speakers have acknowledged that the VIFM enabling legislation was the Victorian Institute of Forensic Medicine Act 1985. I think that any reasonable person would understand that it is an industry that is so impacted by science and medicine – and we know the extraordinary advances that have happened in those fields in the last few years – and could not argue that it is not time now to amend that legislation. The world is a very different place than it was in 1985. I was still young and having a fine time, and here I am old and in Parliament; 1985 was a long time ago.

It is very important that we look to bring in this enabling legislation. I think, as I said, there have been so many advances. I was reading up before I came in, and there was an article from last year about how the VIFM were looking at non-invasive or virtual autopsies. It was an extraordinary thing to read about. Some people in some cultures find an autopsy a very confronting and invasive thing to go to. So here they are now surging ahead and looking at new ways that they could develop autopsies that are done through scanning procedures and non-invasive procedures. I think that was just one small moment from a year ago that could potentially change the way that we do everything.

It is incredibly important that we bring this enabling legislation forward and really understand what it does. I think probably when I was reading through the bill the thing that really struck me most was around the overarching principles to guide the functions. I am really pleased that the bill introduces principles that aim to guide the VIFM in a people-centred approach to service delivery, and I think that is so important. We have all watched *Silent Witness* or *NCIS*, and certainly in those environments it is really important that we retain the humanity and dignity of the people that are being dealt with. For that to be a part of the overarching principles is incredibly important.

I do want to flag some of the extraordinary work the VIFM have done. I think others may have spoken about its work in the space of CTE, which is of course an issue that arises in sports players. They have been doing a lot of research and work around that. There are the obvious things that they do to support the Coroners Court and VicPol, but really there is also this enormous research base out there. When I was reading it through I was struck that they are such an internationally respected body, that their work extends well beyond our borders and that they have recently been directly involved in capability building in death investigation and mortuary services in Bhutan.

I do want to just share with you what was a very painful part of my life, when my brother passed away in 2009. He died in Cambodia. We were advised by DFAT, and I will say they were absolutely extraordinary. I will not have a word said against them; they were amazing. They talked it through with us and they said, 'Look, there's no capacity for autopsy in Cambodia, so they can fill the body with preservatives and send it off to somewhere that does have the capacity, but of course that then

rules out most of the things that you might be able to find in the body.’ So all we really had to go on was the report of a Cambodian police officer, who thought he might have had a heart attack. He was 48 and he had lived a rigorous life, so it may have been a range of things. But it really struck me at that time that something that we all take for granted is getting answers to those questions at a really difficult time. So when I was reading about all of the work that our wonderful VIFM do, I was really pleased to hear about the fact that they are reaching out to other countries to support them, and I hope that this means that other families might get the answers they need. In the end I went over to Cambodia to cremate him and bring him back for my mother. I spent the first day running around thinking I was going to solve this issue, and then there was a heartbreaking moment when I realised that why he died was irrelevant. The loss of him will sit with me forever, and really I was going there and it was about the loss of him. But when you are trapped in that really horrible situation, you want these answers. So the thought that our institute is reaching out internationally and providing that support to other countries really gives me great heart.

The bill, as many have talked about, also looks at the governance structures and some of their functions. There has been quite a bit of talk today around the information-sharing framework. I can understand that those on the other side are keen to understand what the privacy rulings are around this, but it is important to understand that existing safeguards apply to VIFM’s information use and disclosure under Victoria’s information frameworks. It is bound by Victoria’s privacy and data protection framework, which guides the collection, use and storage of information. It is also subject to the Charter of Human Rights and Responsibilities Act 2006, which includes obligations on public authorities, including independent statutory entities providing services on behalf of the Victorian government, to consider charter rights when exercising a discretionary decision to disclose information. The VIFM routinely deidentifies and aggregates data before sharing it, though sometimes in research that is required. I think it is really important to understand that we have a really strong privacy framework in Victoria and that this statutory body will sit under those same frameworks, so the suggestion that we are somehow putting privacy or people’s confidential information at risk is just a fallacy. Those frameworks exist for all of our government statutory bodies and will continue to apply to the VIFM.

They have done some really extraordinary work, and I think it is important that they have the correct governance to work under. It is interesting because in days of old when people said a word like governance I thought, ‘That sounds boring. What’s that about?’, but you start to understand how important it is in a structural sense for organisations to have that really clear governance. I think that it is very important that this bill outlines that governance structure. It is a new governance structure but also it embeds in legislation how that governance should work.

The other elements of the bill of course are around its functions and powers. The bill reflects the fact that we know that there is going to be growth and change, just as there has been in the last – what would it be, 50 years? Is it 50 years since the 1980s? That is frightening. So I think it is important in this bill that within the objects and functions there is an acknowledgement that that may change as well, and it gives room to do that. In the final minutes that I have left I just really want to acknowledge the extraordinary work that this institute does. We should be incredibly proud that we have a world-leading service for Victorians. This bill was formed in consultation with Victoria Police, the Coroners Court and the VIFM, and I think that we come with a bill that really services Victoria, but also we should be very proud of all that they do.

Wayne FARNHAM (Narracan) (17:38): I am pleased to rise today on the Victorian Institute of Forensic Medicine Bill 2024. I suppose a lot of my contribution today will reflect what has been said by previous speakers, particularly on this side of the chamber, in regard to this bill coming in. The purpose of the bill really is to establish the Victorian Institute of Forensic Medicine and repeal the Victorian Institute of Forensic Medicine Act 1985, to introduce guiding principles for the VIFM and a new governance structure and clarify VIFM’s objectives, functions and information-sharing framework. The VIFM was established in 1985. The institute is responsible for providing independent

forensic medical and scientific expertise to the justice system and for both teaching and undertaking research for the benefit of the community.

What probably concerns me a little bit about this bill is that in 2023 the government conducted a review into the VIFM act to determine whether the act is fit for purpose, the findings of which this bill seeks to implement. The government has refused to provide a copy of that review. I am not going to pretend to be a rocket scientist – far from it – but I would suggest that if the government put forward a review to look into the VIFM, it did that for good reason. We often see in this place that bills will go through and there will be a review in two years or whatever the case may be. That got me thinking: why would the government want to do the review? My assumption, and I think rightly so, would be that it was to improve the functions of the VIFM. That being said, why wouldn't the government release the review? That to me is concerning. A bill is going forward today where we on this side of the chamber do not know what was in that review, and we have to trust the government that they are going to do the right thing. I am sure they are, but wouldn't it have been better, if they want bipartisan support for something, to give forward all the information to both sides so that both sides can agree that, yes, the review has recommended this? If we had the information in front of us we would probably be able to support those findings of the review, but unfortunately, for whatever reason, the government has decided not to release that review. It concerns me that the government does this on occasion, where they will have a review on something but they will never release it. We often hear the comment 'We've sought legal advice, and the legal advice says this,' but we never get the legal advice. So why is the government so reluctant on this? I think if the government wants full support for a bill – full bipartisan support for a bill – release the information so we on this side of the chamber can have all the information up-front. I do not think that is too much to ask. I do not know why it is so arduous for the government to put that forward.

As speakers before me have done, we have to touch on Grace Stewart and her horrific experience of having to wait 30 hours in soiled clothing. I just cannot for one minute imagine that. We as a Parliament really have to look at the victims, and we have to look at the most vulnerable people. For anyone to spend 30 hours in clothing that I would assume you would just want to get rid of – you want to burn it – is a failure. It is a failure. I am sure the people that work for the VIFM are good people. They do good work, and they probably see some terrible things that we in this chamber will never see. So why do we let them down? We state in this chamber that they are a world-leading organisation, but when we hear these stories I think, 'Are we doing them justice by not supporting them or by not having enough forensic nurses or forensic doctors?', because no-one should have to go through that.

We have the reasoned amendment which the member for Malvern put forward, which I support, but I think we are failing. The member for Lowan stated earlier that last year forensic doctors completed 404 sexual assault exams and 119 physical assault exams and that there were 4431 rapes and another 5919 indecent assaults. Not by any stretch of the imagination would I suggest that we would get around all those, but obviously we are not supporting the VIFM in the staff that they need to carry out the work so the victims can move on. I think it is really important that any victim that has been raped or sexually assaulted should have the opportunity – not the opportunity; that is the wrong word. We should be able to support them as quick as we possibly can so they can start the healing process, which takes years – decades in some cases. But you do not want to have to prolong the agony for any victim. This is where I think we are failing, we really are. The bill and the reasoned amendment are one thing, but what we are doing for the victims is not enough. It is really that simple. You can call me pessimistic, you can call me a lot of things, but I can see this by the statistics we have here. We have heard the member for Mildura speak today – she has lived through it. We all know people who have lived through it. We are failing desperately, and I feel sorry for the people that work at the VIFM that they are not supported as much as they should be, because they are the front line to that victim's first step. They are the ones that have got to deal with that victim in those first instances, and we should be supporting them more.

The bill is the bill, and the reasoned amendment that the member for Malvern put forward is a good reasoned amendment. I have lost it, so that is handy, but it has been read out 10 times today; I do not need to go into it. I suppose it comes to point (b) of the reasoned amendment, which ensures that victim-survivors of sexual assault can obtain timely forensic medical services, and that to me is the most important part of the reasoned amendment, and I am glad the member for Malvern put it forward, because it is common sense. The bill is a bill, but the reasoned amendment on this part is the most important part of this, and the government should really consider that, because from the statistics I am reading today, when I read those victims' stories, we are failing.

Juliana ADDISON (Wendouree) (17:48): I would like to acknowledge the contribution by the member for Narracan. He is such an empathetic and compassionate person. So thank you very much for what you bring to the Parliament, member for Narracan. We need more people like you here.

I am pleased to be able to speak in support of the Victorian Institute of Forensic Medicine Bill 2024, following on from solid contributions from my friend the member for Albert Park – let us see if she looks up; yes, she does – and also the member for Broadmeadows and the member for Eureka. Significantly, this bill will replace the Victorian Institute of Forensic Medicine Act 1985, so it is actually a new act. We are not amending one, we are actually introducing a new act, which is exciting – not just an amendment – which will better reflect and support the work done by the VIFM. The Attorney-General is doing a lot of hard work at the moment and this is another example of it, so I would really like to thank the AG and the ministerial office and the department for the work they have done to bring this bill to the house. I would also like to acknowledge the stakeholder consultation which has occurred and thank the Coroners Court, Victoria Police and the VIFM themselves for their involvement in the development of this legislation.

This bill addresses the legislative underpinnings of the Victorian Institute of Forensic Medicine. It was established almost 40 years ago to provide scientific services to the coroner and the justice system. Their remit has expanded as forensic science has advanced in the decades since. Currently their world-class work includes involvement in death investigations, including autopsies and forensic radiology; clinical forensic medicine, such as assault examinations; drug-testing services, such as road traffic toxicology; operation of the Donor Tissue Bank of Victoria, which facilitates life-saving surgical grafts; academic research in critical areas like injury prevention and aged care; and engaging with forensic services worldwide through their international program, which I know the member for Cranbourne has a real interest in. She is going to talk about that international program in her contribution.

In terms of context for the legislation that is before us, I am proud that our government has made a record investment in the VIFM in recent years, with over \$100 million since the 2021–22 budget. This includes \$93 million in 2021 towards capability and service delivery to provide infrastructure improvements, MRI capability, lab equipment and a new case management system. In 2023 more than \$19 million was allocated to support the continued transition to the new service delivery model for clinical forensic medicine across Victoria. What is important is that this model will ensure that forensic medical examinations are available 24/7 to victim-survivors of sexual assault and that these examinations are available on their terms, which is so important.

However, the current scope of the VIFM's work is not sufficiently reflected in or supported by its enabling legislation. The current almost 40-year-old act has been amended a number of times, and as a result is now unnecessarily confusing and disjointed. As such, this bill seeks to repeal the Victorian Institute of Forensic Medicine Act 1985 and to replace it with a more cohesive and suitable act. Improvements will include principles to guide service delivery, more representative objects and functions, a reformed structure of governance and a clear framework for information disclosure. In light of the replacement of the 1985 act, this bill also includes consequential amendments to 10 other acts.

Amongst the essential introductions in this new act are several guiding principles which will be applicable across VIFM's functions and powers. These principles direct those working for VIFM to have regard for the importance of scientific integrity and ethics; benefits to the community and the justice system; the significant nature of their work and the need for sensitivity and responsiveness; public health and safety; the administration of justice; cultural beliefs; and the diverse needs of Aboriginal communities, including the importance of self-determination, connection to culture, family, community and of course connection to country.

In terms of the objects and functions, the new act will overhaul the legislative objects and functions of the institute so they further align with their work in practice. These objects and functions have been specifically drafted to allow for flexibility in light of potential future needs and future service offerings. The new objects will clearly outline the institute's remit in forensic and human tissue services, in coordination of forensic services, in assisting the functions of the Coroners Court, in public health and safety and the administration of justice, in reducing preventable deaths and in supporting and contributing to innovations in the field. Under the changes their important role in policy development, teaching, training and research will also be formally recognised.

We know the importance of good governance, and reforms in the new act will additionally reform the institute's governance structure. The VIFM's council currently includes a number of members explicitly representing other agencies, leading to both perceived and actual conflicts of interest. Continuing with a representative council would also run the risk of a future council not including the necessary experience to oversee operations. Instead, going forward the VIFM will be governed by a skills-based board appointed on merit as determined by relevant areas of expertise.

These include relevant scientific expertise; experience in commercial, operational or legal matters; or a background in clinical governance or the justice system. Importantly, at least one board member's expertise must be in finance, in keeping with obligations under the Financial Management Act 1994. The board will be accountable to the Attorney-General and must regularly report to the AG on a number of matters. The board must also establish a stakeholder advisory group to ensure that stakeholders can continue to provide meaningful input on operational matters. These may include stakeholders relevant to the VIFM's objectives and functions – for example, the Coroners Court – as well as stakeholders relevant to their principles, such as those with lived experience and knowledge of the needs of victim-survivors.

There will also be role changes with regard to the VIFM director. The current role of the VIFM director will be split, which will allow for the chief executive officer to be appointed separately to the role of director of forensic medicine if the board so decides. Public service staff at the institute who are currently employed under the Secretary of the Department of Justice and Community Safety will now more appropriately be employed directly by the VIFM.

Another important addition to the proposed act is the clarification of information handling and disclosure procedures. Currently the VIFM is not afforded the power to use data outside of the primary purpose of its collection. This creates a degree of ambiguity in their work with Victoria Police and with the Coroners Court, as well as limiting their ability to support policy and research in public health. The proposed act includes a clear framework for VIFM's own use of information as well as their disclosure of information to other entities in line with their objects. Of note here is that the information used and disclosed by the VIFM is primary, de-identified and aggregated in form. It must also comply with Victoria's legislated privacy and data protection framework. The new act will require that written notification is sent in advance to either the State Coroner or the Chief Commissioner of Police, as applicable, and allow time for their advice to be received and considered. Written agreements will also restrict the use of any information to the agreed-upon purposes.

This bill proposes consequential amendments to several other acts, including those which refer to the soon-to-be-defunct 1985 act. The provisions in this bill, including the introduction of the new act, will commence on 1 July 2025, if not prior. This will allow the time necessary to implement the new

governance arrangements, amongst other changes. I applaud the introduction of the Victorian Institute of Forensic Medicine Bill 2024, and I commend this bill to the house.

Martin CAMERON (Morwell) (17:58): I am pleased to rise to speak on the Victorian Institute of Forensic Medicine Bill 2024, and I would like to start by thanking the member for Malvern for his lead on this and for explaining to us what the bill is about. In 1985 the Victorian Institute of Forensic Medicine was established by the Victorian Institute of Forensic Medicine Act 1985, which has been operating since that time. The institute is responsible for providing independent forensic medical and scientific expertise to the justice system and for both teaching and undertaking research for the benefit of the community.

In 2023 the government conducted a review into the VIFM act to determine whether the act is fit for purpose, the findings of which this bill seeks to implement. Unfortunately, the government has refused to provide a copy of this review to the opposition so we can work through it. As many members have spoken about today, it would have been really nice to have been able to see what that review entails so that we could make our decisions on facts and using that review, which the government has as well. We take it on face value that what the government is trying to do here is in conjunction with making this new Victorian Institute of Forensic Medicine Bill work better.

The purpose of the bill is to establish the Victorian Institute of Forensic Medicine; to repeal the Victorian Institute of Forensic Medicine Act 1985, which is from a few years ago now; and to introduce guiding principles for the VIFM, a new governance structure, clarity of VIFM's objectives and functions and an information-sharing framework. Of course forensic medicine has moved on so far; it moves on, I would think, almost daily, with new ways and new instruments that they have to use for catching perpetrators that have committed horrendous crimes on individuals. I think that we need to move with the times. To be able to do what the government wants to do is a good thing, but not letting us get our eyes on that review makes it very difficult. There are also consequential amendments in there.

The member for Malvern has put forward I think a very sensible reasoned amendment to call on the government to make sure it:

- (a) properly consults with the medical profession in Victoria on the Victorian Institute of Forensic Medicine;
- (b) ensures that victim-survivors of sexual assault can obtain timely forensic medical services; and
- (c) improves safeguards for the use and sharing of personal information held by the Victorian Institute of Forensic Medicine.'

Obviously they collect data from these victims, and we need to make sure that data is held safely. In September 2021 the Victorian Law Reform Commission handed down its report *Improving the Justice System Response to Sexual Offences*. Recommendations relevant to forensic medicine include that:

The Victorian Government should, as part of the Sexual Assault Strategy, develop measures:

- a. to extend access to forensic medical examinations across Victoria, including by the increased use of forensic nurses
- b. to give victim survivors the option of a forensic medical examination, without requiring a report to the police.

Notwithstanding these recommendations, in September 2022 the ABC reported – and we have heard a lot about this – that the examination system is failing victims in Victoria. One victim-survivor of sexual assault was forced to remain with her soiled clothing on for 30 hours due to the unavailability of a forensic doctor to see her after reporting her assault to police. I think everybody in this chamber would agree that that is not good enough; that is a failure of all levels of government – for someone that has reported to the police to have to wait for that long. We have heard from the members for Lowan and Mildura, and they perfectly explained, as a victim, what that victim would be thinking and what they would be going through. It is mind blowing and mind numbing to me as a member that this is actually something that can still happen in this day and age. We need to make sure that we do get

that right, and I think what everyone on this side of the chamber is referring to is that this bill does not actually address that as such. I think the reasoned amendment from the member for Malvern brings that into play. If we are addressing and changing the bill and making a new bill, we should be bringing those in as well.

The report also noted that doctors at the VIFM had lodged complaints with WorkSafe about dangerous working hours, hence why someone had to wait those 30 hours. Also, with the nursing staff and doctors that are treating that victim, we want to make sure that they are doing the best job that they can, and if they are fatigued and are having to constantly work long hours, we need to make sure that we can put supports around them so that everything is being ticked off on that area. The government has claimed that it has provided over \$19 million in the 2023–24 budget, including just under \$7.5 million in ongoing funding to support the VIFM's transition to a new clinical forensic medical model.

But what are those outcomes? What are we achieving with these outcomes if we are failing to make sure that we have measures in place for victims at the ground level when they need our support and that when they need us we are providing those measures? If we are putting the money in and we are actually failing to meet those measures, we need to have a look and strengthen them. As the member for Malvern said, we have not seen a lot of the detail as an opposition, and this concern is not only for us but also for the stakeholders who have been engaged for comment. As I have said before, it has been 30-plus years since any reform, so it is needed. It is undoubtedly clear that the reform is needed, as forensic medicine, as I said before, has certainly advanced in leaps and bounds in those situations.

Also, a local person whose parents I talk with regularly is Dr Ash Gordon, who was mentioned in the chamber earlier today. I am sure that the forensic team had to go out once Ash's life was tragically taken and that they would have had to do their due diligence for the court hearings that are happening at the moment. So we need to make sure that with the forensic arm and the bill that we are talking about we are covering off all levels and taking all strides that need to be taken in making sure that if an issue happens, whether it be a sexual assault issue or whether it be someone being murdered on the street, the forensic team and doctors can get out there and do their job properly, because it does make a huge difference moving through the court system.

The Australian Medical Association's main concerns arise from them not being adequately consulted. They believe that the bill should have a greater health focus – and I think we have listened to members on both sides now saying we should have a greater health focus, because they are the outcomes that we are looking for – when in fact it was drafted as a justice bill. They also have concerns about the leadership in the VIFM, reflecting concerns of the doctors working there about the hours and everything that they are working.

The Law Institute of Victoria has concerns regarding the use and disclosure of information pertaining to individuals, which we spoke about before. They do not believe that the legislative safeguards are sufficient. VIFM must consult with coroners and the Chief Commissioner of Police, but not without the consent of the individual or next of kin if the individual is deceased.

There is some grey area in there; there is some room for movement. I do think that it is important for the government to take on board the very sensible reasoned amendment the member for Malvern moved, as it will tick off and cover a lot of those issues that we are speaking about today, so I support the reasoned amendment by the member for Malvern.

Iwan WALTERS (Greenvale) (18:08): I too rise to speak on the Victorian Institute of Forensic Medicine Bill 2024. At the outset I acknowledge the other contributions that I have been listening to in the course of this debate and some deeply empathetic and considered contributions from members across the house. I have to confess that before this bill had its first reading I was not that familiar with the work of the Victorian Institute of Forensic Medicine, but my research in preparing for the second-reading debate today and listening to the very considered contributions of those from across the house emphasised the incredible importance of the work that the very skilled pathologists and other

specialists at the VIFM do every single day and the profound importance that has for Victorians, regardless of whether they are in city or regional areas. But I do note the particular importance of some of the changes that the government has recently made, some of the additional investment that the government has recently made, to ensure that victim-survivors of sexual assault have access to that 24/7 specialised support. There have been members who have spoken very powerfully about just how harrowing an experience that is for those victims. Having spent time in regional centres with doctors in those areas, it is a deeply harrowing thing for clinicians as well, so the investment is really worthwhile. I thank all members who have spoken on the bill so far and particularly have referenced that dimension of it.

We have heard that the bill will replace the original enabling legislation for the VIFM, the Victorian Institute of Forensic Medicine Act 1985, as the legislation that underpins the incredibly important work of the VIFM. But the new provisions in the new bill will enable the VIFM to maintain its status as a truly world-leading forensic medical institute and also update the regulatory and statutory basis upon which the VIFM conducts its work, which has changed significantly in the nearly 40 years since it was initially brought in by the Cain government.

I do want to just talk a little bit about what initially prompted the Cain government in its considerable wisdom to introduce the initial VIFM act in 1985. Principally it was a response to the, I think, egregious miscarriage of justice that led to the wrongful conviction of Lindy Chamberlain for the murder of her own child. The complete failure of forensic evidence in that instance prompted the Victorian government to review the settings and the capacity of Victoria in relation to forensic medicine. Originally the VIFM was called the Victorian Institute of Forensic Pathology, which I think points to what its original purpose was. It has since significantly grown, which is why today's bill and the provisions within it are so important.

Premier John Cain in 1985 envisaged the VIFM as providing essential high-quality services to the coroner, the courts and the broader community. He said:

The Institute of Forensic Pathology is an investment in public health. Through its association with the faculties of medicine at Monash and Melbourne universities, it is also an investment in research and development.

We have heard from members who have contributed previously in the debate how that research and development does not just stop at the borders of Victoria. It has contributed to the growth, the improvement and the development of these really important forensic capabilities at an international level in responses to heinous crimes, such as the downing of a Malaysia Airlines flight a decade ago over Ukraine and similar international catastrophes. It has also enabled a sharing of information and a best-practice approach more broadly and internationally that draws upon what began in Victoria. I think it is a really great legacy of John Cain and the Cain government but also of successive directors at the VIFM and the incredibly skilled staff.

I also note, Acting Speaker Mercurio, in the context of our jobs – I think you may attest to this as well – we read quite a lot of annual reports and reviews, many of which are important. They detail what happens on a day-to-day basis across the state through government agencies, through departments and through organisations which are funded by the Victorian government on behalf of the Victorian people. Generally, however, they can be a touch dry and perhaps do not have some of the language which may necessarily render them gripping accounts, but the annual reviews and annual reports of the VIFM are an exception to that rule. Reading recent annual reports I was really taken by the use of language by the Honourable John Coldrey AM, the long-time chair of the VIFM since his retirement from the Victorian Supreme Court in 2008. Mr Coldrey talks in his report about the significance of the work that the VIFM does. He uses quite poetic language, including the famous poem of John Donne which concludes that the bell tolls for thee but also reflects that death does not discriminate. Death is not a respecter of persons; it will come to us all. It is as immutable as taxes, as they say, and that is why the work of the VIFM is so important. We do not know who among us, which of our families, which of our loved ones, may require its posthumous forensic services.

Seven thousand bodies a year pass through the VIFM. They may be rich Victorians; they may be poor Victorians. They may be from the city; they may be from the country. They could be from all walks of life. But what unites them is that all will have died unexpectedly or suddenly and all of them have family and friends grieving their loss. All of them will have family and friends searching for answers and wanting answers regarding the causes and mechanisms of death. In addition to some of the work supporting police in relation to sexual assault, I think this really emphasises how important this bill is, how important the work that the VIFM does is in ensuring that it delivers its services with a profound sensitivity for those who are deceased and their families also. Again, touching upon the words of John Coldrey AM QC, he says that:

The paramount aim of the VIFM may be summarised as ensuring that the members of this community live in a safe, healthy and humane society, functioning within the matrix of the rule of law ...

I think that is pretty profound. It points to the overwhelmingly significant services that the VIFM provides, and it is why we need to make sure as a Parliament that the statutory basis for its functions and the way in which it has grown in the near four decades since it was established remains fit for purpose. I thank the Attorney-General and her team for the extensive consultation that has taken place with VIFM directors and staff but more broadly through the justice system and the academic realm – all those dimensions that the VIFM touches through its work on a daily basis.

In concluding my remarks, there is one dimension that relates to the recent very significant increase in funding that the Victorian government has provided to the VIFM and that relates to the significantly uplifted MRI capacity that the VIFM now has. That might seem like quite an anodyne aspect of its work, but what it has significantly enabled the VIFM to do is to minimise wherever possible its often quite invasive posthumous procedures, which for many Victorians from multicultural backgrounds, including many in my own community, is a profoundly distressing thing. I suspect many of the things which happen would be distressing for any family but particularly those who have faith or other customs and norms which ideally would preclude that kind of posthumous invasive procedure on a body. Having that MRI capacity minimises those procedures to the greatest extent possible. As the member for Narre Warren South can perhaps attest, the Scrutiny of Acts and Regulations Committee has often dealt with the rights of families and rights of people, not just while they are alive but the families of those who have deceased. I thank the Attorney and all of her team for bringing this to Parliament, and I wish it a speedy passage.

Annabelle CLEELAND (Euroa) (18:18): I am pleased to rise today and speak on the Victorian Institute of Forensic Medicine Bill 2024. This piece of legislation is set to repeal the existing Victorian Institute of Forensic Medicine Act 1985 and in doing so will reinstate the VIFM's legislative footing. This is something that should be beneficial due to the nearly 40 years since the previous legislation was introduced, provided this legislation is effective. The updates put forward in this bill are set to update the VIFM's governance structure, introduce some guiding principles for the institute and clarify their objectives and functions. This is achieved through some necessary provisions outlined in this legislation.

Clause 4 outlines guiding principles of the VIFM relating to professional standards, community benefit, sensitive conduct, the promotion of public health, the administration of justice, respect for cultural beliefs and recognising the diverse needs of Aboriginal communities. Clause 8 outlines the objectives of the institute, which include providing or assisting in the provision of forensic services and human tissue services, as far as is practicable overseeing and coordinating the provision of forensic services in Victoria, assisting the Coroners Court with its functions under the Coroners Act 2008, contributing to public health and safety and the administration of justice, contributing to reducing the number of preventable deaths, contributing to the development of knowledge in regard to forensic research and assisting in the provision of teaching and training.

Clause 9 sets out the functions of the institute. Clause 10 sets out the powers of the institute to do all things necessary or convenient for the performance of its functions. Clause 20 provides that the board

must establish a stakeholder advisory group to assist the board in its decision-making and the performance of its functions. Clause 24 sets out the appointment of a chief executive officer, and clause 26 sets out the role of director of forensic medicine. There are several other clauses, and I could go on all day listing them, but I think it is important to look at the VIFM itself and the reason why it is important to get this piece of legislation right. The VIFM plays –

I am so sorry. Oh, my golly!

The ACTING SPEAKER (Paul Mercurio): Member for Euroa, you can speak from your seat if you would like to.

Annabelle CLEELAND: Well, I wrote it so I would not be standing for very long. That is forewarning for the next speaker.

A member: This is in *Hansard*.

Annabelle CLEELAND: Thank you to my whip for making an eight-months-pregnant woman speak at 6:30 at night. Now that is in *Hansard*.

The VIFM plays an important role across the justice system, our health system and policing in this state, and therefore it is crucial to ensure it is operating effectively. However, the success and effectiveness of the VIFM has been called into question before. A review was conducted by the government last year; however, this has not been made available. While this report has not been made public for us to see, there have been other reviews that reference the effectiveness of the VIFM, including a report into the justice system response to sexual offences from 2021. This report from the Victorian Law Reform Commission references the VIFM 27 times, with many aspects of the existing system called into question, which we have heard so much of this evening. One major point mentioned is the need for partnerships between agencies and organisations like the VIFM. This includes cooperation between the VIFM, Victoria Police and the child protection and sexual assault services in Victoria. Because the VIFM has operated mostly of its own accord, certain decisions it has made have failed to incorporate the suggestions of other relevant groups that respond to serious causes, such as sexual violence. This includes having forensic medical examinations limited to just three metro locations following COVID – something that was said to have created additional barriers and unwarranted stress for victim-survivors.

The report goes on to list several more considerations – everything from the science behind forensic testing to the security of the facilities. The key recommendations of this report are clear. This government should develop measures, as part of their sexual assault strategy, including extending access to forensic medical examinations across Victoria, including by the increased use of forensic nurses, and giving victim-survivors the option of a forensic medical examination without requiring a report to police.

Also in this report are several areas of concern when it comes to how forensic examination systems have been failing Victorian victims. We heard this earlier and throughout this evening's debate from the member for Malvern as well as my colleagues who referenced the story of a victim-survivor that was forced to remain in her soiled clothing for 30 hours due to the unavailability of a forensic doctor when they reported their assault to police. With stories like this it is clear that changes have been necessary, and I hope this legislation can bring forward positive change in this space.

I believe the reasoned amendment proposed for this legislation offers the most suitable way of improving this bill. The amendment calls for the government to (a) better consult with the medical profession in Victoria on the VIFM, (b) ensure that victim-survivors of sexual assault can obtain timely forensic medical services and (c) improve safeguards for the use and sharing of personal information held by the VIFM.

Sarah CONNOLLY (Laverton) (18:24): I too rise to speak on the Victorian Institute of Forensic Medicine Bill 2024. As previous speakers have said, this bill deals with a number of changes relating

to the governance of the VIFM and its role in servicing our great community here in Victoria. From the get-go this bill is not an amendment or update to the existing legislation. It is actually a brand new bill to replace the old act, which was first introduced back in 1985. As someone who was born in 1981, that is indeed some decades ago.

This was when the institute was first established as part of the Coroners Act, which outlined its purpose – to provide forensic pathology and scientific services to the Victorian Coroners Court. It is a duty that it still performs today; however, today it does so much more than that, and the importance of the VIFM has only increased.

In 1989 the institute set up the Donor Tissue Bank of Victoria. It was the first multi-tissue bank in the entire Australasia region, providing life-saving health care and skin grafts. In 1995 it began partnering with Victoria Police through the incorporation of clinical forensic medicine, allowing victims of crime, importantly, to be examined. I can only imagine the impact this has had on our ability to fight crime by examining victims' bodies and their work with our coroners. It also provides vital assistance in working carefully and considerately with sexual assault victim-survivors. At the Monash Medical Centre they can even provide a just-in-case examination if a victim-survivor does not wish to notify police at that point in time. That is a service that is respectful and considerate of the person's needs and wants in what can only be described as a truly horrendous situation.

All of this demonstrates, I think, just how important the work of the VIFM really is not just for survivors or tissue donors but for the broader community's safety as well. Their work is not just limited to this or just to our state. VIFM partners with the Australian Sports Brain Bank to investigate CTE head injuries by conducting post-mortem examinations of people who suffered sports injuries and concussions.

It is quite an interesting, timely moment for me to talk about those concussions and the importance of having them investigated, having had to pick up my 11-year-old son last Monday – well, it was really the early hours of Tuesday morning. At about 2 am my husband had to go down and pick him up from school camp. Apparently this is a very regular thing that happens with kids mucking around on school camp. He had a head knock twice actually. The first time he did not report it because he was doing something he should not be with the other boys, and then the second time it hurt, I think. He let the school know, and then later that night he had a headache. The school did a great job in being responsible and doing the right thing. They called us at about 11 pm. They had given him Panadol and then took him to the local hospital – or the virtual ED there at Rosebud – and they confirmed that he probably had a concussion so my husband drove down at 2 on Tuesday morning to pick him up and bring him home.

But one of the things that the hospital did offer – and I actually did not know this – is the suggestion that we do not see a GP, that we need to actually go and see a concussion specialist. I am surprised it took me 11 years with Leo to work this out. The concussion specialist said, 'No, it is not a GP that you go to. They don't specialise in concussions and head knocks.' It was incredible, because we spent – and I am not kidding – over an hour with the concussion specialist, who conducted all kinds of tests on my son, including a pre-test the night before. He had a little computer game to play on the phone, which identified his responsiveness and if he was slow or fast in playing the computer game. They found out that indeed he did have a concussion and his responsiveness was slower than it should be.

So I would say to anyone listening out there: if your child or someone in your family does have a knock on the head and you are concerned, sometimes it pays not just to go to your local GP but you can book into a concussion specialist. We did not actually need a referral. It was very much like booking in to see a physio. It was a very thorough investigation into Leo indeed. They then provided a report on brain injury but also brain rest. So over the past week I have been learning a lot about the brain and the importance of taking these sorts of knocks seriously.

It is a pretty scary situation to be in as a parent when you think about concussions and injuries that players and family members can get on the sporting field. Parents whose children might participate in sports like AFL or rugby – and believe me, I have met quite a lot of those parents standing alongside them watching their kids play the many footy and rugby games that take place in my electorate of Laverton – worry about the impacts of sports injuries on their kids and head injuries that could very much impact their long-term cognitive development or leave them impaired for the rest of their lives. We can hope that the research conducted by the Australian Sports Brain Bank will be instrumental in preventing these long-term physical head injuries and ultimately keeping our kids and the broader Victorian community safe.

That is just some of the valuable work that this institute is involved in. And that work is not simply confined to this state or indeed Australia; it has also helped build capability for coronal activity and mortuary services in Bhutan and it has assisted the Red Cross with the mercy work in Ukraine, in Lebanon and Armenia, changing lives at the flashpoints of international conflicts. This is the stuff that matters. It is not always on the front page of the paper as something that the community might find to be salacious and other things as points of interest to read, but this stuff actually does matter. And the work that they do and continue to do is what this bill is actually all about when you have a read.

As for what this bill is going to do, it is going to establish a new enabling act for the VIFM. There are a number of changes that are designed to improve the governance and, importantly, the operation of the institute. It does this by introducing a new skills-based framework for its governing board. It creates two new leadership roles: a CEO and, importantly, a director of forensic medicine. Under the current framework, the leadership of the institute is governed by a council of 13 members, and that includes judges, professors, doctors and police, all of whom collectively answer to the Attorney-General and the Department of Justice and Community Safety – and that consists of another four advisory committees that answer to them. It seems like a lot, right? This bill will also allow for these roles to be held concurrently, importantly, by the same person to ensure that knowledge and expertise of forensic medicine and science not only is held by the leadership of the institute but is at the forefront of its decision-making. The council itself is going to be replaced by a new skills-based governing board, and these external representatives will retain their ability to influence decision-making through a stakeholder advisory group, which the bill requires to be established.

I am just watching the time that I have got left. It is a great bill before the house. I know there have been lots of contributions; some of them have been quite emotional contributions indeed. And it is no surprise, because the work of the VIFM does provide community safety across the broader Victorian community, whether it is identifying perpetrators involved in matters of sexual assault or indeed making sure that our kids playing sport on a Saturday or Sunday that have received a knock are safe and will be okay. I think it also can help drive towards finding ways in which to ensure that our sports are played more safely, whether that involves having one knock and coming off the field and not going back on at half-time because ‘You’ll be right’. A concussion specialist said to me that is real no-no; one knock is serious enough to be knocked out.

This is a really great bill. I do thank all members of the house for making such good and powerful and respectful contributions to this bill. Since its inception 40 years ago the institute – what can we say – has done an incredible job of advancing forensic medicine not just in Victoria but indeed around the world, and we want to make sure that it can keep doing this. That is why this bill is really important, and that is why I wholeheartedly commend this bill to the house.

Steve McGHIE (Melton) (18:34): I rise to contribute to the Victorian Institute of Forensic Medicine Bill 2024. This bill modernises the process under which this important service operates. I should say at the commencement I am pretty lonely down this end of the chamber; I do not know where everyone has gone. Maybe they were waiting for me to get up, and that is why they have bailed out. But anyway, hopefully they are watching on a TV screen. This bill is significant because the VIFM’s enabling legislation has remained largely unchanged since the establish of the VIFM through

the Victorian Institute of Forensic Medicine Act 1985. Despite the continuing expansion of its services and changes to the public governance, it is best practice.

The VIFM was established over 30 years ago, nearly 40 years ago, and that was back when Foreigner wanted to know what love is, back when I was in Ambulance on the road in my shorts and shirt out there trying to assist people on the road in the great days of the 1980s and back when naloxone for heroin overdoses was expanded for MICA paramedics. Of course we know naloxone is a life-saving medication which is now available over the counter from participating pharmacies, and again these are things that happened through forensic medicine, good medical practices and the expansion of medical practices for prehospital care.

A lot has changed in the world since then, and it is time for this legislation to reflect those developments in regard to those changes. This bill reforms and modernises enabling legislation to better align with contemporary community expectations, the institute's role in supporting the coronial and justice systems and its interactions with other service users and partners, and this will allow the VIFM to operate from a more current foundation, enhancing its independence and effectiveness.

I had a bit to do with the VIFM and the Coroners Court in my previous roles at the ambulance union and as a paramedic, and I want to thank all the staff that make a fantastic contribution to this state through the work that they do. I was involved directly in a number of Coroners Court cases as a paramedic in those days of the 1980s and 90s and then as a union official in regard to it. When I was the secretary of the ambulance union we had a lot to do with the Coroners Court investigation unit when they were investigating paramedic suicides in the period between 2008 and 2014. The report that they tabled in regard to that was quite compelling, even though I did not agree with the number of suicides amongst paramedics within that time; I thought there were quite a number more.

I would like to talk a bit about the important and diverse range of work that the VIFM perform. As I said, it assists the coroner in determining cause of death and works to prevent future deaths, so their contribution allows for the coroner to consider the evidence that they provide in their research. The VIFM treat affected families, through the coroner, in a very dignified and compassionate way, and I really extend my gratitude to them in regard to how they treat affected families and family members.

Through a partnership with Victoria Police the VIFM add in roadside drug detection and criminal intoxication cases, so their work is quite diverse. Established in 1995, the end of that year when I left the ambulance service, was their clinical forensic medicine collaboration with VicPol, and we have seen their results out of that. Of course in 2023 our government granted them \$19.47 million to transition to a new clinical forensic medicine service delivery model that meets victim-survivor needs and expectations and ensures a sustainable and efficient service model across metropolitan and regional Victoria. It guarantees forensic medical examinations can be available to victim-survivors of sexual assault on their terms, 24 hours a day, seven days a week; there has been a lot of commentary about that in some of the contributions today.

Again, human identification – the VIFM confirms the identities of deceased individuals and unidentified remains through various methods including dental identification, skeletal remains and of course DNA. We see all of this sort of stuff go on through some of the American TV shows. The VIFM has been incredible and made some incredible world firsts, and among those achievements are its partnerships with the Australian Sports Brain Bank to investigate CTE and its research into technology-facilitated sexual assault. You will no doubt have heard a lot about CTE, even as the federal Senate have wrapped up their concussion inquiry, and the calls on the AFL to act. We have seen a lot of newspaper reports and things like that about the footballers that have been affected through head knocks and concussion and about the tragic outcomes of CTE. We lost a good man in Danny Frawley, who suffered from CTE, in 2019, and we owe it to him, his family and players past, present and future to make sure that we are not contributing to this medical complication. Playing sport should not cost you or your family everything. Playing sport is about being physically active but also about being safe and enjoying it, not coming out with a longer term outcome that has a serious effect

in regard to your brain and your body and what it may lead to in regard to mental health for a number of people that have suffered from those head knocks.

There has been research done on CTE within women who have suffered at the hands of abusive partners. This is a new area that the research is moving into and forensic medicine has moved towards. Those numbers are increasing, and it is not because it is happening more; it is because we are starting to look for it in autopsies. We know of two women who endured decades of intimate partner violence, including dozens of brutal assaults and head injuries, before they passed away. They suffered from CTE through domestic violence. We know of those two, and there are obviously many, many more in this country but also around the world. The findings were made by a group of pathologists from several states and territories who teamed up to understand whether the degenerative brain disease found mostly in deceased male footballers and boxers was also prevalent among abused women with histories of repetitive head injury, and I think that evidence is quite conclusive.

The VIFM's impact extends beyond Victoria, as has been alluded to by previous speakers. There has been a worldwide collaboration in Bhutan and with the International Committee of the Red Cross in Ukraine, Lebanon and Armenia. It has also provided expert evidence for inquiries and coordinated national and international disaster victim identification efforts.

The Donor Tissue Bank of Victoria, which was established in 1989 as Australia's first multi-tissue bank, provides important bone, skin, tendon and cardiovascular grafts. If you might indulge me, I would like to take this opportunity to talk about a topic that I am very passionate about, one that I have spoken about quite a number of times here in this place: the importance of organ donation. I have registered as an organ donor. They can take every bit of me if they like. I do not think they will want much of me, but anyway, I encourage them, if they get the opportunity, to go for it: take as much as you like. In 2023 we had 1396 Australians receive an organ transplant, which is terrific – it was an increase – but it is nowhere near enough. We need to have many, many more people register for organ donation. I think we are at about 55 per cent of families saying yes in 2023, and we really need to get it up to at least 70 per cent. 1800 Australians are on a waitlist and there are 14,000 people on dialysis. Tissue and organ donation are so important, and VIFM is one of those institutions that support us in that bank alone.

This is a really important bill. I do commend the Attorney-General's office and her staff, but I also finally want to extend again my thanks to the staff at the VIFM and also the Coroners Court. I commend the bill.

Anthony CIANFLONE (Pascoe Vale) (18:44): I too rise to support the Victorian Institute of Forensic Medicine Bill 2024. The Victorian Institute of Forensic Medicine is an institution that is focused on forensic medicine, diligently serving our health, medical and criminal justice systems, the courts and the wider community as it discharges its statutory responsibilities to provide independent forensic medical and scientific expertise to the justice system, tissue transplantation and to undertake research and teach in the fields of forensic medicine that will benefit the community. Amongst its varying functions, the Victorian Institute of Forensic Medicine contributes to the professional development and education of forensic pathologists, physicians and scientists, with the VIFM helping to ensure a high standard of forensic medical services to Victorians through the provision of that critical support across the healthcare and justice systems. It works to support patients and families through overseeing the work of the Donor and Tissue Bank of Victoria, which provides safe tissue to medical specialists and Victorian hospitals for transplantation and medical research, benefiting many patients every year, which the member for Melton was just touching on, and I will turn to if I have time remaining for my contribution at the end.

But, importantly and fundamentally, VIFM provides our criminal justice system with crucial evidence that underpins safe convictions and appropriate acquittals as its doctors and scientists investigate deaths reported to the coroner, examine alleged offenders and medically assess and support victims of crime. This important work has continued to evolve through significant medical and scientific

advancements since VIFM was first established in legislation in 1985 to initially provide forensic pathology and scientific services to the Coroners Court and the Victorian criminal justice system.

Over the years it has continued to undertake landmark scientific work. I will just touch on a couple of these before I turn to the substance of the bill, such as working with the Australian Sports Brain Bank to investigate and undertake post-mortem examinations of people who have participated in sports with risks of repetitive head injuries. It is also undertaking research into technology-facilitated sexual assault to better protect us from men's offending and has engaged in international work for the International Committee of the Red Cross in Ukraine, Lebanon, Armenia and many other parts of the world.

Domestically, within Victoria, the Victorian Institute of Forensic Medicine continues to undertake very important work for our criminal justice and legal systems, as outlined in its 2022–23 annual report. I note I am not the only one who has gone through the annual report; I know the member for Greenvale went through it extensively. Some of those key stats include over 2300 clinical forensic medical services. It undertook over 7200 medico-legal death investigation services – that is essentially bodies that have passed through VIFM for assessment – and it resolved over 4860 inquiries by the coronial admissions and enquiries office of non-reportable deaths.

While today we may take for granted the role of forensic medicine across our justice and health systems, that certainly was not the case over 40 years ago. As outlined on VIFM's website, which I am going to turn to extensively – and the member for Greenvale touched on this a little bit – it says:

In the mid 1950s the College of Pathologists of Australia acknowledged that the standards of forensic pathology in Australia were not uniform and that in many areas the medico-legal autopsy work was far from satisfactory.

The college argued that a high standard of forensic pathology was a fundamental requirement for the administration of justice in this state. The website continues:

It made recommendations to all Australian jurisdictions about the adequate training of specialists in the performance and documentation of medico-legal autopsies and the interpretation of autopsy results. The College recommended that a forensic pathologist have access to laboratory facilities in the specialised fields of histopathology, bacteriology, biochemistry and toxicology to enhance the quality and reliability of the medico-legal death investigation.

By the late 1960s it was also becoming increasingly apparent that the facilities at the old Melbourne City Mortuary in Flinders Street were woefully inadequate for both staff and members of the public. As described by Professor Vernon Plueckhahn ...

The foyer of the building was often filled with bereaved relatives, witnesses, lawyers and police waiting for an inquest to start. Odours from the mortuary usually permeated through the crowded foyer. Distressed relatives called to make formal identifications had to find their way through the crowd to the identification room. No dignity existed for either living or the dead.

In 1968 a group of senior –

scientists –

... made representations to the Victorian government drawing attention to the appalling conditions of the City Mortuary and pressing for change. By the early 1970s the Victorian Government was seeking a suitable site for a new coronial complex, a challenging task given the likely local opposition to a mortuary being built close to residential and business areas.

That is still a challenge. The website continues:

In 1975 the then Attorney-General, the Hon. Vernon Wilcox QC established the Coroners Court Review Committee which met over a two-year period to inquire into whether the existing arrangements for the identification of deceased persons ... were satisfactory ...

In ... February 1977, the Committee recommended that all coroner's autopsies in Victoria be performed by, or under the supervision of, an appropriately qualified pathologist who has access to –

relevant –

services for toxicology, serology ... and microbiology and radiology.

...

In 1978 the Victorian government approved a site in West Melbourne ... This proposal was ultimately not supported, leading to the separation of police and coronial scientific laboratories. A change of government in 1982 saw the election of the Hon. John Cain as Premier, and the appointment of the Hon. Jim Kennan ... as Attorney-General in 1983.

During the early years of the Cain government, the shortcomings in the standards of forensic science in Australia were played out in the notorious trial of Lindy Chamberlain, a case where both the law and forensic experts failed, and in failing, brought about terrible injustice.

Following the imprisonment of Lindy Chamberlain for the murder of her infant daughter Azaria, a small group of Australian scientists formed the Chamberlain Innocence Committee. Their work led to a number of findings that challenged the scientific evidence presented by the Crown during the trial. On 12 June 2012, almost 32 years after Azaria Chamberlain's death, a final inquest announced its finding that the cause of her death was the result of being taken and attacked by a dingo.

The trial of Lindy Chamberlain was vital to the creation, and fundamental to the creation, of the then Victorian Institute of Forensic Pathology, as it was known. The institute was formally established by the enactment of the Coroners Act 1985. The act provided an independent council, with members appointed by the Governor in Council to be the governing body of the VIFP. Over those two years the council met regularly to oversee the appointment of new staff and establish a new coronial services centre, with a parcel of land in South Melbourne on the corner of Power and Kavanagh streets identified as the appropriate site for the new centre. The new state-of-the-art building, as we heard earlier, was officially opened by the then Premier John Cain, who said:

... most importantly of all, it will offer to relatives of a deceased person an independent scientific review of whether, in the period leading up to the death, everything that could have been done was appropriate. That, as everyone here –

in this chamber –

will know, is a profoundly humane service.

Over the last 30 years the work of the Victorian Institute of Forensic Medicine (VIFM) has gained international and indeed national prominence when it comes to forensic medicine, and it has achieved quite a lot over those years, leading the way in many respects. This bill will continue to build on that important work to modernise the Victorian institute of Forensic Medicine, so it can continue undertaking that essential work by undertaking and implementing a number of reforms contained in the bill.

One of the most widely reported investigations by the VIFM has been the identification of the skeletal remains of Victorian bushranger Ned Kelly. Ned Kelly of course is one of Australia's most well-known and infamous historical figures and last bushrangers. An often-forgotten part of his story is that Ned spent time within the grounds of Pentridge Prison, both in life and death. Ned was briefly imprisoned in Pentridge in 1873 for the crime of stealing a horse and sentenced to three years of hard labour. Ned started his sentence at Beechworth Gaol until February 1873, when he was transferred to Pentridge with half of the sentence left to serve. On arrival Ned was taken to the building now referred to as building B division, which is now a hotel and a wine bar and wellness centre. And after a gruelling six weeks Ned was then moved to C division, where he was assigned to hard labour. He also may have worked, according to the National Trust, down in Merri Creek in the quarries and mining for bluestone.

Upon his release in 1874 he wrote at the time, 'I would rather face the gallows, than to go to gaol again.' Unfortunately for him, facing the gallows did not stop him from coming back to Pentridge. In June 1880 Ned was captured by police in the famous shootout, an infamous shootout at Glenrowan, and taken to Melbourne Gaol. After three months of recovery from his 28 gunshot wounds, he was executed on 11 November 1880.

Ned was buried in the Old Melbourne Gaol, but the law required at the time that executed individuals be buried within prison grounds – this could not last forever. In 1929, five years after the Melbourne Gaol closed, the site was redeveloped and burials were to be exhumed. Forty-seven individuals were exhumed from the jail and relocated to Pentridge, where Ned would remain for another 80 years. It was not until 2006, when it was Pentridge's turn to be redeveloped, that archaeologists were given the task to locate and identify these graves. And this work was led by the Victorian Institute of Forensic Medicine. An investigation started with the excavation of bodies and executed prisoners, and the state suspected that Ned Kelly's body might be amongst those skeletal remains. An investigation involving historical research, anthropology, odontology, forensic pathology and DNA analysis resulted in an unlikely identification of Ned Kelly's remains. And so with the time remaining, I commend the bill and the important work of all the team and staff at the Victorian Institute of Forensic Medicine for their work.

Pauline RICHARDS (Cranbourne) (18:54): I am very pleased to be able to have the opportunity to contribute to the debates, albeit not for too long, on the Victorian Institute of Forensic Medicine Bill 2024. I commend in fact, as you leave, Acting Speaker Mercurio, your contribution on this bill, because I know a lot of effort and consideration goes into the contributions you make.

I was very pleased to be able to follow on from the member for Pascoe Vale and, as always, have a deeper understanding of the history of some of the landmarks in that electorate that he represents so well. I had not anticipated having that understanding of the role of this extraordinarily august organisation in the consideration of Ned Kelly's remains and his journey at the end of his life.

As was beautifully articulated by the member for Wendouree, it is exciting to have a new bill that will replace the current Victorian Institute of Forensic Medicine Act 1985. It is going to have as part of the principles which will guide it a new governance structure, a clarification of the Victorian Institute of Forensic Medicine's objectives and functions, and the introduction of a new information-sharing framework.

Like other members, I think I spent a bit of time fascinated as I went through the annual reports. Full disclosure, I perhaps did not quite understand – and I know others have probably more deeply understood – the role that this institution plays, including as an organisation that supports a great deal of international work. Starting first, though, in a domestic setting I want to particularly congratulate the organisation for the work that they did in the Stop the Coward Punch campaign. This sort of research and study on the consequences of assaults I think is really important for us to have a deeper understanding of what happens when people are hurt and damaged in an assault, which can be fatal, but also in non-fatal assaults. I think we need to commend the work of this organisation in providing that extra insight and, in doing that, deepening our understanding as a community of the impact of assaults.

I was fascinated to see in their international report some of the work that they have done in partnership with some of the countries that are part of our neighbourhood. In particular I was interested to see the work that they have done in Bangkok in improving forensic human identification through implementation of simple systems. It was fascinating for me to read about especially some of the work that they have done in South Africa and of course in Sri Lanka, where some members of the organisation have been guest speakers in important conferences, and also in Vietnam. I thought that that was really important for us to understand the work that is being done by our organisations in Victoria to support other countries. Some of the disaster victim identification activities involved work in the aftermath of the Bali bombings, the devastating tsunami in Thailand, the earthquake in Nepal and the exposure of clandestine graves in Timor-Leste.

I commend the work of the scientists who are right at the leading edge of furthering our understanding of and insight into what are often the most difficult and tragic times in people's lives. I think it is fascinating that we have an MOU that was signed between the Victorian Institute of Forensic Medicine and the operational science and technology division of the Australian Federal Police. This type of work

occurs as well in Hanoi in Vietnam, where we have also got a memorandum of understanding with the Asia-Pacific region. I commend the work of the nurses, the clinicians and the scientists who need to respond, many times during tragic events.

I think this is a really important piece of legislation that speaks to this government's vigour in making reforms that are necessary. It speaks to this government's commitment to a science-based approach to reform and to looking at all the ways that we can support the international community in everything that we do. This is terrific work. I commend this bill to the house.

Business interrupted under sessional orders.

Adjournment

The DEPUTY SPEAKER: The question is:

That the house now adjourns.

Warrnambool foreshore vegetation

Roma BRITNELL (South-West Coast) (19:00): (761) My adjournment matter is for the Minister for Environment, and the action I seek is for the minister to direct his department to cut back and where necessary replant areas along the coastal boardwalk and surf lifesaving club in Warrnambool for the safety of locals and visitors. The lack of visibility due to the density of so-called native vegetation is causing a significant safety risk for people along parts of the boardwalk, particularly women, due to fears that the dense foliage leaves them vulnerable to being attacked. Similarly, the surf lifesaving club is struggling to look out for beachgoers because of the growth, and it is obstructing their vision on parts of the beach that they supervise. The club have been asking to restore the visibility they once had of the beach so that they can keep the community safe.

There are dozens of families in Warrnambool who have been involved with the surf lifesaving club for more than 60 years and know the area intimately, going back to when only marram grass was there holding together the dunes. They are committed to the safety of their community and understand the environment that they have been working and playing in for decades and in some cases generations. So imagine the community's surprise when none of these families were consulted by the department during a recent visit. What the community got instead from consultants was a grand vision of a raised boardwalk with new plants to be introduced underneath the current overshadowing trees, which will subsequently be removed much later when the new plants underneath have supposedly established. But if you know anyone who knows a thing or two about the area or anyone working with the natural environment, whether it is gardens, landscaping or indeed farming, they will tell you that expecting young plants to try and grow in these circumstances is laughable. The effects of shading from the dense population of tea-trees will prevent younger plants from establishing, and the removal of the old-growth tea-trees will also inflict trauma on the root system. This planned approach by the department simply will not work. Like in many old gardens, there comes a point when some plants just need to be removed and new ones planted to replace them. It does not have to take place all at once and we recognise dune stability is a concern, but it can be done strategically without harm to the dune structure.

I said 'so-called native vegetation' because while tea-tree is indeed native to Australia it is not native to this spot. The boardwalk was constructed in the 1980s, and the tea-tree and other species were planted alongside and have spread considerably. They were not present prior to the boardwalk's construction, so the excuse of them being native and therefore protected is hindering safety. Tea-tree is clearly good for stabilising the dunes, but being too scared to trim them back and replace them when necessary with new native plants is affecting the community's safety. Rather than waiting for tragedy to strike, the government needs to get on with its task and get the balance right between caring for our natural environment and the safety of our community and swimmers so that the surf lifesaving club can do their job – and apply some common sense. Action should be taken now.

Gladstone Park Secondary College

Josh BULL (Sunbury) (19:03): (762) My adjournment matter this evening is for the outstanding Minister for Education, who is also the Deputy Premier. The action I seek is for the minister to join me in visiting Gladstone Park Secondary College in my electorate. Gladstone Park Secondary is an outstanding local school and one that I have had the opportunity to visit a number of times, very well guided of course by principal Veronica Hoy and the entire team: the school council, teaching staff and the broader school community. For these reasons I was absolutely delighted that the last budget contained more than \$11 million to upgrade and modernise this outstanding local school. It is a commitment that builds on strong investment within the southern part of my electorate. A number of schools have been upgraded by this Labor government – Tullamarine Primary School, Gladstone Park Primary School, Gladstone Views – and these are terrific schools that have benefited significantly from sound and sustained investment.

There is of course more work to do, and that is why I was particularly excited for the \$11 million commitment in the last budget. I know that the minister knows this area very well, and the entire Labor team is committed to making sure this becomes an outstanding upgrade. Only Labor governments invest in education. Only Labor governments make sure our state is indeed the Education State. I look forward to the minister visiting very shortly.

Renewable energy infrastructure

Danny O'BRIEN (Gippsland South) (19:04): (763) My adjournment item this evening is for the Minister for Energy and Resources, and the action I seek is for the minister to withdraw the draft Victorian transmission plan consultation process that is currently underway via Engage Victoria. This process, while the aims may be laudable in trying to better plan our transition lines, has become confused and confusing for Victorians. I say this because what VicGrid is now trying to do is 'investigate further for suitability to host potential future renewable energy zones'. It has released as part of this engagement process a map of the state showing where there are good locations for renewable energy, most particularly solar and wind, and listing them as tier 1, 2 and 3 zones, tier 1 being the most suitable, including in my case parts of South Gippsland, the beautiful rolling green hills, highly productive farmland and a burgeoning tourism industry. The suggestion that there be wind farms in those areas is just absurd and has caused a considerable amount of community angst and confusion.

This is in the context where the government announced in 2021 that it had established six renewable energy zones, including one in Gippsland, and that one in Gippsland was a very vague map on the government's website at the time. It certainly did not include South Gippsland at the time. But the minister said at the time in a media release that this was 'signalling to developers Victoria is ready for new solar and wind projects'. Well, what were those projects about back then, three years ago, that we now have to have a new transmission plan that looks at entirely different areas? This is of great concern to my community and I am sure many communities across the state.

If you look at western Victoria, virtually the entire part of western Victoria is a renewable energy zone. At the moment it is also confusing because in Gippsland we have offshore wind, we have CarbonNet, we have Marinus Link, we have onshore wind developments and we have proposed onshore solar farms, and the community is being consulted to death. I do not say that they should not be talking to us, but this plan is just causing confusion. It is causing unnecessary angst, and there is no point. VicGrid is meant to be planning transmission, not telling the developers where good spots are for wind and solar or any other renewable energy. That is not what the government should be doing. It should be letting developers do that work and plan the transmission lines accordingly. This is just a ridiculous piece of work that has been put out in our communities. It is causing confusion and it is causing angst in our communities, and the minister should withdraw it.

Laverton electorate sporting clubs

Sarah CONNOLLY (Laverton) (19:07): (764) My adjournment is for the wonderful Minister for Community Sport, and the action that I seek is that the minister come and join me in my electorate of Laverton to meet with representatives from some of our fantastic sporting clubs and communities that we have in our part of Melbourne's west. As the minister knows, there are a bunch of wonderful groups in my local community that this government has supported with funding and commitments to help them play the game that they love so much.

In Truganina of course we have Truganina Thunder Football Club, who thanks to our government's election commitment received \$300,000 to go towards setting up lighting and, most importantly, a brand new scoreboard at Mainview Boulevard Reserve, right in the heart of Trug. I am proud to have developed a close relationship with this local club over the past couple of years, talking to mums and dads, watching their kids play sport; there is nothing I would rather be doing on the weekend. That is why we made this commitment heading into the last election, and I was so excited for the whole team there and all the work they put into advocating for this.

There is another outstanding club I wish to mention, and that is Sunshine Heights Cricket Club. As member for Laverton I have not known them for long, but as with so many of the clubs in my newer constituencies, the club has been nothing short of welcoming and absolutely amazing and constructive in letting me know what they need for their facilities. I am really pleased to say that their advocacy paid off in this year's budget, where the club received \$85,000 to go towards funding a brand new electronic scoreboard at Ainsworth Reserve in Sunshine West. Not only will this new scoreboard benefit the cricket club, but Ainsworth Reserve is also home to Sunshine Heights Football Club, who are equally enthusiastic in their support for this project.

Whether it is direct funding like these two or supporting clubs through grant programs, our government is delivering for our local sporting clubs in my patch of Melbourne's west. That is why it would indeed be a great opportunity for the minister to join me in my electorate to meet with some of these clubs and their leadership and membership firsthand to see just how much positive work our government is doing by supporting community sport in my electorate of Laverton.

Narracan electorate roads

Wayne FARNHAM (Narracan) (19:10): (765) My adjournment this evening is to the Minister for Roads and Road safety, and the action I seek is for funding to be provided to address the serious road issues across Narracan. We are not just talking about road maintenance issues – we are talking about infrastructure projects, upgrades, modernisations and every aspect of our roads. But let me start on the maintenance. We have some serious issues between Nar Nar Goon and the Bunyip River, and you would not believe this – when we say road safety costs lives, this story will blow your mind. We had a surgeon travelling to the West Gippsland Hospital last week. He hit a pothole, blew his tyre out and had to drive 6 kilometres to the Longwarry service station and then beg someone to take him to West Gippsland Hospital. He had 10 patients waiting that all had to have colonoscopies. It is fair to say if you have ever had a colonoscopy, they are not the most pleasant procedure to go through, but imagine if your doctor did not turn up because he had blown his tyre out on a pothole on a road of significance in Victoria. I am trying to say this with a straight face. Thankfully the doctor did make it. There was a very good Samaritan that took him to West Gippsland Hospital, and all colonoscopies were completed. They were waiting with bated breath, but they got through it.

Unfortunately that is not the only issue in my electorate. We have a lot of issues. We need major intersection upgrades, especially along that exact same road I just mentioned. Unfortunately we have got a sign down at Tynong that flashes 70 kilometres when a car is coming to the intersection. That sign has been out of commission now for over 12 months, and that is a dangerous intersection, and I would like the minister to look at that and get that fixed straightaway, not to mention the numerous roundabout upgrades that are needed in Warragul and Drouin, and again I would ask for the \$3 million road study we need for Warragul and Drouin so their road networks can be upgraded; they are over

100 years old. It has been the fastest growing area in Australia over the last decade, and it needs serious government investment right now.

Tarneit electorate sporting facilities

Dylan WIGHT (Tarneit) (19:12): (766) My adjournment matter this evening is directed to the Minister for Community Sport, and I ask the minister to provide my community with an update on the many existing community sporting infrastructure projects in my electorate of Tarneit. In Tarneit our sporting clubs are truly the heart of our community, bringing people together and fostering a strong sense of camaraderie. I have had the pleasure of playing for one of my local clubs, the Tarneit Titans, during this year, and the experience was absolutely fantastic.

A member: Did you kick a goal?

Dylan WIGHT: I kicked a goal – kicked the winning goal, from memory. I look forward to playing more games for the Tarneit Titans at Wootten Road Reserve once the brand new scoreboard that we have promised is set up. This new scoreboard will not only enhance the game day experience for both players and supporters but also add a professional touch to our local matches. Furthermore, the Mossfiel Reserve lighting project has received \$75,000 from the Local Sports Infrastructure Fund. It will be a welcome upgrade for the Hoppers Crossing Netball Association.

A member interjected.

Dylan WIGHT: No match payments for me, unfortunately. The Goddard Street Reserve lighting project for the Wyndham Suns Football Club is another significant development. The funding will support the installation of LED lighting on ovals 1 and 2 as well as the installation of solar-powered lighting on pathways, improving community safety on the reserve.

The Polly Parade active open space project is another major initiative, supported by half a million dollars from the community sport portfolio. This project includes the development of three turf soccer pitches with lighting, a large cricket oval, six tennis courts and a sporting pavilion. This facility will provide a hub for active recreation and community engagement. It is great to see so much investment going into our grassroots sporting clubs in Tarneit and indeed right across Victoria. I look forward to the minister's response.

Albury Wodonga Health

Bill TILLEY (Benambra) (19:14): (767) I wish to raise a matter for the attention of the Minister for Health. The action I seek is for the minister to ensure that the \$558 million makeover of the Albury Wodonga Health Albury campus includes at the minimum a 700-space increase in car parks. The preferred option in the latest master plan of this makeover is a 300-space car park update. That is simply not enough. The lack of parking at Albury hospital is an absolute joke at present, let alone what the future may hold. Last Wednesday there were 237 cars parked on the streets, pedestrian islands, roadside verges and so forth. The designated car parks were also absolutely chockers and full.

This is not a new issue. It was first raised during the planning for a new emergency department back in 2022. The emergency department improvements with extra beds, staff and an extended footprint took up 93 car spaces, and the consultants found that even before those losses the hospital was 82 car park spaces short of what was needed. The 175-car space shortage was partly remedied by a 10-year lease on a block on the other side of the road that provided 105 car spaces. The lease expires at the same time the Victorian government expects to complete the makeover.

I have got emails – or you can call them notes like last time. The story continues. The emails are between health bureaucrats, obtained from a New South Wales Legislative Council document motion, and say all parking will return to the hospital site by 2032. By that time you will have the 237-car excess, as identified last week, and another 175-space shortfall from the emergency department development, having handed back the temporary car park. There will be in future an extra 526 staff –

about 263 car spaces – and an extra 146 beds, or about 38 car spaces. That is 713 spaces, without including the loss of existing car parks.

I also have an email from Health Infrastructure New South Wales – Steve Hall – dated back to 24 August 2023 that sheds further light on this flawed plan. They are the lead on this Victorian government hospital. Mr Hall talks about the cost of car parking. He notes all options for the medical tower are over budget. A 700-space car park will cost \$40 million, and if they go that way, they will have to compromise on core clinical scope. That is including operating theatres, beds et cetera. If they cut back on the building, they could get away with a smaller, cheaper car park. You could not make this stuff up. I guess that even the general manager of Albury council when faced with the shortfall in parking created by the new emergency department plans in February 2022 suggested the authorities think about making it a hospital bike designation.

Shorten Reserve, West Footscray

Katie HALL (Footscray) (19:17): (768) The action I seek is for the Minister for Community Sport to join me with local teams at Shorten Reserve in West Footscray to provide an update on the Shorten Reserve redevelopment project. The ground is home to the West Footscray Roosters – I believe the member for Melton’s first team – the Druids and the mighty Bokkers sports clubs, as well as Scouts and other community groups based out of the adjacent RecWest facility. Shorten Reserve, an important facility in our community, desperately needs remediation. Because it sits on an old quarry site, the oval is really flat and it is often waterlogged. Prior to the last election I worked with the club to secure an election commitment of \$10 million to go towards to the City of Maribyrnong’s RecWest and Shorten Reserve master plan. That funding was allocated in full in last year’s budget. Residents are eager for the works, which are to be delivered by the City of Maribyrnong, to get underway because they recognise that they are desperately needed, and this was another tough winter for those sporting clubs.

The beautiful community that lives around Shorten Reserve brings neighbours and families together. It helps strengthen the bonds of our community, and it uplifts and upholds the values that make Melbourne’s inner west great. Providing our sporting clubs with the best facilities possible is not just about local pride or premierships; it is about creating spaces where people feel welcome, where people can create a sense of purpose and where they can come together to celebrate victories or commiserate defeats in life and on the oval. I look forward to bringing the minister down to meet with the club in eager anticipation of the City of Maribyrnong commencing works.

Cooba solar project

Annabelle CLEELAND (Euroa) (19:20): (769) My adjournment tonight is for the Minister for Planning, and the action I seek is for the government to reject the application put forward by Venn Energy for the Cooba solar facility. This proposed renewable energy project has left community members in towns like Colbinabbin feeling frustrated and ignored, as the 665-hectare site will consume much of the region’s prime agricultural land. Locals are not against renewable projects; they simply believe this one should not take up such productive land when there are alternative options available. The local council has shown its support for renewable projects when they align with the region’s best interests. However, in this case Campaspe council shares the community’s concern and strongly believes this project should not proceed.

The 740,000 eight-metre-tall solar panels are set to be constructed in the middle of the Heathcote wine geographical indication on prime agricultural land on the eastern slope of the Mount Camel hill range. This land is vital to the livelihoods of many in the region, and using it for such a large project has locals justifiably worried. Local wine growers are particularly concerned about the impact this massive project could have on the microclimate, which could drastically alter their ability to grow grapes. The community’s frustrations have been voiced through a petition that I am proud to sponsor. The petition tabled today in the Victorian Parliament has gathered nearly 2000 signatures, with support coming

from as far as Bendigo. Given that Colbo has a population of less than 300, it is clear that this issue resonates with people across regional communities.

We have seen what can be achieved when the transition to renewables is done right, with communities involved and benefiting from the change. Unfortunately, the towns surrounding this proposed solar facility have been ignored, and Venn Energy has failed to conduct effective community consultation. We cannot allow large corporations to dismiss the concerns of local people and take all the benefits elsewhere, leaving communities worse off. The rapid expansion of renewables across regional Victoria is undeniable, but it is crucial to prioritise listening to impacted communities and ensuring a careful approach.

I urge the minister to consider this adjournment and pay attention to the voices of the Colbo community. We invite the minister to visit the region and meet with the Colbo renewables action group, which represents the local community, including farmers, businesses and tourism operators who are concerned about the proposal. I must emphasise that every person I have spoken with is not opposed to renewable energy, and neither am I. However, there is significant concern about the Venn Energy proposal and the company's disgraceful lack of community consultation. For the sake of the local region I ask that the planning application for this project be rejected.

Connecting Victoria

Alison MARCHANT (Bellarine) (19:23): (770) My adjournment matter is for the Minister for Government Services, and the action I seek is for the minister to provide an update on how the Connecting Victoria program is improving mobile broadband and wi-fi infrastructure in the electorate of Bellarine. Currently across the Bellarine we have residents in areas with little or no broadband or mobile coverage, specifically St Leonards, Wallington and Curlewis. We know this coverage is important not only for day-to-day tasks but also for our health care, flexible working situations and checking in with loved ones, and it is also critical in emergency services. Although I note that the federal government is primarily responsible for telecommunications infrastructure, it is important to recognise that the Victorian Labor government is taking the initiative to invest and improve through the Connecting Victoria program for residents. I look forward to hearing an update from the minister regarding how this program may positively benefit and resolve some communication concerns of my electorate, and I will be sharing this news with my constituents.

Responses

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (19:24): There were several matters raised by members, including from the member for the South-West Coast to the Minister for Environment about the cutting back of vegetation at the surf lifesaving club in Warrnambool. She outlined those details. The member for Tarneit, for the Tarneit Tigers, raised a matter for the Minister for Community Sport seeking a visit to look at the fantastic sports infrastructure projects across his electorate. The member for Gippsland South raised a matter with the Minister for Energy and Resources for the withdrawal of the draft Victorian transmission plan. The member for Sunbury raised a matter for the Minister for Education seeking a visit at the amazing Gladstone Park Secondary College. The member for Narracan raised a matter for the Minister for Roads and Road Safety particularly for funding for the local road network and some significant serious issues with the road network across the electorate of Narracan.

The member for Laverton raised a matter for the Minister for Community Sport seeking that the minister join her in Laverton to visit some of the fantastic sporting clubs across Melbourne's west, particularly those across the Laverton electorate. The member for Euroa raised a matter for the Minister for Planning, in conversations with herself and others across her electorate, around the important matter of rejecting the Viva Energy renewable energy project which affects communities like Colbinabbin. I remember being in Colbinabbin – I nearly ran out of fuel and I went and got some in Colbinabbin West. I will pass on that matter to the Minister for Planning.

ADJOURNMENT

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Legislative Assembly

Tuesday 13 August 2024

The member for Footscray raised a matter for the Minister for Community Sport, who is going to be very busy after this adjournment. She is also going to visit the Shorten Reserve and the clubs that are working there that use that as their base for a number of local sporting development programs and projects. The member for Benambra raised a matter for the Minister for Health particularly around the very significant \$558 million makeover of the Albury Wodonga Health service, addressing the significant shortage in the development plans and the designs there for car parking services for local people. The member for Bellarine raised a matter for the Minister for Government Services about the Connecting Victoria program and the work it is doing to boost mobile coverage and the like, particularly for local communities in her amazing electorate down there on the Bellarine, like St Leonards and others that she mentioned. I will be sure to pass all of those matters onto the relevant ministers.

The DEPUTY SPEAKER: That was democracy manifest, and the house stands adjourned until tomorrow morning.

House adjourned 7:26 pm.