

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-NINTH PARLIAMENT

FIRST SESSION

TUESDAY, 20 SEPTEMBER 2022

hansard.parliament.vic.gov.au

By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU AC

The Lieutenant-Governor

The Honourable JAMES ANGUS AO

The ministry

Premier	The Hon. DM Andrews MP
Deputy Premier, Minister for Transport Infrastructure, Minister for the Suburban Rail Loop and Minister for Commonwealth Games Delivery	The Hon. JM Allan MP
Attorney-General and Minister for Emergency Services	The Hon. J Symes MLC
Minister for Training and Skills, Minister for Higher Education and Minister for Agriculture	The Hon. GA Tierney MLC
Treasurer, Minister for Economic Development, Minister for Industrial Relations and Minister for Trade	The Hon. TH Pallas MP
Minister for Planning	The Hon. EA Blandthorn MP
Minister for Child Protection and Family Services and Minister for Disability, Ageing and Carers	The Hon. CW Brooks MP
Minister for Police, Minister for Crime Prevention and Minister for Racing	The Hon. AR Carbines MP
Minister for Public Transport, Minister for Roads and Road Safety, Minister for Industry Support and Recovery and Minister for Business Precincts	The Hon. BA Carroll MP
Minister for Energy, Minister for Environment and Climate Action and Minister for Solar Homes	The Hon. L D'Ambrosio MP
Minister for Tourism, Sport and Major Events and Minister for Creative Industries	The Hon. S Dimopoulos MP
Minister for Ports and Freight, Minister for Consumer Affairs, Gaming and Liquor Regulation, Minister for Local Government and Minister for Suburban Development	The Hon. MM Horne MP
Minister for Education and Minister for Women	The Hon. NM Hutchins MP
Minister for Corrections, Minister for Youth Justice, Minister for Victim Support and Minister for Fishing and Boating	The Hon. S Kilkenny MP
Minister for Commonwealth Games Legacy and Minister for Veterans	The Hon. SL Leane MLC
Assistant Treasurer, Minister for Regulatory Reform, Minister for Government Services and Minister for Housing	The Hon. DJ Pearson MP
Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business and Minister for Resources	The Hon. JL Pulford MLC
Minister for Water, Minister for Regional Development and Minister for Equality	The Hon. H Shing MLC
Minister for Multicultural Affairs, Minister for Prevention of Family Violence, Minister for Community Sport and Minister for Youth	The Hon. RL Spence MP
Minister for Workplace Safety and Minister for Early Childhood and Pre-Prep	The Hon. I Stitt MLC
Minister for Health and Minister for Ambulance Services	The Hon. M Thomas MP
Minister for Mental Health and Minister for Treaty and First Peoples	The Hon. G Williams MP
Cabinet Secretary	Mr SJ McGhie MP

Legislative Council committees

Economy and Infrastructure Standing Committee

Mr Finn, Mr Gepp, Dr Kieu, Mrs McArthur, Mr Quilty and Mr Tarlamis.

Participating members: Dr Bach, Ms Bath, Dr Cumming, Mr Davis, Ms Lovell, Mr Meddick, Mr Ondarchie, Mr Rich-Phillips, Ms Vaghela and Ms Watt.

Environment and Planning Standing Committee

Dr Bach, Ms Bath, Dr Cumming, Mr Grimley, Mr Hayes, Mr Meddick, Mr Melhem, Dr Ratnam, Ms Terpstra and Ms Watt.

Participating members: Ms Burnett-Wake, Ms Crozier, Mr Davis, Dr Kieu, Mrs McArthur, Mr Quilty and Mr Rich-Phillips.

Legal and Social Issues Standing Committee

Ms Burnett-Wake, Mr Erdogan, Dr Kieu, Ms Maxwell, Mr Ondarchie, Ms Patten and Ms Taylor.

Participating members: Dr Bach, Ms Bath, Ms Crozier, Dr Cumming, Mr Gepp, Mr Grimley, Ms Lovell, Mr Quilty, Dr Ratnam, Mr Tarlamis, Ms Terpstra, Ms Vaghela and Ms Watt.

Privileges Committee

Mr Atkinson, Mr Bourman, Mr Davis, Mr Grimley, Mr Leane, Mr Rich-Phillips, Ms Shing, Ms Symes and Ms Tierney.

Procedure Committee

The President, the Deputy President, Ms Crozier, Mr Davis, Mr Grimley, Dr Kieu, Ms Patten, Ms Pulford and Ms Symes.

Joint committees

Dispute Resolution Committee

Council: Mr Bourman, Ms Crozier, Mr Davis, Ms Symes and Ms Tierney.

Assembly: Ms Allan, Ms Hennessy, Mr Merlino, Mr Pakula and Mr R Smith.

Electoral Matters Committee

Council: Mr Erdogan, Mrs McArthur, Mr Meddick, Mr Melhem, Ms Lovell, Mr Quilty and Mr Tarlamis.

Assembly: Ms Hall, Dr Read and Mr Rowswell.

House Committee

Council: The President (*ex officio*), Mr Bourman, Mr Davis, Mr Leane, Ms Lovell and Ms Stitt.

Assembly: The Speaker (*ex officio*), Mr T Bull, Ms Crugnale, Mr Fregon, Ms Sandell, Ms Staley and Ms Suleyman.

Integrity and Oversight Committee

Council: Mr Grimley.

Assembly: Mr Halse, Mr Maas, Mr Rowswell, Mr Taylor, Ms Ward and Mr Wells.

Pandemic Declaration Accountability and Oversight Committee

Council: Ms Crozier and Mr Erdogan.

Assembly: Mr J Bull, Mr Eren, Ms Kealy, Mr Sheed, Ms Ward and Mr Wells.

Public Accounts and Estimates Committee

Council: Mrs McArthur and Ms Taylor.

Assembly: Ms Connolly, Mr Hibbins, Mr Maas, Mr Newbury, Mr D O'Brien, Ms Richards and Mr Richardson.

Scrutiny of Acts and Regulations Committee

Council: Mr Gepp, Ms Patten, Ms Terpstra and Ms Watt.

Assembly: Mr Burgess, Ms Connolly and Mr Morris.

Heads of parliamentary departments

Assembly: Clerk of the Legislative Assembly: Ms B Noonan

Council: Clerk of the Parliaments and Clerk of the Legislative Council: Mr A Young

Parliamentary Services: Secretary: Ms T Burrows

MEMBERS OF THE LEGISLATIVE COUNCIL
FIFTY-NINTH PARLIAMENT—FIRST SESSION

President

The Hon. N ELASMAR (from 18 June 2020)

The Hon. SL LEANE (to 18 June 2020)

Deputy President

The Hon. WA LOVELL

Acting Presidents

Mr Bourman, Mr Gepp, Mr Melhem and Ms Patten

Leader of the Government

The Hon. J SYMES

Deputy Leader of the Government

The Hon. GA TIERNEY

Leader of the Opposition

The Hon. DM DAVIS

Deputy Leader of the Opposition

Ms G CROZIER

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	McIntosh, Mr Thomas Andrew ⁹	Eastern Victoria	ALP
Bach, Dr Matthew ¹	Eastern Metropolitan	LP	Maxwell, Ms Tania Maree	Northern Victoria	DHJP
Barton, Mr Rodney Brian	Eastern Metropolitan	TMP	Meddick, Mr Andy	Western Victoria	AJP
Bath, Ms Melina Gaye	Eastern Victoria	Nats	Melhem, Mr Cesar	Western Metropolitan	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFFP	Mikakos, Ms Jenny ¹⁰	Northern Metropolitan	ALP
Burnett-Wake, Ms Cathrine ²	Eastern Victoria	LP	O'Donohue, Mr Edward John ¹¹	Eastern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Cumming, Dr Catherine Rebecca	Western Metropolitan	Ind	Patten, Ms Fiona Heather	Northern Metropolitan	FPRP
Dalidakis, Mr Philip ³	Southern Metropolitan	ALP	Pulford, Ms Jaala Lee	Western Victoria	ALP
Davis, Mr David McLean	Southern Metropolitan	LP	Quilty, Mr Timothy	Northern Victoria	LDP
Elasmar, Mr Nazih	Northern Metropolitan	ALP	Ratnam, Dr Samantha Shantini	Northern Metropolitan	Greens
Erdogan, Mr Enver ⁴	Southern Metropolitan	ALP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Finn, Mr Bernard Thomas Christopher ⁵	Western Metropolitan	DLP	Shing, Ms Harriet	Eastern Victoria	ALP
Garrett, Ms Jane Furneaux ⁶	Eastern Victoria	ALP	Somyurek, Mr Adem ¹²	South Eastern Metropolitan	Ind
Gepp, Mr Mark	Northern Victoria	ALP	Stitt, Ms Ingrid	Western Metropolitan	ALP
Grimley, Mr Stuart James	Western Victoria	DHJP	Symes, Ms Jaclyn	Northern Victoria	ALP
Hayes, Mr Clifford	Southern Metropolitan	SAP	Tarlamis, Mr Lee ¹³	South Eastern Metropolitan	ALP
Jennings, Mr Gavin Wayne ⁷	South Eastern Metropolitan	ALP	Taylor, Ms Nina	Southern Metropolitan	ALP
Kieu, Dr Tien Dung	South Eastern Metropolitan	ALP	Terpstra, Ms Sonja	Eastern Metropolitan	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Limbrick, Mr David ⁸	South Eastern Metropolitan	LDP	Vaghela, Ms Kaushaliya Virjibhai ¹⁴	Western Metropolitan	Ind
Lovell, Ms Wendy Ann	Northern Victoria	LP	Watt, Ms Sheena ¹⁵	Northern Metropolitan	ALP
McArthur, Mrs Beverley	Western Victoria	LP	Wooldridge, Ms Mary Louise Newling ¹⁶	Eastern Metropolitan	LP

¹ Appointed 5 March 2020

² Appointed 2 December 2021

³ Resigned 17 June 2019

⁴ Appointed 15 August 2019

⁵ LP until 24 May 2022

Ind 24 May–2 June 2022

⁶ Died 2 July 2022

⁷ Resigned 23 March 2020

⁸ Resigned 11 April 2022

Appointed 23 June 2022

⁹ Appointed 18 August 2022

¹⁰ Resigned 26 September 2020

¹¹ Resigned 1 December 2021

¹² ALP until 15 June 2020

¹³ Appointed 23 April 2020

¹⁴ ALP until 7 March 2022

¹⁵ Appointed 13 October 2020

¹⁶ Resigned 28 February 2020

Party abbreviations

AJP—Animal Justice Party; ALP—Labor Party; DHJP—Derryn Hinch's Justice Party;

DLP—Democratic Labour Party; FPRP—Fiona Patten's Reason Party; Greens—Australian Greens;

Ind—Independent; LDP—Liberal Democratic Party; LP—Liberal Party; Nats—The Nationals;

SAP—Sustainable Australia Party; SFFP—Shooters, Fishers and Farmers Party; TMP—Transport Matters Party

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Tuesday, 20 September 2022

The PRESIDENT (Hon. N Elasmr) took the chair at 9.35 am and read the prayer.

Announcements

ACKNOWLEDGEMENT OF COUNTRY

The PRESIDENT (09:35): On behalf of the Victorian state Parliament I acknowledge the Aboriginal peoples, the traditional custodians of this land which has served as a significant meeting place of the First People of Victoria. I acknowledge and pay respect to the elders of the Aboriginal nations in Victoria past, present and emerging and welcome any elders and members of the Aboriginal communities who may visit or participate in the events or proceedings of the Parliament.

PHOTOGRAPHY IN CHAMBER

The PRESIDENT (09:36): Members, I wish to advise you that an official photographer has been arranged to take some photos from the galleries this week.

Death of Queen Elizabeth II and accession of King Charles III

OATH OR AFFIRMATION OF ALLEGIANCE TO KING CHARLES III

The PRESIDENT (09:36): As Ms Patten was not present in the chamber on 13 September, I will now preside over her swearing in, pursuant to the commission issued to me by the Governor on 12 September 2022. I ask Ms Patten to approach the dais.

Ms Patten took and subscribed the affirmation of allegiance to His Majesty King Charles III.

Business of the house

STANDING AND SESSIONAL ORDERS

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (09:38): I move, by leave:

That standing and sessional orders be suspended to the extent necessary to allow the following to occur today and tomorrow:

1. Order of business today
 - Messages
 - Formal business
 - Members statements (up to 15 members)
 - Government business
 - At 12 noon Questions
 - Constituency questions (up to 15 members)
 - Lunchbreak (60 minutes)
 - Government business
 - At 6.30 pm Meal break (60 minutes)
 - Government business
 - At 10.00 pm Adjournment (up to 20 members)
2. Order of business on Wednesday
 - Messages
 - Formal business
 - Members statements (up to 15 members)
 - General business

- At 12 noon Questions
 Constituency questions (up to 15 members)
 General business (until 5.15 pm)
 At 5.15 pm Statements on reports, papers and petitions (30 minutes)
 Government business
 At 10.00 pm Adjournment (up to 20 members)
3. Extension of sitting
 Standing order 4.08 applies in relation to any interruption of business in the order of business prescribed above.

Motion agreed to.**Bills****ENVIRONMENT LEGISLATION AMENDMENT (CIRCULAR ECONOMY AND OTHER MATTERS) BILL 2022****JUSTICE LEGISLATION AMENDMENT (POLICE AND OTHER MATTERS) BILL 2022****JUSTICE LEGISLATION AMENDMENT (SEXUAL OFFENCES AND OTHER MATTERS) BILL 2022****MENTAL HEALTH AND WELLBEING BILL 2022****RESIDENTIAL TENANCIES, HOUSING AND SOCIAL SERVICES REGULATION AMENDMENT (ADMINISTRATION AND OTHER MATTERS) BILL 2022****STATE SPORT CENTRES LEGISLATION AMENDMENT BILL 2022***Royal assent*

The PRESIDENT (09:39): I have a message from the Governor, dated 6 September:

The Governor informs the Legislative Council that she has, on this day, given the Royal Assent to the undermentioned Act of the present Session presented to her by the Clerk of the Parliaments:

- 36/2022** Environment Legislation Amendment (Circular Economy and Other Matters) Act 2022
37/2022 Justice Legislation Amendment (Police and Other Matters) Act 2022
38/2022 Justice Legislation Amendment (Sexual Offences and Other Matters) Act 2022
39/2022 Mental Health and Wellbeing Act 2022
40/2022 Residential Tenancies, Housing and Social Services Regulation Amendment (Administration and Other Matters) Act 2022
41/2022 State Sport Centres Legislation Amendment Act 2022

Petitions**Following petitions presented to house:****KNOX CAT CURFEW**

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that Knox City Council has not adhered to the Local Government Act 2020 when making an Order to introduce a 24-hour cat curfew

Knox City Councillors voted to introduce a 24-hour cat curfew without first consulting the community on the 24-hour Order. In 2020, the Council ran a trial dusk-to-dawn curfew for 12 months at the expense of ratepayers and have not published any results. The Councillors did not adhere to the Councillor Code of Conduct and the Order was introduced without evidence and statistics.

The Council imposes \$545 fines if a cat is not 'securely confined' 'at all times', failing to consider the financial and health impacts upon owners, including renters, the elderly, special needs children with therapy cats and those struggling with mental health and reduced incomes.

The Council did not follow its Community Engagement Policy and the Municipal Health and Wellbeing Plan and have said that they will conceal the identity of complainants, placing the onus on cat owners to defend themselves from anonymous accusations. This Order has created community division, issues of inequality and animal abuse.

The petitioners therefore request that the Legislative Council call on the Government to conduct an inquiry into the Knox City Council's Order to introduce a 24-hour cat curfew, revoke the 24-hour cat curfew, conduct professional community consultations on the 24-hour curfew, introduce a retrial of the night curfew with results independently assessed and publicly reported, discontinue unverifiable online surveys and review the conduct of Knox City Council Councillors.

By Mr ATKINSON (Eastern Metropolitan) (296 signatures).

Laid on table.

BLACKBURN LAKE FISHING

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that there is a need for recreational fishing opportunities within the City of Whitehorse. Currently the City of Whitehorse does not offer any opportunities for fishing, even prohibiting recreational fishing under by-laws, forcing community members to venture further to be able to participate in recreational fishing.

The community would greatly benefit from having a local fishing waterway. The waterway would provide an enjoyable and peaceful place to go fishing and a place where the Mitcham Angling Club could run community events and hold training sessions for members.

Blackburn Lake is already well frequented and enjoyed as a walking and play area by many community members and families. The community proposes to introduce fishing at Blackburn Lake in a considered and collaborative approach with the Victorian Recreational Fishing Peak Body, the Victorian Fisheries Authority, the Whitehorse City Council and the Blackburn Lake Sanctuary Advisory Group.

The petitioners therefore request that the Legislative Council call on the Government to deliver an independent and thorough study that investigates the feasibility, long-term sustainability, and environmental impacts of introducing fishing at Blackburn Lake.

By Mr BARTON (Eastern Metropolitan) (219 signatures).

Laid on table.

BUSHFIRE PREPAREDNESS

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that wildfire events across Victoria over the past 20 years indicate an increase in areas burnt and a vast increase in the intensity of those fires.

The impact on the environment is devastating, as illustrated by the 2019–20 bushfire season. Whilst fire is a natural phenomenon in the Australian bush, intense fire over vast areas is not natural. There is a need to use more low intensity fire to reduce fuel levels in the bush to mitigate the impacts of inevitable wildfires, particularly in a drying environment.

The current Victorian Government's policy of "Safer Together" focuses on prevention of loss of life and assets. Whilst this is important, it is clearly not reducing the area and intensity of wildfires, as illustrated by the 2019–20 bushfire season. Likewise, an emphasis on more aircraft and other technology for suppression works fails to address the root cause of the problem, which is increasing fuel loads. Preventative fuel management work needs to be carried out in vast forested areas from where most large fires emanate, in addition to hazard mitigation in areas close to assets.

The petitioners therefore request that the Legislative Council call on the Government to revise its fire prevention policy by increasing the area of fuel reduced annually across Victoria through the use of low intensity burning of at least five per cent of the forested area.

By Ms BATH (Eastern Victoria) (738 signatures).

Laid on table.

SEAFORD NOISE MITIGATION

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that the Level Crossing Removal Authority have no plans to provide noise mitigation for the Kananook Train

Storage Facility in Seaford. Noise in this 24/7 facility is continuous, close to residents and to the Edithvale-Seaford Wetlands Ramsar site.

Operational noise includes train safety checks such as idling for five minutes, brake and horn testings, shunting trains, horns sounding, air conditioning noise from the maintenance shed, staff amenities and administration buildings, two outside train washes, pneumatic tools, accelerating forklifts and trucks, roof mounted exhaust fans, and internal cleaning and maintenance in trains, as the 12 air conditioning units per train must run.

The World Health Organisation notes that health complications from noise in the community include sleep disturbances, learning disorders, cognitive impairment, heart disease and stroke.

The birds who migrate to reproduce in the Ramsar Wetlands also have their health affected as they are unable to hear danger from predators and the mothers of migratory birds become stressed by noise, impacting the birth weight and number of chicks born, decreasing their reproduction rate.

The petitioners therefore request that the Legislative Council call on the Government to direct the Level Crossing Removal Authority to mitigate the operational noise generated by the Kananook Train Storage Facility in Seaford.

By Mr DAVIS (Southern Metropolitan) (103 signatures).

Laid on table.

GEELONG MINIATURE RAILWAY

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that the Geelong Miniature Railway (GMR) is a registered charity made of ex-servicemen and railway enthusiasts coming together to build Geelong's first seven-and-a-quarter-inch miniature railway and family park. GMR has built up a large asset base of over \$200,000 through local business and community support and is about to commence operating the miniature railway.

A suitable site is now needed for this project, ideally a flat 12 to 15 acre parcel of land that would accommodate public toilets, car parking for at least 150 cars, and utility connections for easy access. GMR has tried to obtain land through the City of Greater Geelong Council for the past seven years, to no avail. A feasibility study and business case is currently being developed and has been funded by the Council.

GMR aspires to build a community run project that will educate members with a variety of trade skills that can be passed onto local school children and youth, with a promising outlook for talks with educational organisations. A percentage of funds raised will support local charitable organisations and schools.

The petitioners therefore request that the Legislative Council call on the Government to provide seed funding for the commencement of the seven-and-a-quarter-inch miniature railway and family park in Geelong and assist the Geelong Miniature Railway with locating a 15 acre site with the support of the City of Greater Geelong Council.

By Mr GRIMLEY (Western Victoria) (19 signatures).

Laid on table.

VICTIMS OF CRIME FINANCIAL ASSISTANCE SCHEME

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the urgent and critical need for a fully funded Victims Legal Service. The legal support and advice provided by the Victims Legal Service may be accessible to victims of crime, in particular sexual crime, that is otherwise outside the scope of the Office of Public Prosecutions, police prosecutors and legal aid. Failure to fund this essential service for victims of crime means that victims face substantial barriers when obtaining appropriate legal advice and do not receive complete information of their rights, entitlements and choices while moving through the justice system.

The petitioners therefore request that the Legislative Council call on the Government to expand the funding and service offerings of the Victims Legal Service so that they may represent and appear on behalf of the victim in court, attend conferences between the victim, the Office of Public Prosecution and police, provide legal advice on rights and entitlements, assist with Victims of Crime Assistance Tribunal applications and

Victim Impact Statements and provide support when making complaints to investigators, prosecutors and victim support agencies, pursuant to the Victims Charter Act 2006.

By Mr GRIMLEY (Western Victoria) (156 signatures).

Laid on table.

PAROLE ELIGIBILITY

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the ongoing pain and suffering caused by the actions of convicted serial killer Paul Charles Denyer. In the winter of 1993, Denyer took the lives of three young women. These horrific violent crimes were motivated by a simple desire to kill, with the victims selected at random, simply because Denyer hated women.

Justice Frank Vincent noted at sentencing that Denyer had harboured thoughts of killing since the age of 14 and had been stalking women since the age of 17. Justice Vincent suggested that to describe Denyer's crimes as a serious example of the most serious crime, almost trivialised his horrendous conduct. Justice Vincent declined to fix a non-parole period to ensure the community would forever be protected from Paul Charles Denyer. This sentence was overturned on appeal and a non-parole period of 30 years was granted.

The surviving families and friends of Denyer's victims continue to feel the impact of his vicious crimes and dread the prospect of parole. Paul Charles Denyer should remain in jail for life, to prevent further trauma to the people impacted by his crimes from future parole hearings.

The petitioners therefore request that the Legislative Council call on the Government to ensure that the Frankston Serial Killer, Paul Charles Denyer, remains in prison for life to prevent further trauma to the people impacted by his crimes from future parole hearings.

By Mr LIMBRICK (South Eastern Metropolitan) (5406 signatures).

Laid on table.

MOOROOPNA SECONDARY EDUCATION

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that Mooroopna lost its Secondary College last year, along with significant sporting grounds and facilities.

The community wants guarantees that the site will not be repurposed and instead reopened as soon as possible with a fully funded master plan which integrates Riverlinks Westside and Gemmill Swamp Nature Conservation Reserve into the school's significant bordering sites as shared use agreements.

A special relationship with Mooroopna Park Primary School should be established. According to the latest Australian Bureau of Statistics Census, the community needs a high school as appropriate feeder schools are already in place.

The vision of educational innovation at a significant site is fully supported by a community grieving the loss of their Secondary College. To signal a new era, it should be renamed Gaiyila College and Gemmill Swamp should be renamed Gemmill Gakan. A canteen, school library and sporting grounds need to be fit for purpose so Mooroopna's reputable sporting clubs can help revitalise school activities.

This development will not only benefit the school but the wider community who will make use of the facilities and will be a source of pride and wellbeing.

The petitioners therefore request that the Legislative Council call on the Government to ensure a high quality and high equity local high school in Mooroopna is opened as soon as possible and, as a matter of urgency, investigate all structural and safety issues, survey all school assets and subject dedicated spaces, gardens and sporting facilities, and draw up and fund a master plan informed by the Yorta Yorta Nation, with capital works investment to follow.

By Ms LOVELL (Northern Victoria) (1047 signatures).

Laid on table.

Ms LOVELL: I move:

That the petition be taken into consideration on the next day of meeting.

Motion agreed to.

CORIO BAY GAS IMPORT TERMINAL

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the community's safety and environmental concerns regarding Viva Energy's proposal for a liquefied natural gas import terminal at Corio Bay in Geelong. The community thinks it should not go ahead.

The petitioners therefore request that the Legislative Council call on the Government to reject Viva Energy's application to implement their proposed liquefied natural gas import terminal at Corio Bay in Geelong.

By Mr MEDDICK (Western Victoria) (2657 signatures).

Laid on table.

COBURG HIGH SCHOOL

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that Coburg High School (CHS) is the largest school in the Pascoe Vale electorate with 1,225 enrolments in 2022, yet it is consistently overlooked for critical infrastructure funding.

After a long community campaign, CHS was reopened in 2015. It is a vibrant, diverse and inclusive school with dedicated teachers, exceptional leadership, strong community engagement and excellent student results. Critical infrastructure to support the school's rapid growth has never been adequately funded. CHS is currently under resourced by 18 specialist learning classrooms and lacking appropriate facilities for subjects like STEM, performing arts, visual arts and sports. This deficit will rise to 21 when the projected enrolment of 1,475 in 2027 is reached. It lacks the quality facilities of neighbouring schools with music lessons held in storage cupboards, science classes in portables without lab facilities and students counselled out of taking food technology as there is only one commercial kitchen for the entire school.

With the introduction of the Vocational Major and Victorian Pathways Certificate in 2023, CHS needs to be able to retain senior students and provide the educational opportunities they deserve.

A commitment to Capital Works funding by the Victorian State Government will ensure our students have access to all parts of the Victorian curriculum and vocational specialisations and our transformational infrastructure projects.

The petitioners therefore request that the Legislative Council call on the Government to urgently commit Capital Works funding for Coburg High School so they may create adequate facilities that will meet the learning needs of current and future students.

By Ms PATTEN (Northern Metropolitan) (2048 signatures).

Laid on table.

FIREARMS REGULATION

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that clarification is needed from the Chief Commissioner of Victoria Police, the Licensing and Regulation Division of Victoria Police, and the Minister for Police around the use of gel blasters in Victoria.

Gel blasting is an enjoyable hobby that has health benefits through exercise. There is minimal risk to life and public safety, as demonstrated in Queensland and New South Wales where the use of gel blasters is legal.

The petitioners therefore request that the Legislative Council call on the Government and the Minister for Police to legalise the use of gel blasters.

By Mr QUILTY (Northern Victoria) (111 signatures).

Laid on table.

TIMBER INDUSTRY

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that the Government should immediately cease all levels of logging of native and public forests.

There are reports and findings which support a stop to logging. Our forests store massive amounts of carbon and there is a new understanding in bushfire mitigation that logging also increases the risk of bushfires. The State of the Environment report shows we need to manage biodiversity in our forests, which also hold spiritual and cultural significance for First Nations people. Finally, VicForests makes no money but costs the Victorian people large amounts of money.

The petitioners therefore request that the Legislative Council call on the Government to immediately close VicForests, stop all logging and bring forward, for immediate effect, the schemes to assist and retrain all employees affected by the closure.

By Dr RATNAM (Northern Metropolitan) (2447 signatures).

Laid on table.

TRAIN NOISE POLLUTION

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that the noise from train horns is causing harm to neighbours of railways.

Residents and workers near railways are subjected to frequent horn blasts hundreds of times a week and almost always as a matter of routine at any time of the day or night. The horns are supposed to be a low-cost solution to safety, but the true costs are externalised in the form of noise pollution.

The World Health Organization estimates that every year in the western part of Europe, at least one million healthy life years are lost due to traffic-related noise. In Melbourne, the frequent sound of train horns relentlessly harms the health and wellbeing of communities near railways. Can there be another rail infrastructure to provide safety along railway tracks? Additional rail infrastructure such as basic fencing protection is needed in order to lessen the insistent and excessive train horns that are used 24 hours a day.

The petitioners therefore request that the Legislative Council call on the Government to reduce the noise pollution caused by excessive use of train horns by providing fencing along railway tracks or alternative means for safety.

By Dr RATNAM (Northern Metropolitan) (1073 signatures).

Laid on table.

ANIMAL WELFARE

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that regulations under the Prevention of Cruelty to Animals Act 1986 permits a person in charge of an animal, such as a dog, to tether the animal to an inanimate object.

Tethering has caused dogs to become entangled in ropes or chains, inhibiting their capacity to access drinking water, shade and shelter during heatwaves or extreme cold weather. This leads to prolonged suffering and even death from dehydration or hypothermia. These dogs are often denied healthy freedom of movement which can lead to physical harm and behavioural issues, such as high aggression.

If confinement is required, it should be within a breed-specific fenced yard without tethering by chains or ropes to a stationary and inanimate object. The fenced yard must be suitable to the size, breed and weight of the dog and allow uninhibited freedom of healthy movement so that the dog can access shelter, water and food at all times.

The petitioners therefore request that the Legislative Council call on the Government to review the Prevention of Cruelty to Animals Act 1986 to prohibit prolonged, unsupervised confinement and tethering of a dog and allow tethering for short, supervised durations only.

By Dr RATNAM (Northern Metropolitan) (401 signatures).

Laid on table.

PHONICS SCREENING

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that a Phonics Screening Check (PSC) should be mandatory for all Year 1 Victorian school students.

In 2020, the Federal Government invested \$10.8 million into a voluntary, free PSC check for all Year 1 students in Australian schools, available from the online Literacy Hub. Modelled from England's PSC, it is a short assessment that enables teachers to measure how well students are learning to decode and blend letters into sounds. Isolating and blending sounds is a critical foundation for mastering reading and writing in the English language.

Data from England's assessment titled, National Curriculum Assessment at Key Stage 2 in England, 2019 (provisional), demonstrated that 85 per cent of pupils who reached the phonics standard in Year 1, went on to

meet the reading comprehension standard in their Year 6 English reading test. This illustrates that improving children's decoding skills 'pays forward' to reading achievement in the later years of school.

Extensive research, such as that conducted by Dr Kerry Hempenstall, shows that a systematic approach to teaching synthetic phonics ensures that children are given a strong foundation for literacy development. All Victorian primary school educators should be encouraged and supported extensively to use a systematic and synthetic phonics approach when teaching reading and writing.

The petitioners therefore request that the Legislative Council call on the Department of Education and Training to invest in the future of Victorian children by mandating the Phonics Screening Check for Year 1 students in all Victorian schools.

By Ms TERPSTRA (Eastern Metropolitan) (1915 signatures).

Laid on table.

Committees

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 13

Mr GEPP (Northern Victoria) (09:48): Pursuant to section 35 of the Parliamentary Committees Act 2003, I lay on the table *Alert Digest* No. 13 of 2022 from the Scrutiny of Acts and Regulations Committee, including appendices. I move:

That the report be published.

Motion agreed to.

Mr GEPP: I move:

That the Council take note of the report.

In doing so—gee, you can tell this is a swan song, can't you?—can I place on record my thanks to the people who assist the Scrutiny of Acts and Regulations Committee (SARC) every week. We are very, very blessed in this state to have some of the highest quality public servants that I have ever met, and I have worked with public servants for most of my adult life at both the federal level and a state level. We lack for nothing in this state; we have got some excellent public servants. From time to time we use them as a bit of a political football, and we should not, because they are there to do something very, very noble, and that is to assist with the democratic running of our state—and they do it with fearless and frank advice.

In the case of SARC we have been very, very well served by the executive officer, Helen Mason; our two research officers, Katie Helme and Lauren Cook; and our two administrative staff, Sonya Caruana and Simon Dinsbergs. They have all been very much complemented by our human rights charter expert, Professor Jeremy Gans. Can I say, from all of the committee, that we are very, very grateful for the work that they have done—very challenging work over the last four years. I think it was the SARC that was probably put to the test more than any other committee in terms of the way it operated through the pandemic, and Helen and her team have done a marvellous job throughout. I just want to—

Dr Cumming interjected.

Mr GEPP: I do not know why people think that they should interject on something like this. But anyway, why should today be any different, I guess? Just a few stats—

Dr Cumming interjected.

The PRESIDENT: Order! Dr Cumming, you walk in without bowing, without acknowledging anything, you keep talking till you get there and then you interrupt, you move out and you come back. Please respect the house.

Mr GEPP: Thank you, President. Just to underline some of the work that we have done: the committee has produced over the course of the 59th Parliament 58 alert digests. We have dealt with 257 bills across 23 acts, and we also of course have a regulations review subcommittee that assists the SARC with dealing with the regulations that are made arising out of pieces of legislation, and that committee has met over 30 times. It has dealt with 698 regulations and a further 179 legislative instruments over the course of the four years.

I am really pleased and proud to have been the chair of the committee, and again I place on record my thanks to Helen and her team, who have just done a wonderful job. Can I also thank the members of the committee over the journey. I will not go through and name them all, because there has been a little bit of movement, but in this chamber we have had a number of people that have participated. I also thank the deputy chair of the committee, Mr Burgess, from the other place, who has supported me. With those words I thank the house and I thank the committee.

Ms PATTEN (Northern Metropolitan) (09:53): I would just like to make a couple of points and to concur with the chair of the Scrutiny of Acts and Regulations Committee, Mr Gepp, on the incredible work of the team, lead very well by Helen Mason, and the insight that Jeremy Gans has been able to give us from a human rights aspect. I have to say, having been a member of SARC for the whole term, I highly recommend it. I did not think I would say that at the beginning of this term, but as an independent it gives you a wonderful insight into legislation that you might not be able to garner using the limited resources that your offices have.

I would particularly like to note my knowledge of the King Henry VIII clause, which was something quite foreign to me until my time on SARC. It was quite an extraordinary time. There was quite an extraordinary number of pieces of legislation that we went through—some controversial, many very interesting—and I would like to commend Mr Gepp for leading and chairing the committee extremely well.

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (09:55): (*By leave*) I do want to say on the matter of the Scrutiny of Acts and Regulations Committee over this term that whilst deeply respecting the work of the committee members and indeed deeply respecting particularly the work of the committee staff, I do not believe that the committee has actually dealt with many of the difficult issues that should have been dealt with, especially through the pandemic period. I do not believe that the committee has stood up strongly enough for the rights of individuals where rights were being trampled at an unprecedented rate. There are legislative deficiencies, to be fair to SARC, that make it more difficult, and some of those should be dealt with. There is also actually a failure of courage by a number of members of SARC to hold the government to account where there were gross violations of human rights. SARC is a committee ripe for reform.

Motion agreed to.

PRIVILEGES COMMITTEES

Review of the Ongoing Resolution on the Parliamentary Integrity Adviser

Ms SHING (Eastern Victoria—Minister for Water, Minister for Regional Development, Minister for Equality) (09:56): Pursuant to standing order 23.29, I lay on the table a joint report of the Assembly and Council privileges committees on the *Review of the Ongoing Resolution on the Parliamentary Integrity Adviser*, including an appendix, and I move:

That the report be published.

Motion agreed to.

Ms SHING: I move:

That the Council take note of the report.

In doing so, I want to acknowledge the work of members of the privileges committees across both houses as we have contemplated the role of the parliamentary integrity adviser since the resolution in 2019 which established that particular role and the terms upon which it would operate. We have seen in the course of the appointment of Mr Ray Purdey to that role a range of functions being undertaken as they have extended to providing advice and assistance to members in an individual and indeed group context and also making sure that roles and ethical considerations are well understood for new members coming to this place in a way that is distinct and separate from the general information and indeed the avalanche of detail that we are confronted with when we are first elected. The resolution as it was put in 2019 provided for a range of functions and duties to be undertaken by the parliamentary integrity adviser, and this indeed was the subject of joint privileges committees' analysis in the course of the requirement that this takes place every year following a report to the committees by Mr Purdey.

You will note that this report contains three recommendations around the ongoing resolution on the parliamentary integrity adviser including as they relate to general training on integrity and ethics for new and current members on a regular and agreed basis in a writing of formats, including in person by way of written materials and online. This is a specific reference to the circumstances which prevailed in the course of the pandemic. Also, that the parliamentary integrity adviser should prepare a written resource that members can access in much the same way as the Members Guide thus to give a steady and available source of information to members rather than having to seek discrete advice from the parliamentary integrity adviser.

The second recommendation relates to a requirement for the parliamentary integrity adviser to conduct a set minimum number of hours in the course of undertaking their role and that implementation of training take place within the reporting period. The final recommendation goes to a consideration of future changes that may be warranted in light of the findings and recommendations set out in the Operation Watts report and the considerations and matters raised by the Victorian Ombudsman and the Independent Broad-based Anti-corruption Commission in that context.

I want to commend the members of both committees for the work that has gone into the oversight of the appointment of the parliamentary integrity adviser and the management and analysis of the functions as undertaken following his appointment. In particular in the other place I note the contribution of Minister Pakula, the outgoing minister, and indeed member who has worked assiduously to be part of this joint Privileges Committee work. I also want to thank colleagues in this place for that work in really undertaking a detailed and careful consideration of the facts and the matters at hand.

Finally, I want to thank the secretariat. There is an enormous volume of work that needs to be undertaken behind the scenes. I wish to commend Mr Richard Willis, someone who sits at the table here quietly and assiduously but does an awful lot of work behind the scenes; Dr Vaughn Koops in the Legislative Assembly—

Mr Gepp interjected.

Ms SHING: I will take up that interjection, Mr Gepp—he is indeed a star; Ms Juliana Duan, the chamber procedure officer in the Legislative Council; and Ms Stefanie Tardif in the Legislative Assembly. We are so lucky to have such skilled, accessible and indeed interested members of the secretariat, and to that end I do wish to extend my thanks. I hope that members of the joint committees will indulge me in speaking on behalf of all members in gratitude for that contribution over the course of the parliamentary integrity adviser inquiries and indeed the matters contemplated by the Privileges Committees of both houses in the course of this Parliament. Thank you to everybody involved.

Motion agreed to.

PROCEDURE COMMITTEE*Standing Orders Review 2022*

Ms LOVELL (Northern Victoria) (10:01): Pursuant to standing order 23.29, I lay on the table a report from the Procedure Committee on their *Standing Orders Review 2022*, including appendices. I move:

That the report be published.

Motion agreed to.

Ms LOVELL: I move:

That the Council take note of the report.

Motion agreed to.

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (10:02): I move, by leave:

That standing order 5.08(g) be suspended and instead a motion be moved during government business to consider the recommendation of the Procedure Committee to adopt the draft standing orders contained in their *Standing Orders Review 2022* report.

Motion agreed to.**Papers****OMBUDSMAN***Investigation into a Former Youth Worker's Unauthorised Access to Private Information about Children*

The Clerk: Pursuant to section 25AA(4)(c) of the Ombudsman Act 1973 and following the transmission of the report on 14 September 2022, I lay on the table a copy of the Ombudsman's report on their *Investigation into a Former Youth Worker's Unauthorised Access to Private Information about Children*.

PAPERS**Tabled by Clerk:**

Audit Act 1994—Financial Audit of the Victorian Auditor-General's Office, year ended 30 June 2022, under section 81(4) of the Act.

Climate Change Act 2017—Victorian Greenhouse Gas Emissions Report 2020, under section 52 of the Act.

Health Complaints Commissioner—Report, 2021–22.

Independent Broad-based Anti-corruption Commission—Annual Plan, 2022–23.

Members of Parliament (Standards) Act 1978—Register of Interests—

Return submitted by a Member of the Legislative Council—Primary Return, 14 September 2022 (*Ordered to be published*).

Returns submitted by Members of the Legislative Council—Ordinary Returns, 28 July 2022 (*Ordered to be published*).

Office of the Victorian Information Commissioner (OVIC)—Report, 2021–22.

Planning and Environment Act 1987—Notices of Approval of the following amendments to planning schemes—

Boroondara Planning Scheme—Amendment C353 (Part 2).

Campaspe Planning Scheme—Amendment C117.

Colac Otway Planning Scheme—Amendment C116.

East Gippsland Planning Scheme—Amendment C164.

- Golden Plains Planning Scheme—Amendment C99.
 Greater Bendigo Planning Scheme—Amendment C254.
 Greater Geelong Planning Scheme—Amendment C437.
 Latrobe Planning Scheme—Amendment C133.
 Manningham Planning Scheme—Amendment C127.
 Mansfield Planning Scheme—Amendment C51 (Part 1).
 Melbourne Planning Schemes—Amendments C387 and C428.
 Moreland Planning Scheme—Amendments C195 and C224.
 South Gippsland Planning Scheme—Amendment C125.
 Surf Coast Planning Scheme—Amendment C140.
 Victoria Planning Provisions—Amendment VC225.
 Warrnambool Planning Scheme—Amendment C210.
 Whitehorse Planning Scheme—Amendment C231.
- Regional Development Victoria—Report, 2021–22.
- Statutory Rules under the following Acts of Parliament—
- Domestic Animals Act 1994—No. 74.
 - Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019—No. 71.
 - Forests Act 1958—No. 76.
 - Livestock Management Act 2010—No. 70.
 - Public Health and Wellbeing Act 2008—Nos. 72 and 73.
 - Subordinate Legislation Act 1994—No. 75.
- Subordinate Legislation Act 1994—
- Documents under section 15 in respect of Statutory Rule Nos. 71, 72, 73, 75, 76, 78, 79 and 80.
 - Legislative instruments and related documents under section 16B in respect of a Notice appointing 22 September 2022 as an additional public holiday, under section 7(1)(a) of the Public Holidays Act 1993.
- Victorian Environmental Assessment Council Act 2001—Notice of request to the Victorian Environmental Assessment Council for an assessment of early government-accepted Land Conservation Council recommendations, under section 26C of the Act.
- Victorian Government Purchasing Board—Report, 2021–22.
- Victorian Local Government Grants Commission—Allocation Report, year ended 31 August 2022.
- Proclamations of the Governor in Council fixing operative dates in respect of the following acts:
- Justice Legislation Amendment (Fines Reform and Other Matters) Act 2022—Sections 32, 35, 36(2), 37A, 38, 39, 41, 42, 99, 102, 105 and 109—6 September 2022 (*Gazette No. S456, 6 September 2022*).
 - Public Health and Wellbeing Amendment (Pandemic Management) Act 2021—Remaining provisions—30 August 2022 (*Gazette No. S438, 30 August 2022*).
 - Workplace Safety Legislation and Other Matters Amendment Act 2022—Part 5—1 September 2022 (*Gazette No. S439, 30 August 2022*).

Production of documents

MELBOURNE MEDICALLY SUPERVISED INJECTING FACILITY

The Clerk: I lay on the table a letter from the Attorney-General dated 16 September 2022 in response to the resolution of the Council of 19 August 2022 on the motion of Ms Crozier relating to a supervised injecting room. The letter states that there was insufficient time to respond and that a final response to the order would be provided as soon as possible.

Business of the house**NOTICES****Notices of motion given.****Notices of intention to make a statement given.****GENERAL BUSINESS**

Mr GRIMLEY (Western Victoria) (10:22): I move, by leave:

That precedence be given to the following general business on Wednesday, 21 September 2022:

- (1) notice of motion given this day by Mr Davis on the failings of the Emergency Services Telecommunications Authority 000 call-taking system;
- (2) notice of motion given this day by Mr Davis on outstanding production of documents orders;
- (3) notice of motion 850 standing in the name of Mr Davis referring a matter relating to the impact of COVID-19 lockdowns on children's health to the Legal and Social Issues Committee;
- (4) notice of motion given this day by Mr Davis on fuel and excise concessions;
- (5) order of the day 2, resumption of debate on the second reading of the Independent Broad-based Anti-corruption Commission Amendment (Restoration of Powers) Bill 2022;
- (6) order of the day 4, resumption of debate on the second reading of the Land Amendment (Accessing Licensed Water Frontages) Bill 2022;
- (7) notice of motion given this day by Mr Grimley on dealing with child sexual abuse complaints;
- (8) notice of motion given this day by Mr Grimley on foster care;
- (9) order of the day 5, resumption of debate on the second reading of the Energy Legislation Amendment (Transition from Coal) Bill 2022;
- (10) notice of motion given this day by Dr Ratnam on Maroondah Hospital; and
- (11) notice of motion given this day by Mr Somyurek on the Office of the United Nations High Commissioner for Human Rights report on human rights concerns in the People's Republic of China.

Motion agreed to.**Members statements****YOUTH POLICY**

Dr BACH (Eastern Metropolitan) (10:24): Young people have experienced so much hardship over the period of the last few years, so in the lead-up to the election I have been enjoying engaging closely with so many wonderful groups in our youth sector like the Centre for Multicultural Youth and the Youth Affairs Council Victoria. I met just last week with YACVic once again and heard from them about their election priorities. They are putting forward a whole series of very sensible election priorities that quite frankly the Andrews Labor government should have acted upon years and years ago—first and foremost to reorient our support systems away from crisis intervention to early help and prevention, something that those of us on this side of the house have been calling on the government to do for many years. Workforce development: our youth sector in Victoria, our broader community sector, is such a strength of our state, and yet this government has done so little to value the role that so many different types of workers play, including youth workers.

System reform: currently systems are siloed and clunky. Young people who have mental health problems so often experience real issues with housing, drugs and alcohol, child protection and youth justice. There is a desperate need for reform. Youth participation is another priority. Why don't we actually listen to and value the voices of young people for a change, something that has not happened in this state for so long? And there is sector cohesion and efficiency, including valuing the role of YACVic as a peak body. I endorse these priorities. The coalition parties endorse these priorities. The government should do likewise.

YOUNG VETERANS

Mr LEANE (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (10:25): Recently I was very fortunate to meet Mathew Keene, who is the founder of Young Veterans. Mat is a humble but very impressive individual who served in the defence forces between 1998 and 2007 and was deployed in Iraq in 2003. He also has an amazing volunteer history in the general community. The Young Veterans mission statement says that:

... young men and women of our Australian Defence Force have a history of willingly answering the call to help those across the globe who are in peril or in dire need of assistance.

And they have fully fulfilled that goal. The community they have created:

... is about moving forward, re-engaging and inspiring young veterans to achieve and succeed beyond active duty.

Young Veterans was started as a movement by veteran mates who recognised that there was a gap between recent veterans and those of past conflicts. These mates couldn't stand by and watch the same issues that plagued the veterans of the Vietnam War happen again.

Over the past few years their community has grown rapidly across Australia, offering activities, fundraising and social opportunities for their comrades. Young Veterans are 100 per cent volunteer run and operated, and they are passionate about what they do. Young Veterans is an amazing organisation. Mat and his fellow co-founders should be proud of the work they do and continue to do for their comrades.

ANIMAL JUSTICE PARTY ACHIEVEMENTS

Mr MEDDICK (Western Victoria) (10:27): This is the last members statement that I will make in this place before the November polls, and I want to take a moment to reflect on all we have been able to achieve with the Animal Justice Party in Parliament. We have had huge wins for animals, like banning recreational wombat hunting, protecting animals from family violence and reforming the wildlife rescue sector. We have secured tens of millions of dollars in budget funding for important animal protection initiatives; rescuers and carers have not only been given an important boost but are finally receiving government acknowledgement for the importance of their work. But there is so much more to be done. We are so close to banning recreational duck shooting in Victoria. We have to oversee the rewriting of the new wildlife act and the implementation of a brand new animal care and protection bill to replace the Prevention of Cruelty to Animals Act 1986, which will finally legally recognise animal sentience in Victoria. We need to take the next step on Veticare and work with the government on its implementation. We need to ensure the 17 recommendations from the Taskforce on Rehoming Pets—which I was proud to chair—are implemented swiftly. And we need to end the sale of fur in the state following multiple investigations revealing illegal labelling. But we can only do this by winning my seat safely back in this Parliament and in this place, and I hope to have the honour of being returned with an even bigger, stronger Animal Justice Party team.

ELECTION COMMITMENTS

Ms LOVELL (Northern Victoria) (10:28): It gives me great pleasure to rise and speak on some wonderful election commitments that will be delivered in Northern Victoria Region by an elected Matthew Guy Liberal government, starting with our 25 per cent regional infrastructure guarantee, which will be implemented in the first term of a Liberal government. This commitment will deliver at least a quarter of all new government capital investment to regional communities. In Northern Victoria Region we have made infrastructure funding announcements for several important projects across the electorate, including \$15.5 million towards the Bendigo Art Gallery expansion, \$600 000 to rebuild the Red Cliffs Football & Netball Club rooms, \$3 million to redevelop facilities at Victoria Park in Echuca and up to \$2 million to build a pedestrian underpass at the dangerous Kialla West Primary School crossing. Most proudly, if elected the Liberals will deliver a second public secondary school in Greater Shepparton.

An elected Matthew Guy Liberal government will fix Victoria's broken health system, and we have made many health funding announcements throughout Northern Victoria Region. These commitments include \$750 million to build the new Mildura hospital, incorporating a clinical health school; \$300 million towards a new hospital in Albury-Wodonga; \$100 million for a new cancer centre and clinical health school at Goulburn Valley Health in Shepparton; \$75 million for the redevelopment of the Daylesford hospital; \$60 million for the redevelopment of the Mansfield hospital; and new 30-bed drug and alcohol treatment facilities in Shepparton and Mildura. These commitments— (*Time expired*)

THE GREENS

Mr FINN (Western Metropolitan) (10:30): As members of this house would know, I have an inquiring mind. My curiosity rather peaks when it comes to what has occurred in Melbourne's west in the past four years. For example, when the Andrews government wanted to dump carcinogenic toxic soil in Wyndham Vale, I have to ask: where were the Greens? When the Andrews government wanted to dump carcinogenic toxic soil in Bacchus Marsh, I have to ask: where were the Greens? When the Andrews government did dump carcinogenic toxic soil in Ravenhall, I ask again: where were the Greens? When the Andrews government turned a green wedge into a toxic soil dump that can be seen from the moon, I have to ask: where were the Greens? The answer to all of these questions is simple: the Greens were nowhere to be found. The problem is the Greens party are a product of expensive inner-city ghettos, and they do not give a stuff about what happens in the outer suburbs. They could not care less, and as far as they are concerned, out of sight is out of mind—and the outer suburbs are way out of their sight. They prefer to bag a dead Queen and tell fairy stories about climate change. They are not fit to be in this Parliament.

GOVERNMENT PERFORMANCE

Ms CROZIER (Southern Metropolitan) (10:31): In a few weeks time Victorians will go to the polls to decide whether they want another four years of Daniel Andrews. I say Victoria deserves better than to have another four years of the worst administration of any government in Victoria's history. Look at the track record: a government plagued by corruption scandals; a Premier before IBAC; a Premier before the hotel quarantine inquiry, where he could not recall and could not remember; a Premier that dismisses women who stand up to him; and a Premier that is not interested in transparency. Just look at the actions within this Parliament and the multiple reports that remain hidden.

This Premier has overseen the worst management of COVID in the country. Victoria has had the harshest of restrictions with the worst outcomes. Melbourne, the longest locked down city in the world, was only surpassed by a city in China. There were 801 deaths from the mismanagement of the hotel quarantine program and 33 deaths from 000 failures—no responsibility taken, no accountability. How is that good governance and good government for this state? It is not. This is a government that has caused untold misery for tens of thousands of Victorians who stay stuck waiting for their vital surgeries. It is a health system that is quite literally crumbling due to years of mismanagement and lack of investment. Senior clinicians are walking away and nurses are leaving in droves. The Productivity Commission in 2019 said that Victoria spent less money per person on public hospitals and had fewer beds, fewer staff and longer wait times in emergency departments than anywhere else in the country.

Victoria needs change, it needs confidence and it needs need certainty. Only the Liberal-Nationals will provide that. Daniel Andrews is an arrogant Premier, but he is also one that is dismissive, disingenuous and deceitful. His government is plagued by secrecy and scandal. His time is up and so is that of the worst government in the state's history.

ABORIGINAL AND TORRES STRAIT ISLANDER JUSTICE OUTCOMES

Dr RATNAM (Northern Metropolitan) (10:33): As we end this term of Parliament, while acknowledging the work we have done, we must acknowledge our unfinished work. Last week another First Nations person died in custody in Victoria. That is the second Aboriginal person to die within just the last few weeks, on top of the 500 that have died since the Royal Commission into Aboriginal Deaths in Custody. Our bare laws and criminal justice system are killing First Nations people in Victoria. It has to stop. When the systems we use disproportionately harm some people in our communities, we must dismantle the systemic prejudice and racism that are the cause. Yet instead of using this term of Parliament to fix our bare laws and stop the overincarceration of First Nations people, this government is opening up new prisons, and instead of raising the age of criminal responsibility to stop 10-year-old children—disproportionately First Nations children—from being harassed by the police and taken into custody, this government hid the bill that could have implemented this change. Instead of fixing the broken youth justice system that abuses the human rights of our young people, the government prioritised six law and order bills to look tough on crime.

The work of treaty is groundbreaking in Victoria, but it is not just in the future; it is now and cannot be used as cover for inaction that sees First Nations people being locked up and killed by our so-called justice system. Decolonisation does not look like this, and it certainly does not look like removing a First Nations Woiwurrung name for a hospital to rename it in honour of a foreign monarch, erasing one of the few references we have to First Nations language in this state. This is recolonisation, not treaty.

HEALTH SERVICES

Dr CUMMING (Western Metropolitan) (10:35): The Independence Party understands there is a dramatic shortage of doctors and frontline workers in Victoria. While the number of clinics bulk-billing is dwindling around the state, residents cannot even get an appointment to see a doctor or are afraid that an ambulance will not turn up. Clinics are not taking new patients. Appointments are not available for weeks ahead. Residents are having to travel long distances to see a doctor or even drive themselves to the hospital. One mother travelled for more than an hour in my area to see a doctor, and every time her son gets sick at child care she has to take days off to look for doctor appointments.

For over 20 years residents have been calling for new hospitals across Victoria. They get promised one, but there is never any funding allocated to it, and now they cannot even see a local doctor. We need our frontline workers. We need to end all the COVID mandates and restrictions. We need to allow our doctors the right to actually practise where they want to and how they need to and be able to speak to their patients without feeling that the Australian Health Practitioner Regulation Agency or someone else is going to deregister them or some authorised officer might turn up.

GARBA EVENTS

Ms VAGHELA (Western Metropolitan) (10:36): Recently I had the opportunity to participate in multiple garba events organised by various organisations across Melbourne and in my electorate. Garba is a form of dance which originates from Gujarat, which is my home state in India. Traditional garbas are performed globally around a centrally lit lamp or a picture or statue of the goddess Shakti. Traditionally it is performed during the nine-day Hindu festival called Navratri. The event is religious, cultural and social. This year prominent Gujarati folk singers and artists performed with their singing and dancing in Melbourne.

I attended many garba events this year and met with many talented artists and singers from India visiting Melbourne, including Divya Chaudhary, Alpa Patel, Sagar Patel, Aishwarya Majmudar, Kinjal Dave, Ishani Dave, Hardik Dave, Kirtidan Gadhvi, Umesh Barot and Jigardan Gadhvi, as well as local artists Manish Patel, Shalend Prasad and Shaineel Prasad.

I thank the organisers, including Nirav Patel from Jai Ambe Australia, Nirav Patel from Creative Events, Kuldeep Gajera, Hetul Thaker, Loyed Patel, Harry Patel, Utpal Patel, Palak Patel, Dev Gujarati, Dharmesh Chudasama, Ajaysinh Sindha, Nilam Panchal, Nishith Shah, Vikul Furia, Rajani Patel, Viral Patel, the Patidar Samaj team and others, for organising garbas and inviting me to their garba events.

FELICITATIONS

Ms VAGHELA: On another note, Acting President Melhem, I would like to thank you, all my parliamentary colleagues, my electorate staff and all staff of Parliament House for your support over the past four years. Also, a special thankyou to all the constituents and community groups in my electorate for giving me the opportunity to represent them in the Parliament.

VIVIENNE EDLUND

Mrs McARTHUR (Western Victoria) (10:38): I rise to pay tribute to a leading lady who has gone about giving to the community in many ways for decades. Vivienne Edlund is that wonderful person. She has just celebrated a significant birthday, and I thought it well time she was thanked in this house. In 2016 Mrs Edlund was awarded an OAM, quite fittingly a Queen's Birthday honour. A mother of four daughters, Mrs Edlund has volunteered for 24 years at one of Ballarat's most esteemed events, the Royal South Street Society's eisteddfod. She also spent years as a board member of Lisa Lodge in Ballarat, a women's refuge. Vivienne Edlund has been a member of the Liberal Party of Australia since 1960—a dedication to an outstanding organisation for longer than some in this house have been alive. That contribution continues today with her holding roles within Liberal Women's Council Victoria and local Ballarat electorate committees.

At a time in history when one rather famous and extraordinary woman of the world is being celebrated, it is rather fitting I think that Vivienne Edlund is also thanked. Her efforts for her community, for women and for our political system are enduring and powerful and say a great deal about the quiet, unassuming and humble ways of the real leaders in our society.

ENERGY POLICY

Mr QUILTY (Northern Victoria) (10:40): Energy prices are at an all-time high in Australia and are set to climb ever higher. We are already seeing power bills skyrocket in Europe as countries blunder into unreliable renewables—the fever dream of the Energiewende. The average energy bill in the UK is set to increase by 80 per cent up to A\$6000 a year. The Liberal Democrats understand that a key driver in tackling poverty is low-cost energy. As energy prices increase, so does the price of everything else. It is not just your heat and power bills; every single thing you buy is produced and transported using petrol, electricity and gas. Expensive energy crushes manufacturing and destroys jobs. Because of government policy, housing and energy costs continue to rise. Wages are falling while taxes are increasing. Australians are being crushed by their own governments. The Liberal Democrats are the only party that can see that government is the problem, not the solution. We will end the disastrous schemes and subsidies that destroy the incentives to develop low-cost energy, we will end the many billions of dollars of rorts and we will cut taxes and red tape so affordable production can get underway. We will also reduce the prohibitions on nuclear energy to allow safe, clean, low-cost, reliable power to be produced in Victoria. It is not the 1970s anymore. We need to move past irrational fears and look to the future. Nuclear is Victoria's only realistic option for decarbonising the economy without destroying our economy and plunging us all into poverty and misery. The Liberal Democrats positive vision for Victoria includes low-cost energy and a wealthy population.

TIMBER INDUSTRY

Mr RICH-PHILLIPS (South Eastern Metropolitan) (10:41): The growing practice of green lawfare is having a corrosive and debilitating impact on legitimate commercial activities in Victoria, particularly in the timber industry. Green lawfare involves the launching of vexatious legal actions

with a view to stopping or frustrating legitimate commercial activity or forcing businesses to waste vast amounts of money defending their legal and legitimate activity.

MyEnvironment has unsuccessfully brought litigation against VicForests in an effort to frustrate its activity and has repeatedly had judgements made against it. MyEnvironment has been ordered to pay costs and interest to VicForests now totalling \$2 million. The then Minister for Agriculture instructed VicForests not to recover these costs. This is a completely unacceptable position for the government, to effectively forfeit \$2 million of taxpayers funds, and sends a tacit signal to MyEnvironment to continue its green lawfare. More recently the Wilderness Society has undertaken a fundraising campaign based on misleading claims, deceptive claims, about the Victorian timber industry, demonising that industry. This potentially breaches the Fundraising Act 1998, which prohibits false statements during fundraising appeals.

The government has shown its willingness to look the other way with MyEnvironment. It must ensure that it upholds the law for all groups, including its mates MyEnvironment and the Wilderness Society, it must ensure that the Wilderness Society is acting consistently with the Fundraising Act and it must recover the \$2 million owed to taxpayers by MyEnvironment.

FELICITATIONS

Mr BOURMAN (Eastern Victoria) (10:43): This week is the end of my second tour of this place, and the last election taught me not to take anything for granted. I have had some highs and lows in this place—and this is not a valedictory, if anyone is wondering—and it has been a big part of my life. I just want to thank a few people: Nicole and Becky, for putting up with me; the Shooters, Fishers and Farmers team and all my supporters; my staff, Monique, Donna, Thomas and all my past staff; the staff in here, the clerks, the chamber staff and the general Parliament House staff; and the people that give me the fuel to go on in this place, the staff in Strangers. I thank you all.

BUDJ BIM

Ms TIERNEY (Western Victoria—Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture)

Incorporated pursuant to order of Council of 7 September 2021:

I rise today to share a wonderful success story emerging at Budj Bim in Western Victoria.

There has been a long-held dream for the Budj Bim World Heritage Landscape—a UNESCO World Heritage site—to become a significant tourism destination.

Now the dream is being realised.

This is a fantastic opportunity to see how the Gunditjmara-developed aquaculture engineering systems to harvest kooyang, or short-finned eel, and the hollowed trees used to smoke and preserve the nutritious eel for trade, all thousands of years before Victoria's colonial history.

The Andrews Labor government has strongly supported Budj Bim, resulting in high-class tourism infrastructure at the Tyrendarra Indigenous Protected Area and the central Kurtonitj IPA, and now the first-class and highly acclaimed cafe and eel centre overlooking the shore of Tae Rak, Lake Condah.

Twenty-one locals have ongoing employment in tourism and hospitality at Budj Bim, including nine Gunditj Mirring. The Tae Rak cafe is serving an average of 65 meals of fine food per day.

Tourists are coming in growing numbers to see and experience the uniqueness of Budj Bim for themselves.

Since the start of July alone, more than 1400 visitors have toured the site, and school visits of 120 students at a time are commonplace.

Tae Rak cafe's Gunditjmara chef is Ricky North, who has developed a great menu showcasing local indigenous foods and featuring the very tasty and nutritious kooyang.

The community response has been beyond expectations and augers well for the future as the Gunditjmara corporation continue to develop partnerships with tourism industry providers and to establish and strengthen their own tourism capability and enterprise.

It is great to see this long-awaited project come to fruition.

Business of the house**NOTICES OF MOTION AND ORDERS OF THE DAY**

Mr LEANE (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (10:43): I move:

That the consideration of notices of motion, government business, 683 to 730, and orders of the day, government business, 1 and 3, be postponed until later this day.

Motion agreed to.

Bills**CASINO LEGISLATION AMENDMENT (ROYAL COMMISSION IMPLEMENTATION AND OTHER MATTERS) BILL 2022***Second reading***Debate resumed on motion of Ms SHING:**

That the bill be now read a second time.

Mr RICH-PHILLIPS (South Eastern Metropolitan) (10:44): I am pleased to rise this morning to make some remarks on the Casino Legislation Amendment (Royal Commission Implementation and Other Matters) Bill 2022. This bill comes out of what has emerged as a sustained failure of regulatory oversight of the casino by the Labor government over the last 20 years. This is something which became particularly apparent during the investigations which were undertaken by the New South Wales government and the Bergin inquiry in New South Wales looking at the suitability of Crown to have casino licences in that jurisdiction.

Concerns had been raised in Victoria over an extended period of time—the member for Euroa in the other place raised extensive concerns about some of the governance arrangements relating to Crown Casino over an extended period of time—and we were consistently told by the Andrews government and by the Premier that there was nothing to see here. The message from the government was consistently, ‘There’s nothing to see here’, and yet the Bergin inquiry in New South Wales forced the government to take action. We know—we saw it as a matter of record in this house—that Crown and its proprietor at the time indicated their support in the 2014 election for a Labor government. We saw Lloyd Williams on a live mic indicating that James Packer, as the then proprietor of Crown, would be throwing his support behind a Labor government, and we subsequently saw the Premier saying, ‘There’s nothing to see here with the operations of Crown in Victoria’. But of course the Bergin report belled the cat.

So much material came out of the Bergin report that the Victorian government had no option but to hold its own royal commission here in Victoria into the situation at Crown Casino. Ray Finkelstein was commissioned to undertake that royal commission, on which he reported to the Governor on 15 October 2021 with 33 recommendations around the governance of Crown Casino. It is important to note from the summary of that royal commission this comment from the commissioner:

... for many years Crown Melbourne had engaged in conduct that is, in a word, disgraceful. This is a convenient shorthand for describing conduct that was variously illegal, dishonest, unethical and exploitative.

That is a damning comment about the conduct of Crown, but it is also a damning comment about the negligence of the gaming regulator. For 20 years—under this government and previous Labor governments—the regulator had overseen operations at Crown and consistently found essentially ‘Nothing to see’, and for a number of years the Premier consistently said, ‘There’s nothing to see’. So that comment applies, in my view, equally to Crown and the gaming regulator.

The government, on receiving the Finkelstein report with the 33 recommendations, has now gone down the path of implementing those recommendations. A number of those recommendations have

already been adopted in earlier legislation; some have been adopted by regulation and some are being put in place by this bill before the house today.

I will run through the key areas that this bill seeks to address. The first is the issue of preventing money laundering and other criminal activity, and it is described as minimising gambling harm. This is through the introduction of carded play, a mechanism which will require any patron who seeks to gamble at the casino to essentially identify themselves through positive identification, participate in a mandatory precommitment mechanism and have an operating card to participate in gaming at the casino, which obviously is a substantial change from the current environment where any patron can simply walk into the casino and engage in play. This mechanism will come into effect from December 2025, and my understanding is that the reason for the delay in its implementation is that the technology to do this currently does not exist. That is a significant concern with this mechanism. It is a significant issue that we are seeking to legislate for technology that as yet is not in place to allow this to happen on all activities across the casino. A time frame has been set down to allow the introduction of carded play, but of course the technology will need to be developed to ensure that that can take place. Noting that this is a significant change in the way in which patrons will engage in gaming activity, there are a number of issues around privacy considerations for patrons, people who in the past have gone into the casino simply to gamble on a casual basis and a recreational basis who have not needed to give their life history to do so.

This is going to be a significant change for them in having to provide that identification prior to doing so. Clearly there are going to need to be some very tight safeguards around the personal information which is going to be collected as part of this mechanism to ensure that that is not disclosed more widely than it should be and is not to the detriment of patrons who simply just want to go to the casino for a \$5 flutter. One of the reasons this is being done is the issue of money laundering, which, I understand, has been a substantial problem across casino operations, whether it be electronic gaming machines or table games, and that is an area where clearly there needs to be change. Whether this is going to be the best change, given its broader impacts, remains to be seen.

The second major change the bill makes is to enable the ongoing operation of the casino in the event the operator's licence is cancelled, suspended or surrendered. One of the issues with the Royal Commission into the Casino Operator and Licence is that it did not recommend the cancellation of Crown's licence in Melbourne, in part because of the implications of a cancellation—the fact that Crown is the single largest employer in Victoria. It is a very substantial economic enterprise, and to simply turn it off by cancelling that licence would have had a very significant impact on employment, on retail. There would have been a whole lot of economic consequences downstream if the casino had simply shut down in a day. It has very much become an enterprise that has fallen into the category of 'too big to fail', and simply cancelling the licence and turning it off was not going to be a viable option. Putting in place with this bill a mechanism which allows the casino to continue to operate on an interim basis, if the licence is cancelled, suspended or surrendered, until a new operator and a new licence can be put in place is a sensible mechanism. It will mean that if that step is required in the future, it can be taken without catastrophic economic effects and employment effects.

The next major change is in respect of regulating the ownership and governance of the casino and its holding companies and strengthening casino tax arrangements. They are grouped together as the one item, but in many respects they are two separate considerations. The bill seeks to put in place restraints around concentration of ownership of the casino. We have seen that throughout its history the casino has been held very tightly with large majority shareholders. That has obviously changed through the life of the casino, but there have been multiple large shareholdings. The bill seeks to put in a cap on the level of shareholding without approval from the gaming regulator so the situation cannot develop, as we have seen in the past, where there is a substantial shareholding without that shareholder having been subject to prior approval by the regulator.

The bill also makes a change with respect to the smoking exemption. There has been a longstanding smoking exemption in relation to the high roller area of Crown. This bill removes the exemption from

smoking laws in the high roller area. While it is trumpeted in the government's second-reading speech that this is a big reform, a big initiative, my advice is that that has already taken place—that Crown has already done that of its own initiative and has been doing so for some time—so legislating it now is not the substantial change that the government has presented it as.

One of the other changes that was made with earlier legislation was putting in place the special manager to oversee the casino, which is an unusual structure to have—a government-appointed officer overseeing at close range a commercial enterprise like the casino. Stephen O'Bryan, who in fact was the inaugural IBAC Commissioner, was appointed to the role to monitor the operations of the casino at very close range and provide reports to government. One of the things that we would like to see around the operation of the monitor's oversight is for those reports to be published and to be tabled in Parliament. Accordingly we will move an amendment when the bill gets to committee to provide a mechanism for that, and I ask that that amendment be circulated now.

Opposition amendment circulated by Mr RICH-PHILLIPS pursuant to standing orders.

Mr RICH-PHILLIPS: The amendment is a simple amendment. It seeks to require that the reports when they come from the special manager, Mr O'Bryan, are tabled in this Parliament in due course, so that they are made available obviously to the Parliament and to the public to have a better understanding of and insight into how Crown is operating in accordance with its much tighter regulatory framework that has been imposed on it in the last two years. It is a simple amendment. It does not affect the operation of Mr O'Bryan and his team as special manager. It simply provides more transparency than is currently the case around the ongoing operations of Crown.

The coalition does not oppose this bill. It is a further tranche of implementation of the recommendations from the Finkelstein royal commission. As I noted at the outset, the government was caught napping in its oversight of Crown. This bill goes towards correcting that oversight, and we look forward to its passage this morning.

Mr ERDOGAN (Southern Metropolitan) (10:57): I rise to speak in support of the Casino Legislation Amendment (Royal Commission Implementation and Other Matters) Bill 2022. This bill introduces nation-leading reforms to tackle gambling-related harm and address money laundering risks at Crown Melbourne in response to the Royal Commission into the Casino Operator and Licence. The royal commission handed down its report in October last year, and we immediately legislated the priority recommendations. At the time we said that further legislation would be introduced in 2022 with other major reforms recommended by the royal commission. This bill acquits those commitments. This package of reforms is a world first in its scale and will establish the strongest measures in any casino in Australia.

To understand the context and the royal commission's recommendations already acquitted, the royal commission handed down its final report with 33 recommendations in October last year, and we have responded in record time. We legislated the commission's nine priority recommendations through the Casino and Gambling Legislation Amendment Act 2021 in December last year. This set up the framework necessary to start holding Crown to account, including establishing the role of special manager. Stephen O'Bryan KC, Victoria's first IBAC Commissioner, has been appointed to the role, overseeing every single aspect of casino operations and reporting on its suitability to hold the licence over the next two years. Make no mistake, unless Crown can demonstrate to the regulator that it has become suitable, the licence will be automatically cancelled.

That legislation also dismantled the sweetheart deal put in place by the previous Liberal government which made Crown untouchable. This arrangement meant that Crown would be entitled to compensation for any changes to the rules governing its operation. The royal commission was highly critical of that deal, which only served to shield Crown from proper accountability. Abolishing it has paved the way for our reform program to restore integrity to Victoria's casino. The legislation also increased the maximum penalty Crown could face from \$1 million to \$100 million—above and

beyond what the royal commission itself recommended—and empowered the regulator to act directly on the royal commission’s findings.

In June this year we passed further legislation to increase the powers of the regulator and its casino inspectors, acquitting two more recommendations from the royal commission. In June the Victorian Gambling and Casino Control Commission (VGCCC) issued a direction to Crown Melbourne, recommended by the royal commission, to establish a single patron bank account. This recommendation is aimed at stopping money laundering through casino accounts.

The bill currently before the house delivers a further 12 recommendations across four key areas as well as some complementary reforms. The bill introduces the most significant reforms in casino regulation in decades and marks the next stage of the government’s comprehensive response to the royal commission. Preventing money laundering is a key aspect of this reform. These reforms will address the increased risk and occurrence of financial crime that occurs when people can access the casino and make large anonymous financial transactions. The bill will establish the framework to make carded play compulsory for all gaming machines and table games, with further regulations and technical standards to prescribe how carded play will operate in practice.

The bill introduces cashless gaming by phasing out cash at the casino by prohibiting a casino operator from accepting more than \$1000 in cash from a patron in a 24-hour period. Under the new identity verification rules, patrons will be required to have their identity verified to receive a player card and to swipe that player card before playing any game at the casino and be paid winnings of more than \$1000.

Harm minimisation is another important aspect. The Andrews Labor government has done more to tackle gambling-related harm than any government in the history of our state and this reform builds on our track record. We have already established a tough new regulator with a legislated focus on harm minimisation to guide every decision that it makes. As recommended by the royal commission, the bill introduces a nation-leading mandatory precommitment system on all pokies at the casino. This means that all Australian residents at the casino must fix a maximum amount they are prepared to lose before gambling on pokies, the first scheme of its kind in any Australian jurisdiction.

The bill requires the casino operator to fully implement mandatory precommitment and the compulsory use of carded play and cashless gaming by December 2025 at the latest. This time frame reflects technical advice on what is possible. We need to be realistic. These are world-first reforms that require world-first technologies. The mandatory precommitment system will need to be implemented by Crown by the end of next year. To allow for the development of technologies that do not currently exist, the full suite of harm minimisation and anti-money-laundering reforms will have a legislated start date of no later than December 2025. To complement this, government will work with Crown and the VGCCC to set early implementation dates on the remaining reforms, with the VGCCC to issue a binding implementation plan. This implementation plan will set out key milestones for implementation of the full suite of harm minimisation and anti-money-laundering reforms. If Crown fails to comply with these milestones, this will become grounds for disciplinary action, penalties for which include licence cancellation and fines of up to \$100 million.

Ongoing operations of the casino are another aspect of these reforms. The bill will ensure that in the event of a licence cancellation, suspension or surrender a statutory manager appointed by the state has the full set of powers needed to run the casino. The bill will also ensure that the area on which Crown Melbourne is licensed to operate the casino is the area that will be subleased to any new casino operator. In consideration of the 10 000-plus workforce at Crown, these reforms enable the ongoing operation of the casino and a smooth transition to a new operator if Crown’s Melbourne licence is cancelled at the end of the period of the special manager’s oversight or at any other time.

Obviously another major part, which Mr Rich-Phillips touched on, is the improved ownership and governance structure that is being implemented. The bill also includes a suite of new provisions to

minimise the risk of a dominant shareholder—like James Packer, as revealed by the royal commission—interfering in the operations of the casino. As recommended by the royal commission, the bill requires approval from the VGCCC for a person to acquire 5 per cent or more of shares in a casino operator or any of its holding companies; the majority of the board of a casino operator to be independent, including any of the holding companies; and the casino operator to appoint certain senior managers on a full-time basis who can only take instructions from or report to the casino operator. Obviously that is world leading in terms of a governance structure which works and should last the test of time.

There are a number of other complementary reforms in this bill before the house. The bill proposes additional reforms to complement the royal commission's recommendations, as in interim steps towards mandatory precommitment—the existing YourPlay precommitment system, with the casino's loyalty members required to link it to their accounts.

The bill will also restrict the use of casino deposit accounts and strengthen casino exclusion provisions. This means that people who self-exclude from the casino can no longer be penalised. The bill will also remove the exemptions that permit smoking in high-roller areas in the casino. This reflects the position advocated by the union and across the community. Crown will also be made to pay for the increased costs of regulating the casino, with the reintroduction of a supervision charge that was previously abolished by the Kennett Liberal government.

There are obviously still recommendations that we plan to acquit. A further eight recommendations will be delivered through a combination of administrative mechanisms and future legislation. These include the VGCCC directions to address money laundering and prevent crime at the casino precinct, a ministerial direction to deliver the new responsible gambling code for the casino and establishing a gaming data committee to be led by the Victorian Responsible Gambling Foundation. These are additional reforms that were not necessarily in the royal commission's report but assist in the implementation and the process of getting there.

Mr Rich-Phillips discussed the opposition's amendment. On those I will be very brief but just note that the amendment proposed by the opposition would require tabling of the special manager's full reports to the regulator and the minister. This is the same amendment that the opposition moved on the first bill on the royal commission, the Casino and Gambling Legislation Amendment Bill 2021. The government will again oppose the amendment as it would fundamentally undermine the independent work of the regulator in determining whether Crown has returned to suitability at the end of the special manager's term.

The opposition will be pleased to learn that the special manager already publishes six-monthly reports. The most recent report was published on 7 July 2022 and is available with a simple Google search on the World Wide Web. Publication of the full reports would provide a running evaluation of Crown's suitability and give rise to legal challenges, effectively providing Crown with a right of reply, which is something we have explicitly removed with earlier legislation. It would not be appropriate to table the special manager's full reports to the government before the regulator has made a decision on Crown's suitability to hold the licence as it would compromise the independence of both the special manager and the VGCCC. The royal commission found the casino has a history of bullying and meddling with the regulator. This is why we have removed any right of reply or procedural fairness. Tabling the full reports during the special manager's term would unwind this and only benefit Crown. The full special manager's reports also contain information that is commercially sensitive and subject to legal professional privilege, giving further rise to legal challenge should the reports be tabled as contemplated by the proposed amendment. We know transparency is important, but we need to manage it properly. The stakes are simply too high. This is why we have asked the special manager to publish six-monthly activity reports.

While those opposite seek to undermine the royal commission every step of the way, we are getting on with this historic and nation-leading reform to restore Victoria's trust in the casino licence. This

legislation is the next step in our nation-leading reforms to ensure the disgraceful conduct revealed by the royal commission will never happen again. These reforms build on the priority measures the Labor government has already implemented since the royal commission, including establishing the office of special manager to oversee Crown's operations. We support the remaining nine recommendations made by the royal commission and will implement them over the next 12 months through a combination of further legislation, directions and mechanisms.

Let us be clear: Crown Melbourne has one chance only to reform its operations and return to suitability to hold the Melbourne casino licence. If the casino operator does not demonstrate that it is suitable to hold the licence, its licence will automatically be cancelled in 2024. This is world-leading reform. No jurisdiction in Australia has implemented reforms of this measure. Whether it be in harm minimisation, with the limits and the new technologies that have been developed to be put into place, we are leading the way in tackling these problems of governance, with this new governance structure we have implemented. We are pushing ahead with the remaining reforms and recommendations of the royal commission. On that note, I commend the bill to the house.

Dr CUMMING (Western Metropolitan) (11:09): I rise to speak on the Casino Legislation Amendment (Royal Commission Implementation and Other Matters) Bill 2022. This bill will deliver 12 recommendations of the Royal Commission into the Casino Operator and Licence and complementary reforms. This is, I think, the third lot of legislation that we have had a look at in regard to the casino, and I think there is more to come. I am glad to see a limit being introduced, but this will not be brought in for another three years, and the technology to implement it is not even being developed. In the meantime gambling losses are increasing. They have steadily increased every year over the last 10 years, except when venues were closed due to COVID. While legislation such as this is necessary to ensure that the things that were happening at Crown do not happen again, the government should be looking at the problems that gambling is causing in the community.

I, just on Sunday night, went to Crown Casino to have a look. A friend of mine came from the UK, and I thought I would show him Southbank. It was Brownlow night, but I also showed my friend from the UK, Ravi, what Crown is all about. It is a very large venue. When you walk through it you do not have a sense of time. It is a melting pot of Melbourne. Many people who were there you could see could not afford to gamble, but they were there at late hours on a Sunday night, and there were others there dressed up to the nines in their finest gowns. I saw the Premier's advisers, the Premier's comms team and ministers there at the Brownlow. Crown Casino is a very interesting venue. It has big functions, but at the bottom you see people losing their houses and losing money they cannot afford.

In the last financial year Victorians using electronic gaming machines incurred over \$2.237 billion in personal losses. According to the Victorian Gambling and Casino Control Commission last year the cities in western metropolitan Melbourne accounted for over \$529 million in electronic gaming machine—pokie machine—losses. That is over 23.6 per cent of total gambling machine losses in the state—pokie machine losses—in my west. It accounts for over \$44 million of tax revenue that goes into the Community Support Fund. The money in the Community Support Fund is provided to the government portfolio departments for making grants to a wide range of community-based organisations and councils. I cannot find any accounts online for the Community Support Fund after the 2018–19 year. Just look online. Somehow, even though the government is collecting this money, it is not online anymore. But from looking over previous accounts of years that I was on council—I understand this quite deeply—it does not seem that this government has been spending that money in the west. They appear to be spending a lot on the other side of town, not in regional Victoria but in marginal seats. Surely if over 20 per cent of the taxes from electronic gaming machines—pokies—is coming from the west, it makes sense to spend that money back in the west and to try and tackle the problems of gaming and the missing community infrastructure.

Sadly there are not many pokie machines in the east. They are sitting in the west, in the poorer, most vulnerable suburbs and in regional Victoria. But the money, while it is taken out of those areas, is not spent there. We need alternative services to gaming, such as community groups, library facilities,

health, fitness and wellness centres, swimming pools—places where the community can gather healthily. We need services that provide in-home financial and emotional counselling for people with gaming addictions and their families, and we need outstanding and overdue infrastructure—all things that could have been provided by the Community Support Fund that this government, for whatever reason, have not spent in the west or in the areas that they have taken the money from. This fund is to be used for the good of the community, not for election exercises by this government. While I see that this bill is necessary, I think it lacks some transparency in regard to reporting. Acting President, could I circulate my amendments.

Independent amendments circulated by Dr CUMMING pursuant to standing orders.

Dr CUMMING: I will read from my amendments:

1. Clause 52, page 54, line 15 ... insert "(1),".
2. Clause 52, page 54, line 22, after "subsections" insert "(1),".

And the new clause is this:

3. Insert the following New Clause to follow clause 59—

'59A New section 3.8A.10A inserted

After section 3.8A.10 of the **Gaming Regulation Act 2003** insert—

"3.8A.10A Mandatory pre-commitment

- (1) This section applies—
 - (a) on and after 1 December 2025; or
 - (b) the earlier day declared by the Minister under subsection (3).
- (2) A venue operator must not allow a person ordinarily resident in Australia to play a game on a gaming machine in an approved venue unless—
 - (a) an account has been established for the person for the purposes of the pre-commitment system; and
 - (b) the pre-commitment system sets the following limit or limits, or requires the person to set the following limit or limits—
 - (i) not more than \$100 or the prescribed amount in any 24 hour period; or
 - (ii) not more than \$500 or the prescribed amount in any one month period; or
 - (iii) not more than \$5000 in any 1 year period unless the person demonstrates to the venue operator that a greater amount will not cause the person undue financial hardship.

Penalty: 120 penalty units.

- (3) The Minister, by notice published in the Government Gazette, may declare a day earlier than 1 December 2025 on and after which this section applies.

As I was saying, I have proposed some amendments to this bill to include some measures to reduce the losses that our communities are suffering through electronic gaming machines. This is similar to what has been proposed in Tasmania. It is very simple: for all electronic gaming machines, including those operated by hotels and other venues, a new cashless card, which is set to be implemented by the end of 2025, will be mandatory. This will have a default limit of \$100 per day and \$500 per month, which can be adjusted upwards or downwards.

A hard limit of \$5000 per year will be in place unless gamblers provide proof that they have the financial means to spend more. This will help make sure that people game and gamble within their means and restrict their losses. With a little bit of hope, they will not lose their houses, they will be able to provide food for their families and their families will actually stay together. For me, the \$5000 limit, when I heard that from Tasmania, made a lot of sense. For most people \$5000 is probably land tax or council rates. Five thousand dollars is a reasonable gaming limit. If you are on a pension or Centrelink or other benefits, you still need to be able to provide for your family—food, rent and

otherwise. I have far too many vulnerable people within my community that feel that somehow they are going to get lucky and somehow the luck of those gaming machines will give them the money that they need, to provide a car or clothes or to pay their rent, not really understanding what it does to their family. These pokie machines are actually designed to take your money. They are designed for tax revenue. They are designed for you not to win.

Over many years Dr Charles Livingstone, now an associate professor, has lived in my area in Footscray. He has been pushing for 25 years-plus for governments—this government and all the governments in the past—to actually do something about pokies and gaming machines. When I sat on council we were one of the first. We could see the harms that were created by previous Labor governments, because these pokie machines were actually introduced by Joan Kirner. We could see what it was doing to our community, so we put in some recommendations. When they were trying to put pokie machines at Whitten Oval we recommended that they put clocks on the walls, that the venues were not dark, so you did not lose sense of time, and that they provided tea and coffee and they provided breaks. This was 25 years ago.

Government after government take their time in looking after the vulnerable, but they are still happy to take the taxes but not spend them in the poorer areas. I do not see it in any budget. I do not see infrastructure promises where the money is taken. We need swimming pools so people can stop drowning—healthy options. In West Footscray I lack a RecWest. And probably one of the saddest looking facilities is Braybrook football club, the oldest football club in Australia. There is no election promise to build a new Braybrook Sporting Club, no promise for a RecWest in West Footscray and no promise for money for swimming pools in Wyndham or Hobsons Bay. Every single council is crying out for healthy options and for the money—the \$50 million-plus—that you take out of those areas to be spent back in those areas. But then you are happy to take poor people's money. They lose their houses. There is no infrastructure in their immediate areas.

I would hope that the government supports my amendments today. They are amendments that other jurisdictions, such as Tasmania—Tasmania actually had an election on this issue. Because of the gaming losses in Tasmania there was a change of government, because of what it was doing to that community, especially during COVID. But this government does lip-service—complete lip-service. There were a whole heap recommendations that you could have implemented. You could have gone to the highest level on your last day in the 59th Parliament—but no, not at all.

Dr RATNAM (Northern Metropolitan) (11:25): I am pleased to rise to speak to the Casino Legislation Amendment (Royal Commission Implementation and Other Matters) Bill 2022. Given all of the pieces of legislation that this government has prioritised in the last few weeks of this term, from jailing peaceful protesters to creating new criminal offences, it is nice to be here on the very last day of government business debating a bill that actually does some good.

This bill is implementing the third tranche of recommendations from the Royal Commission into the Casino Operator and Licence, including the recommendation to reduce gambling harm at the casino. The introduction of carded gaming and mandatory precommitment at the casino are sensible harm reduction measures that the Greens are pleased to support. We know that gambling harm is a serious public health issue that negatively affects individuals, families and communities. The gambling industry has completely shirked its responsibility for the harm it causes to communities, and the lack of any real intervention from government has allowed the industry to make billions in profits by preying on the vulnerable.

In his report Commissioner Finkelstein was especially critical of the harms that were allowed to occur at Crown, saying:

Perhaps the most damning discovery by the Commission is the manner in which Crown Melbourne deals with the many vulnerable people who have a gambling problem. The cost to the community of problem gambling is enormous. It is not only the gambler who suffers. It also affects many other people, and institutions.

Crown Melbourne had for years held itself out as having a world's best approach to problem gambling. Nothing can be further from the truth.

The report recommended a major reform to how the casino manages gambling harm: introducing a mandatory precommitment system. Mandatory precommitment requires patrons to set limits on gaming machines, before they play, on the amount of money they are willing to lose, the amount of time they will play or both. This is a harm minimisation measure, and we and other gambling harm minimisation advocates have been calling for it for years. Evidence from trials in Australia indicates that binding precommitment systems provide the best protection from gambling harm.

Here in Victoria we have had a voluntary precommitment system in place since 2015, but the YourPlay system has been a complete failure since it was introduced. It is used by hardly any players and on very few machines—on just a tiny 0.01 per cent of gaming machine turnover in Victorian hotels and clubs. Contrary to its purpose, it has done absolutely nothing to reduce gambling harm. Instead we have seen ever-increasing losses since the scheme was introduced. In the last financial year Victorians lost over \$2.2 billion to the pokies. This July we hit a record monthly high of \$270 million lost. And since the pokies were introduced to Victoria 30 years ago, we have lost a staggering \$66 billion.

We welcome the government's intention to transform YourPlay into a full, mandatory precommitment system at Crown Casino with enforceable limits on losses and on time. As the first step towards mandatory precommitment, the bill will require any person who is a member of the loyalty scheme at the casino to use YourPlay to track their play. It will also allow the Victorian Gambling and Casino Control Commission to publish information about individual venue compliance with YourPlay obligations.

Given the complete failure of the program to date, the Greens will be watching the implementation of the YourPlay reforms and the data that comes from this very closely. The full precommitment system will be implemented at Crown Casino by December 2025. However, our question for the government is: why stop there? When the government introduced the first piece of legislation implementing recommendations from the royal commission, it proudly stated that it was going further than the recommendations and introducing even stronger measures than were recommended. It is disappointing that this has not been followed through when implementing the harm minimisation recommendations.

If this government was serious about reducing harm from gambling, it would know that gambling harm does not just happen in the gilded rooms of Crown Casino. In fact when it comes to the pokies, the vast majority of harm occurs outside the casino. Crown has just 2600, or 10 per cent, of Victoria's 26 321 poker machines. The rest of our pokies are out in the community, in suburban clubs and hotels, where hundreds of thousands of dollars are regularly lost at the pokies each and every year.

In the last financial year the top five local government areas for pokies losses were Brimbank, Casey, Geelong, Hume and Whittlesea. While the pokies were shut for much of 2020 and 2021—a small respite from years of billion-dollar pokies losses—we are once again back on track for record levels of gambling harm. This July we hit a record monthly high of \$270 million lost. If losses continue at this rate, the 2022–23 financial year will break records for amounts lost at the pokies and for the harm done.

The sheer scale of harm should be a wake-up call for all of us, and I know lots of communities are keenly aware of the harm caused by the pokies and are pushing to get out of pokies and to get pokies out of their clubs and hotels for good. But they have had their hands tied, and you have to look no further than what has been happening at our local government level for years to understand the scale of the resistance to transformative action by the state government. We have had so many local governments spearheading advocacy for harm reduction measures and the reform and reduction of pokies losses and harms—including, for example, by introducing harm reduction measures like differential rates, one of the few levers that local governments have to reduce the harm from gambling—only to be blocked by the state government, undoing the very little good work that is

available within the laws that we have, given the very close relationship between this government and the predatory gambling industry.

Earlier this month I was horrified to read that the Premier was refusing to allow pokies venues to get out of their licences. The St Kilda Football Club is among a number of venues looking to get out of the gambling industry for good, but the government has refused, saying venues had already agreed to a 20-year agreement for gaming machine entitlements. These 20-year contracts have locked us into 20 years of escalating gambling harm. This government should be seriously considering buyback schemes, which have been successful in other jurisdictions and which allow gaming venues to hand back their pokie machines and be bought out of their licences by the government. It is a model that empowers venues to move to new sources of revenue and to stand up to the predatory gaming industry by saying, 'Enough is enough'. It is extremely disappointing that the government will not even entertain this as an option. Perhaps it is because the budget is too reliant on the billions they receive in gambling tax and the government is too scared to find replacement revenue to ever take any serious steps towards reducing gambling spending, or maybe they are just too close to the gambling industry. The over \$750 000 donation Labor received from the Australian Hotels Association in 2018 is clearly still buying special treatment. Perhaps it is because they are afraid of a negative campaign from the hotels association. We have seen the AHA default to a scare campaign the second they feel threatened by the prospect of gambling reform. Four years ago in Tasmania a similar campaign against Tasmanian Labor saw the Liberals retain government.

While it is extremely strange to be describing a Liberal government as an exemplar in gambling reform, that is exactly what I am about to do. Just last week Tasmania announced that it will be the first jurisdiction in all of Australia to introduce mandatory precommitment at all pokies venues in the state. The Tasmanian scheme will apply from December 2024—a full year before the Victorian one is implemented. The scheme will use a cashless card which will have a preset loss limit of \$100 per day, \$500 per month and \$5000 per year. These can be lowered by players at any time. The new cashless card and precommitment system were recommended by the Tasmanian gambling regulator, who considered and dismissed facial recognition as a harm minimisation measure and strongly recommended mandatory precommitment as the best solution. To their credit, the Liberal government accepted these recommendations and have immediately moved to implement them. Unsurprisingly the Tasmania Hospitality Association labelled the move 'Orwellian' and 'a slap in the face', but the Liberal government appears to be standing firm, with the Deputy Premier, Michael Ferguson, saying:

I do expect a bit of noise around this issue, but we're very committed to this. It will be a model for the rest of the country to follow.

Right now this government has the opportunity to do exactly the same. There is a real opportunity with this bill to go further and introduce world-first harm minimisation measures by mandating precommitment on all pokies in the state. The Greens have prepared amendments to extend the precommitment scheme in the bill to every gaming venue in the state, and I am happy for those amendments to be circulated now, please.

Greens amendments circulated by Dr RATNAM pursuant to standing orders.

Dr RATNAM: Our amendments would ensure that precommitment was mandatory on every single gaming machine in the state, not just those at the casino. If this government is prepared to acknowledge that a precommitment scheme would reduce gambling harm and that it is possible to implement one on gaming machines, then there is no rational reason why this should only be the case in one gaming venue in the state, the casino. This is a test for this government. Are they willing to put the people of Victoria first, do the right thing and take the opportunity right now in this bill, or will they cave in once again, defer to their mates in the gambling and hotel industries and only go halfway on harm minimisation?

Mr HAYES (Southern Metropolitan) (11:36): Sustainable Australia will support this legislation. Unfortunately Victoria is a state with a growing reputation for corruption, and here we are debating this bill today because of the Crown Casino fiasco, a corruption scandal which is up there with the biggest in the history of this state. An inestimable amount of harm has been done to the community as a result of what has happened at this casino and with gambling in general in this state, and the government, as in many of these matters, only acted when the evidence was impossible to ignore.

I commend the *Age* and its investigations that blew wide open the corruption and impropriety that many insiders had known about for years, as well as the whistleblowers, those insiders who are to be especially commended as they let some sunlight into the dark corners of this state. Some of these whistleblowers were actually inspectors at the casino; they were employees of this government. They tried to do the right thing through the proper channels, but they could not get anywhere. Then they approached federal independent MP Andrew Wilkie, and that is the way these government employees were able to do something about the rampant, open corruption at Crown Casino—by approaching a corruption-fighting federal MP, because their own state government had let them down and let all Victorians down.

I remember reading that the nickname for the casino given by some in the police force was Vatican City, being a state within a state. In the state of Victoria it is illegal to smoke inside hospitality venues, but not at the casino. It has got different rules to the state of Victoria, and there are still rooms in the casino where smoking is legal. At last this bill does something about that, so that is good, along with many of the measures in this legislation. It is also illegal to launder money in the state of Victoria, but plenty of that went on at the casino, and the warnings were all there. Good people trying to do the right thing were ignored. Many things illegal in the state of Victoria were okay at Crown Casino. But the truth always comes out, and it has done so here. The truth only adds to Victoria's growing reputation for corruption, so any improvement in preventing money laundering at the casino, as proposed in this bill, however belated, is to be welcomed. But let us be clear: this is another mess this government has a large but not sole responsibility for causing. The Liberal-National party governments in part are also to blame.

If you do a search on the *Age* website under the heading 'Crown Unmasked', there is revealed a whole raft of stories about the problems at Crown Casino. I will read the headlines of each story from the *Age* website:

- Gangsters, gamblers and Crown casino: How it all went wrong
- Crown's unsavoury business links: how Australia's casino got tied up with criminals
- Crown's \$80 million fine should be just the start
- Crown ignored AFP warning on junket partners
- Crown under fire for letting gamblers play pokies for 18 hours straight
- Crown 'lied' to watchdog investigation into China arrests
- The Crown casino royal commission is long overdue, and the Andrews government a laggard

Allow me to quote once again Annika Smethurst in the *Age* on 27 October 2021. She said:

For an administration renowned for its rigidity and tough punishments, the Andrews government has offered rare clemency to Crown casino in allowing it to keep its gaming licence despite being told it was unsuitable to operate.

The offer of clemency—'rare clemency', as identified by Annika Smethurst—to the so-called Vatican City is sadly not a surprise. This government for too long has been too close to the big end of town—big construction, big property, big unions, big business and big gambling—and the government allowed big gambling to operate from its own little city-state there on Southbank, seemingly immune from many laws that most other Victorians are subject to. Yes, organised crime was allowed to operate there with immunity, and such crime has had a tremendous negative impact on individuals, families

and the society. To deal with drug addiction the government's main strategy is going after drug dealers. But there was Crown Casino operating as a wonderful place to clean the dealers' money.

While this bill tightens up controls over money laundering at the casino, I remain doubtful about the government's commitment to tackling money laundering on an even wider basis. Money laundering in Australian property is of an enormous scale. I have introduced notices of motion in this place to ask the state government to lobby Canberra on the implementation of longstanding international agreements to prevent money laundering in real estate, but the previous federal government did nothing about this, nor were they asked to by the Andrews government here in Melbourne, which of course raises a lot of money from property transactions. Gambling and property—the government does not seem concerned whether the money to purchase real estate was raised legally or illegally. Action on money laundering at the casino as well as in the property sector is much needed in this state. We see in this bill improved measures around harm reduction. The mandatory precommitment is a plus but it is not on a wide enough scale. The government turned a blind eye to this issue for many years. Once again, as the *Age* headline sums up perfectly:

'The deceit, the crime, the destroyed lives': How Australia lost its gamble on casinos

The crime and deceit I have discussed; the destroyed lives are something that is a stain on the history of this state. The damage done from addiction to gambling is enormous.

I welcome the measures in this bill that go to addressing the harms caused by gambling at Crown Casino, and while I support this bill it is easy to be sceptical about its motive forces. 'I am sorry because I was caught' seems to be the overall theme in reply. Well, let me conclude by quoting the *Age* once again: 'Victorians have a right to be sceptical' over Crown. Crown's behaviour has been egregious, but so too has been the failure of successive state governments to ensure adequate powers and resources for regulators. Let us hope the future is different, and to that I say, 'Hear, hear'.

So I will support this legislation, hopefully with some amendments, although really it is only scratching the surface. We should be taking full note of what is happening in Tasmania in regard to this and in New South Wales—surprise, surprise, of all places—where they look like they are taking some tough action at last.

Mr QUILTY (Northern Victoria) (11:43): I will be brief. Crown Casino has behaved badly, as casinos have a bad habit of doing, which is why we have a government watchdog to oversee its operation. With competent oversight, Crown would have been forced to behave properly. But this bill does not address that. There are two main parts to this bill. The first aims to limit gambling activity in order to protect Victorians from themselves. Because there are a small number of problem gamblers, the bill aims to impose limits on us all. This becomes a burden for the many people who do not have any problem with gambling and who manage themselves responsibly. We all take risks in our lives, and it is up to us to make choices about which risks are worth taking and which ones are not. Problem gamblers already have options to exclude themselves and to seek treatment. All Victorians should not be treated as if they have a problem. The Liberal Democrats have a vision for Victoria where all Victorians are treated as adults with agency to make their own decisions. We should be reducing nanny state intrusions that aim to protect us from ourselves, not increasing them.

The second set of changes is to make it easier for the government to catch criminals by controlling and restricting the casino. Mainly the government wants to catch criminals by controlling everyone's money. If a state knows everyone's income and tracks everyone's expenses, they can figure out when someone is making money from an undeclared and possibly illegal source. This detailed and pervasive surveillance is seen as necessary to allow the government to levy taxes, but the fact that a tool is effective does not automatically mean it is justified. Prevention and detection of money laundering are law enforcement tools that are forced on civil society to help government collect its revenues. As a principle we should not be forced to give up anonymity in our purchases and earnings just to help the government enforce the law.

In a broader sense the reason we have this legislation before us is because of government failure: firstly, the failure of the casino regulator to do what it was designed to do, and secondly, the failure of government drug policy. It is no secret that the most profitable criminal activity is selling illicit drugs. The reason it is so profitable is because of the war on drugs that shuts out legal competition, and casinos are used to launder the drug money. We do not support organised crime, but the solution is to change the drug laws and remove the profits from organised crime. That would end money laundering at casinos far more effectively than this bill will.

Victorians are not children who need to have their choices controlled by the government. We should be treated as adults and allowed to make our own decisions. That includes choosing to gamble. If Crown breaks the law, they should lose their licence—that would impose real costs—but this government is too close to Crown to do that. The Liberal Democrats will not support this bill.

Ms PATTEN (Northern Metropolitan) (11:46): I would like to briefly speak on the Casino Legislation Amendment (Royal Commission Implementation and Other Matters) Bill 2022. I think, as we have heard from some of my colleagues here today, it is quite pleasing to come to the end of this term with some positive work done in this area. This bill acquits most of the recommendations of the Royal Commission into the Casino Operator and Licence. Many of you will recall that I raised the matter of Crown Casino as a matter of public importance in this chamber. It was knocked out at the time, but I feel like I was absolutely vindicated by what happened after. Certainly I would like to commend, while I am on my feet, Mr Andrew Wilkie in the federal Parliament for the tireless work that he has done on exposing the criminal elements of not just Crown Casino but also, as we are seeing play out, Star casino in New South Wales.

Among other things, this bill will strengthen anti-money-laundering measures and implement mandatory precommitment and other gambling harm minimisation measures at the casino, and these are important reforms. I know most of us have walked through the casino at some time; while many people might be enjoying themselves, we see many people who are not. Certainly, as the chair of the criminal justice inquiry—and even looking at the other justice inquiries that we have done over this term, be that spent convictions or even the impact of parental incarceration on children—we have seen the thread of gambling that weaves its damaging and life-destroying path through so many people's lives, that leads them into our criminal justice system, that creates circumstances of family violence at home and that leads, ultimately and tragically, to loss of life.

These are important changes, but I think sadly there is also a missed opportunity. As the Alliance for Gambling Reform have indicated—and I know others have referred to the alliance—while they are glad to see the government make every effort to legislate and meet the recommendations of the Crown royal commission before the election, it is absolutely critical that the government commit to mandatory precommitment on all poker machines statewide, not just at the casino. It troubles me that on one hand we are acknowledging the harms—and we are acknowledging them by accepting the recommendations of the royal commission and by putting forward this legislation today—but we are failing to recognise that the vast majority of poker machine gambling is not happening at the casino. In fact only 10 per cent of pokies are located at the casino. The rest are in our electorates. The rest are in some of the most disadvantaged areas of our electorates, and I know Dr Ratnam and I in Northern Metropolitan carry a fair proportion of those poker machines in some of the poorest pockets of our electorate.

Mandatory precommitment has the ability to reduce gambling harm by ensuring people set time and monetary limits and stick to them. The bill also ensures identity measures that will also prevent money laundering. If this happens at the casino but not at other poker machine venues, well, it is a bit of a whack-a-mole project, isn't it. We may reduce this harm and we may reduce this happening at the casino, but it means that we may be seeing that crime and that harm relocated to our pubs and clubs in our communities. And, as we say, we know that gambling harm is not isolated to the casinos.

Victoria just experienced the highest losses ever recorded in one month, in July 2022. That was \$270 million in our pubs and clubs. That is how much money went through our poker machines. Certainly it is why this is not the first time that I have stood up and spoken about this. I have certainly put up amendments in this area, not just in this term but in the last term. It is why Reason has a longstanding policy to reduce the negative impacts of poker machines and promote responsible gambling—doing simple things like making the maximum bet per spin \$1, reducing maximum daily trading hours at poker machine venues and the density of poker machines per electorate, making transparent the lobbying activities of pokie providers and their influence on government and engaging in long-term planning to try and decouple the government from poker machine revenue. I know it is not easy, but some of these actually are quite simple and are tools and measures that our communities have been crying out for, particularly those that have experienced firsthand, as many of us have, the harms of gambling addiction. This is the way we save lives and reduce the significant harm associated with gambling, which, as I mentioned earlier, includes mental health, includes suicide, includes family violence and includes the incarceration of many of our citizens.

Having made these points it is not surprising that I will be supporting Dr Ratnam's amendments here. It may be more surprising that I will also be supporting Dr Cumming's amendments here today, but for the same reasons that I spoke about last year in December I will not be supporting Mr Davis's.

Ms PULFORD (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (11:53): I thank all members for their contributions on the debate on this bill today. I would acknowledge members' concerns expressed through the debate about the harm of gambling addiction and in doing so bring members' attention to the Rethink Addiction national convention held last week in Canberra—a really, really important discussion around addiction in all its forms, including gambling addiction. I, like many people in this place, many people in the community, have friends and family members who have lost just about everything to gambling addiction. Again, I would restate our government's commitment to minimising harm wherever we can.

This bill marks the second major tranche of legislation to acquit the recommendations in the Royal Commission into the Casino Operator and Licence. I know a number of the comments that people have made through the debate go broader than that and beyond that, but that is the purpose of the bill today. What it will do is implement Australia's strongest harm minimisation and anti-money-laundering measures at Crown Melbourne. The government has already acquitted 12 recommendations from that royal commission. There are 12 that are acquitted by the measures contained in the bill before the house.

Just if I could make a couple of quick remarks in response to some of the amendments that will be considered in the committee stage when we are on the other side of question time and possibly the other side of lunch, the opposition is proposing an amendment which would require the tabling in Parliament of the special manager's reports to government. The special manager was established to oversee and report on Crown's reform program to the Victorian Gambling and Casino Control Commission, the independent regulator. These reports will inform the VGCCC's final decision on whether Crown has returned to suitability to hold the Victorian casino licence. The government will be opposing the opposition's amendment on the basis that we believe it would fundamentally undermine the important work of the special manager and compromise the independence of the regulator in its decision-making. The publication of the full reports would provide a running evaluation of Crown's suitability and give rise to legal challenges, as they contain commercially sensitive and legally privileged information. This would effectively provide Crown with a right of reply and procedural fairness, which is something we have explicitly removed through earlier legislation. Whilst the amendment is well intentioned and seeks to improve transparency, this does need to be managed properly. The stakes are very high in implementing fully the recommendations from the royal commission. We have asked the special manager to publish six-monthly activity reports. The most recent was published in July, and it is available online.

I would take the opportunity to reiterate the government's commitment given in December last year that we will publish the special manager's full final and interim reports, subject to the public interest requirements of the Gambling Regulation Act 2003, within six months of any decision by the regulator on Crown's suitability to hold the licence. The full reports will be published at the right time, and that will be after the VGCCC has decided if Crown's licence should be cancelled.

The Greens have proposed an amendment. Dr Ratnam has foreshadowed an amendment that attempts to expand the bill's requirement for mandatory precommitment on all pokies at the casino to all pokies across Victoria. We will not be supporting this amendment. We will be opposing it on the basis that we believe it is not necessary and it is also unworkable. It goes beyond the scope of this bill, which is about our royal commission into Crown and our response to it. Gaming venues like community clubs and RSLs do present a fundamentally different operating environment to the casino. They run smaller operations, they have a greater ability for staff supervision and typically their use of large sums of cash is less common. We do not believe that the controls at Crown necessarily can be assumed to be the right controls everywhere. The amendment would also fail in its aim to implement a statewide mandatory precommitment scheme, because what the amendment would do is require players to have an account with YourPlay, which is the existing voluntary precommitment scheme. It would not actually require YourPlay to be used at the machine. Again, I understand the objective of the exercise here, but we do not believe the amendment is the right way to achieve this.

In my one remaining minute, Dr Cumming's amendment, if I could respond to that, has proposed a similar amendment to the Greens, which is about expanding mandatory precommitment. Our reasons for opposing that are the same as those that I have outlined in responding to Dr Ratnam's, and we can talk about all of this at more length in committee.

Just to conclude, we are committed to implementing every single one of the royal commission's 33 recommendations. Subject to the passage of the bill, 24 of those recommendations will have been responded to within 12 months of receiving the report. There are a remaining nine recommendations that will be acquitted through a combination of administrative mechanisms, such as directions of the VGCCC or the minister, and will be further legislated within the next 12 months. I commend the bill to the house.

Motion agreed to.

Read second time.

Business interrupted pursuant to order of Council earlier this day.

Questions without notice and ministers statements

EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

Ms CROZIER (Southern Metropolitan) (12:00): My question is for the Minister for Emergency Services. Minister, at 4.00 am on 29 May, 75-year-old Golda Shulkes called an ambulance for her husband, Gary, who was in agony with kidney failure. She made three calls over an hour but no ambulance was available. In desperation Golda called a taxi, and the driver kindly picked Gary up off the floor, put him in a taxi and took him to hospital. He sadly died several hours later. I note that this is not an isolated incident. So I ask, Minister: is it acceptable that failures in the 000 call service lead to the deaths of people like Golda's husband, Gary, and the trauma to taxidriver's when transporting critically ill patients?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:00): I thank Ms Crozier for her question. Absolute condolences to Gary's family and the situation that you have described. It is difficult for me to comment on specific cases. As we know, when it comes to adverse events, they are a matter for the inspector-general for emergency management (IGEM) to investigate, report on et cetera. He makes it very clear that it is

not his role to look at causation. That is a matter for the coroner, and it would be inappropriate to attribute death in any circumstances. Sorry, Ms Crozier, was it Goldie, you said?

Ms Crozier: Golda.

Ms SYMES: Golda. So again, regarding anybody that has experienced call delays, it is something that I am on the record as saying is unacceptable, and it is why we have put so much effort into ensuring that we support ESTA to become a system that Victorians can rely on. As we know, right here and right now, that is certainly the case.

Ms Crozier, you have referred to a situation that you have expanded on in relation to not only a call-taking situation but availability of ambulances, and as you would be aware, the Minister for Ambulance Services is responsible for ambulance provision. My responsibility as Minister for Emergency Services is indeed the call taking but not the amount of ambulances or indeed the clinical decisions around when they would be dispatched and when they would not, so I hope that that provides you with an answer within the confines of my inability to reflect on individual cases. I think that you have gone to comments in relation to attributing cause of death, and I would warn you that that is not a role for politicians. That is a role for the coroner.

Ms CROZIER (Southern Metropolitan) (12:02): Minister, you have just highlighted in your answer the systemic failures that have occurred under your watch with the Andrews government, whether it is 000, whether it is the ambulance services and so much more, where far too many Victorians have died—33. The IGEM report itself made it very clear that there were multiple failures. So I think you are brushing this case away. It is a very significant case, so I ask: why did the 000 call service fail in the case of Golda’s husband? What went wrong?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:03): Ms Crozier, as I have said, anybody that has experienced a call delay, anybody that has had a bad experience with the health system due to the pandemic and the unprecedented pressure on it, absolutely I am—

Ms Crozier interjected.

Ms SYMES: Absolutely these are the conversations that I have with many people that have had this experience. It is part of the motivation for why I have been able to go and secure additional funding. It is why I sit out with the ESTA staff and listen to them, their needs, and listen to call taking, for example. Again, you are asking me to reflect on an individual matter, and it is just not an appropriate use of question time to do so.

CANNABIS LAW REFORM

Ms PATTEN (Northern Metropolitan) (12:04): My question is for the minister representing the Minister for Health and relates to the parliamentary inquiry into the use of cannabis in Victoria. It was my referral and an inquiry that I indeed chaired. The report tabled on 5 August 2021 made 21 findings and 17 recommendations and laid the foundations for broad reform of cannabis-related policy in Victoria. Under the rules of this Parliament, the government must respond within six months of a report being tabled, but it has failed to do so, even though that response was due seven months ago. So my question to the minister is: is she being deliberately contemptuous of parliamentary rules in failing to respond?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:05): I thank Ms Patten for her question, and I will let the Minister for Health provide her with a response to her question.

Ms PATTEN (Northern Metropolitan) (12:05): By way of supplementary, when almost every country in Europe, most of the jurisdictions in the Americas and many countries in Asia are contemplating law reform around cannabis, I ask: will the minister honour the 1475 people who made

submissions to the inquiry with a response, or will she instead disrespect this important accountability mechanism of the Victorian Parliament?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:06): I am sure the Minister for Health will respond to your supplementary question as well as your substantive question.

MINISTERS STATEMENTS: NATIONAL DAY OF MOURNING

Ms PULFORD (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:06): I rise to update the house on the government’s enactment of a public holiday to acknowledge and reflect on the extraordinary life of Her Majesty Queen Elizabeth II. As members are aware, the national cabinet has agreed to hold the National Day of Mourning as a one-off public holiday on Thursday, 22 September. Accordingly, I have appointed this day as a public holiday in Victoria. A notice was published in the *Victoria Government Gazette* on Wednesday, 14 September 2022, to give this effect.

The National Day of Mourning will be a normal trading day, with no additional trading restrictions imposed. This means that while it is a public holiday it is not a restricted trading day, like Good Friday and Christmas Day are, and trading hours are at the discretion of individual businesses. This is consistent with the AFL Grand Final Friday, Boxing Day and many of our other public holidays. Businesses choosing to operate will need to pay appropriate public holiday rates based on their industrial relations obligations. Employers and employees seeking information about their rights and responsibilities regarding public holidays should seek advice from the Fair Work ombudsman, their business peak body or their relevant union.

I am sure that all Victorians will further reflect this Thursday on the Queen’s legacy, which will no doubt be remembered for many years to come. I wish traders a successful long weekend, and I wish all Victorians safe travels as they go about the next few days.

EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (12:07): My question is also to the Minister for Emergency Services. Minister, Victorians attempting to call the 000 service in cases of emergency, those who wait so long in vain for their calls to be answered that they simply hang up, surely have been completely failed by ESTA. I therefore ask: Minister, in the last financial year to 30 June how many hang-ups occurred at ESTA?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:08): I thank Mr Davis for his question. Indeed data provision is a matter predominantly for the inspector-general for emergency management, and abandoned calls are something that are reported to him and he has capacity to look at in his capacity as the overseer of the system. When it comes to people that hang up, there are a variety of reasons this might occur. We have prank calls or kids experimenting; there can be reception issues, as many country MPs would be familiar with; there can be multiple callers to an incident, where somebody gets through and therefore somebody arrives so they hang up; or indeed you might have an emergency that fortunately resolves itself. Abandoned calls are reported to the IGEM as part of his call-answering performance. For each call to 000 that is abandoned, if anybody hangs up, the details are provided to ESTA and they receive a call-back to see if everything is okay. You will note that in the IGEM report, a very comprehensive report that looked at the period from October to May—recent times—abandoned calls do not feature heavily, but it is a matter that he has full capacity to look at.

I would just probably make the note too that in relation to calls when people hang up within 5 seconds, that data is not collected for the purposes of the amount of calls that ESTA receive each day. So often they can actually receive more calls in a day than I have been telling you because they do not actually count the 5-second hang-ups, because it was a decision from IGEM and ESTA that that data was

potentially misrepresenting the true situation of the calls that were being received. But as I have indicated, this is the data that is available to the IGEM. He looks at all of these issues, and his reports, as you are aware, are quite fulsome.

Mr Davis interjected.

Ms SYMES: Mr Davis, I am not in a position to provide data. The verified data comes from the IGEM. That is his role. He is an independent officer who looks at these issues. He is the overseer. I have explained to you in some detail the process in relation to what happens with abandoned calls—the fact that they all receive a call-back from ESTA to see if they are still in requirement of emergency services and the like. That is the process. When it comes to data, that is provided to the IGEM, who provides that to me, and everything that he has provided to me recently has been made public.

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (12:11): The minister should know the number of hang-ups and she should tell the community. But let me just say, the minutes of board meeting 166 of the ESTA board on 3 June 2021 noted there was now agreement to remove hang-ups from the reporting and this would improve performance reports. I am concerned to know what follow-up does occur, and I simply ask a further question: will you release the number of hang-ups each year for the last four years and explain how many of those relate to people who have not got the service they need?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:11): This is an example of perhaps where you should have a couple of supplementary questions up your sleeve, because I covered off this quite extensively in my answer to your substantive question. In relation to the decision and the board minutes you referred to, I explained that there was a decision informed by the IGEM and the board to dismiss the calls that are hung up within 5 seconds. So it is literally that they answer the phone and say ‘Emergency services’ and they get hung up. In fact it was not to ensure that the data looks better. In fact it would be the opposite, because it would show that more calls were being answered by ESTA than less, so in fact it would actually have the reverse impact. That is certainly what happened at that time. Your second question was about the process. You had three questions in your supplementary. Your second question was in relation to the process of abandoned calls, and I am pretty sure that everyone heard my answer in relation to that.

COMMERCIAL PASSENGER VEHICLE INDUSTRY

Mr BARTON (Eastern Metropolitan) (12:13): My question without notice is to the Attorney-General, representing the Premier. At the last Public Accounts and Estimates Committee budget hearings I had the opportunity to ask the Premier some questions about the commercial passenger vehicle industry. He acknowledged that many had mixed experiences of, and views of, the 2017 industry reforms. Make no mistake: these reforms devastated licence-holders. Those who were already carrying crippling legacy debts then had to deal with COVID-19, which shut down an industry. The Premier said to me his door was always open and, ‘There well may be more we have to do’. Premier, I have presented to you a plan. As we move to November, the industry’s 120 000 drivers and 200 000 of their family members want to hear from you, Premier. Does this government intend to let the wolves continue to roam, or do you now recognise this industry must be repaired?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:13): Mr Barton, your advocacy for the taxi industry is always on full display, and you have much respect in relation to that. Your question to the Premier I will pass on and ensure that you receive an answer in accordance with the standing orders.

Mr BARTON (Eastern Metropolitan) (12:14): Thank you, Attorney. The industry is at a crossroads. The government must make a decision. The Premier of New South Wales has just announced that there will be further compensation for plate owners in the taxi industry. We have seen Western Australia also reflect on what deregulation has done and provide further compensation. New

South Wales's further package recognises the extent of financial suffering experienced by plate owners. The Victorian industry is only asking that the Victorian government repair the past so we can move forward. The question, Premier, is: are you going to throw us all under the bus?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:15): I will pass the supplementary question on to the Premier.

MINISTERS STATEMENTS: WATER MANAGEMENT

Ms SHING (Eastern Victoria—Minister for Water, Minister for Regional Development, Minister for Equality) (12:15): Today I want to talk about water and in particular the work that is being done to manage wastewater and to treat it in a way that embraces opportunities for the circular economy and for appropriate integrated water management.

Last week I was in Cowes on Phillip Island to see the progress on the restorative wetland carbon storage pilot project. This is studying how floating wetlands can be used to manage treated effluent and emissions produced from wastewater treatment. Chris West is the most extraordinary manager of this site. He has been there for 38 years, and he has seen the evolution of water management from needing to wait for telephone and landline notifications of significant incidents right through to the use of sophisticated technology to manage water. We have invested around \$250 000 towards this project, and it is being run by Westernport Water. It is one of 11 metropolitan and 17 regional projects under the \$14.1 million integrated water management program.

To that end I want to take this opportunity to pay my respects to the work of my predecessor, Lisa Neville in the other place. She has been a steadfast champion of the best in advocacy and the best in outcomes for Victoria across integrated water management, across managing Murray-Darling Basin plan responsibilities and in standing up as a fierce advocate for Victorian interests.

I also want to note the release of the *Central and Gippsland Region Sustainable Water Strategy*, again a 50-year plan to make sure that we are taking our obligations and responsibilities seriously, particularly as we look at volatility and climatic conditions. We can see in the Northern Hemisphere what is happening. We can see that we need to have these conversations now, to plan well now and to take the right decisions so that future generations have a security and a certainty of water supply because we have leaned in to these conversations and we are prepared and ready.

BULLA TIP

Mr FINN (Western Metropolitan) (12:17): My question without notice is to the minister representing the minister for the environment. Over the past year the area along Sunbury Road between Sunbury and Bulla has been turned from what used to be a green wedge zone providing a rural buffer for the Sunbury township to what can best be described as an environmental disaster area. Bulla tip now looms large on the horizon with a mountain of God knows what. It can be seen from kilometres away, and locals refer to it as Mount Bulla. A huge waste facility has been built to take carcinogenic toxic soil. This facility is, incredibly, opposite new residential developments and adjacent to waterways. Many, many mature gum trees have been lopped to make way for the government's relocation of a bottleneck on Sunbury Road, and this is still happening today. Minister, how can you possibly look back at what you have done to Sunbury and Bulla and call that a success?

Mr LEANE (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (12:18): Thank you, Mr Finn, for the question. Obviously that is a question for the minister for environment, so I will ensure that she receives Mr Finn's question and responds in line with what is prescribed in the standing orders.

Mr FINN (Western Metropolitan) (12:18): I thank the minister for his response. My supplementary question is: if the Andrews government is re-elected in November and you, Minister, for some extraordinary and inexplicable reason, retain the environment portfolio, can the people of Melbourne's west expect more environmental destruction by your hand?

Mr LEANE (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (12:18): I will also make sure Mr Finn’s supplementary question is received by the minister for environment.

FOSTER CARERS

Mr GRIMLEY (Western Victoria) (12:19): My question is for the Minister for Workplace Safety, representing the Minister for Child Protection and Family Services. Last week my office crunched the numbers from the Australian Institute of Health and Welfare and found that, using conservative estimates, there will not be enough foster carers to look after children who do not have access to kinship care. This means those children will go into the unreliable system of residential care. The child protection system simply does not work or have good outcomes without volunteers, such as foster and respite carers. The Premier said in response to this at a press conference last week, ‘We know there’s more to be done here’. He also said that the investments that the state government is making will increase the retention of foster carers. Minister, if the government is investing so much money in the child protection system, why are we seeing more foster carers leave than ever before and at disproportionate rates to all other Australian states?

Ms STITT (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood and Pre-Prep) (12:19): I thank Mr Grimley for his question to the minister for child protection in the other place. I will get a written response in accordance with the standing orders.

Mr GRIMLEY (Western Victoria) (12:20): Thank you, Minister. The three recommendations that I made last week as part of Foster Care Week were to encourage recruitment and retention of foster carers; to modernise the foster care system, such as to rapidly expand the Treatment Foster Care Oregon program; and to lift the foster carer allowance for the first time since 2016. The minister attended a foster care event recently but did not commit to additional investment in the foster care system. A KPMG report commissioned by the government into the foster care allowance recommended it be lifted by 67 per cent. However, this report has never been made public. Fifty-nine per cent of Victoria’s foster carers use their own money to support kids in their care. It is clear that the foster care payment needs to be lifted. Minister, for the sake of transparency, will the government release the KPMG report? If so, when, and if not, why not?

Ms STITT (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood and Pre-Prep) (12:20): I will also refer Mr Grimley’s supplementary question to the minister for child protection.

MINISTERS STATEMENTS: VOCATIONAL EDUCATION AND TRAINING

Ms TIERNEY (Western Victoria—Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (12:21): It is a point of great pride that this government has rebuilt and united the post secondary school system. Victorians now have access to vocational education and training which is built on quality and integrity, with the foundations firmly laid in the importance of public provision. Universities, TAFEs, industry trainers and Learn Locals are collaborating like never before. It is our shared priority that students of all backgrounds have access to the right education and training that leads to opportunities. Putting people in the community first has underpinned our signature programs.

Free TAFE has been strategic from the beginning in providing the skills for in-demand jobs in areas such as health, community services, construction and agriculture to name a few. To date, 220 000 Victorians have signed up to free TAFE and we have saved them \$297 million. I am so proud that free TAFE has empowered more women, mature age students, First Nations people, unemployed people, culturally diverse students and students with a disability to study and pursue a career.

It is this government and this government alone that supports people and industry to achieve success. This is why we established Apprenticeships Victoria, the Victorian Skills Authority and the Office of

TAFE Coordination and Delivery. We have delivered Victoria's first-ever skills plan, which puts the needs of industry, people, the economy and the community on an equal footing. We invest in people, we invest in facilities and we invest in our communities—\$3.2 billion since we came to government—unlike those opposite, who closed campuses and stripped opportunity, equity and integrity from the system.

EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (12:22): My question is again to the Minister for Emergency Services. In 2015 the then chair of ESTA, Roger Leeming, asked the Labor government for \$30 million in ongoing funding, which was rejected. Just months later, in January 2016, according to Mr Leeming, it was 'made very clear to me that I should resign'. Why was Mr Leeming forced to resign as chair only months after requesting \$30 million in additional funding?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:23): Mr Davis, my information is that the former chair resigned, and my advice is that funding was not rejected.

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (12:23): There seem to be two views of history here—

Ms Symes interjected.

Mr DAVIS: Well, Mr Leeming, for example, makes it clear. 'It was made very clear to me that I should resign' is what he said. He refused to toe the government line and was fighting for more money for 000. Minister, did Mr Leeming make it up?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:24): Mr Davis, I have not met Mr Leeming, but my focus since being minister has been on working with the existing staff, the existing management and the existing board. During my time as minister, we have put \$360 million into ESTA, and I am so proud of that organisation. They have come through a torrid time when it comes to an unprecedented amount of calls, the pressure on that organisation and staff being off. The fact that they have turned up each and every day to do the very best they can for Victorians should be celebrated. We should be making more of how fantastic this workforce is rather than continually demonising this workforce and telling them that they are the cause of people's deaths. This is an amazing organisation that this government has funded every time it has requested funding—in recent times, \$360 million. *(Time expired)*

PUBLIC LAND USE

Mr BOURMAN (Eastern Victoria) (12:25): My question is for the minister representing the minister for the environment in the other place, Minister Leane. It could be viewed as hypocrisy or at the very least disingenuous, given the amount of time the government spends purporting to offer opportunities for Victorian families to be able to get out to the great outdoors, to now see new regulations proposing to heavily fine park users for merely straying from a path or wanting to cool down with a swim without a permit—yes, a permit to swim. We have seen attacks on public land on both sides of the house recently, and now we have the best one yet: permits to swim. So my question is: we know governments do not like shooters and hunters, but why does the government now hate swimmers and bushwalkers?

Mr LEANE (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (12:26): Thank you, Mr Bourman, for the question for the minister for environment. I will make sure that your question is approached in the way that the standing orders prescribe, and I am sure the minister will respond that the government does not hate any of those groups. We actually have a lot of love for them.

Mr BOURMAN (Eastern Victoria) (12:26): I thank the minister for his answer and for forwarding on the question. These regulations are due to come into force between now and the election, so there is still time to do some consultation with the people that actually want to use public land, rather than those living in Southbank towers and the inner suburbs who love nature and natural things from within the concrete jungle but do not want to get dirty. So my supplementary question is: will the government urgently revoke these plans to fine recreational park users and find a way forward that does not include insanity like permits to swim?

Mr LEANE (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (12:27): I will ensure Mr Bourman’s supplementary is treated in the same way that his substantive question will be treated and passed on to the minister for environment.

MINISTERS STATEMENTS: GOVERNMENT ACHIEVEMENTS

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:27): I want to use the opportunity to update the house on the fantastic achievements that have been attributed to the portfolios of Attorney-General and emergency services in the brief time that I have.

Ensuring the justice system continued to operate smoothly during the pandemic is a testament to the hard work and resilience of our courts, tribunals, justice partners and the legal sector. Our investments in infrastructure, resources and technology are helping to get things back to normal and improve access as well as improve flexibility. I am passionate about making justice more accessible across the state. If you get the opportunity, check out the new Bendigo law courts, an amazing facility in the centre of Bendigo. We have expanded our specialist courts, which focus on reducing recidivism and addressing the root causes of offending, including in regional areas, such as the Wodonga Koori Court and the Ballarat and Shepparton Drug Courts. We are also rolling out specialist family courts to all headquarter Magistrates Courts across the state. We have built on our proud history of bold legislative reforms to support a fairer and more just society. I am proud of our reforms that have improved justice responses to sexual offending and enshrined affirmative consent, protected LGBTIQ+ staff and students and banned the public display of the Nazi hate symbol.

As Minister for Emergency Services, I have been proud to deliver the \$57 million fiscal redress scheme, supporting those who put themselves in danger to keep Victorians safe. I am so proud to continue to support our amazing emergency services workers and the workforce that I continually talk about in this place, and I am so proud of those at ESTA. Despite the challenge of the pandemic, the dedication of these staff to continue to improve and support our community under immense pressure drives me as minister every day to support them to deliver the 000 service that Victorians need.

There are a lot of significant reforms still left to achieve in ensuring an accessible justice system, protecting the community, helping victims and supporting the community during and after major disasters, and I look forward to what a re-elected Andrews Labor government can achieve.

WRITTEN RESPONSES

The PRESIDENT (12:29): Regarding questions and answers today: Ms Patten to the Minister for Roads, Ms Symes, two days, question and supplementary; Mr Barton to the Premier, two days, question and supplementary; Mr Finn to environment, Mr Leane, question and supplementary, two days; Mr Grimley, two days, question and supplementary, Ms Stitt; and the last, Mr Bourman to the minister for environment, Mr Leane, two days, question and supplementary.

Mr Davis: On a point of order, President, my two questions were quite specific. I asked in the first question for the year to 30 June the number of hang-ups that occurred, and indeed then for four years of those hang-ups, at ESTA. The minister says she does not have the data, but the board minutes for the agency that she administers show that they have the data. She can obtain the data.

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Mr Gepp: On the point of order, President, there was no point of order there. It was just Mr Davis jumping to his feet and repeating the question from earlier. There is no point of order.

The PRESIDENT: Mr Davis, I was listening very carefully and I knew you were going to come up with something after the end of question time. I am sorry to say it, but I was listening very carefully and I think the minister has provided the answer. Whether you like it or do not like it is a different story.

Mr Davis: I have documentary proof that an agency she administered—

The PRESIDENT: We are starting to debate. I do not want to get involved in this.

Constituency questions

EASTERN METROPOLITAN REGION

Dr BACH (Eastern Metropolitan) (12:31): (1972) My constituency question is for the Minister for Transport Infrastructure. I recently had the pleasure to meet with Residents United Against North East Link A along with the Liberal candidate for Kew, Jess Wilson. They wanted to speak with me about the North East Link Program. RUANELA, like so many other excellent groups with an interest in this project, have their views about noise, have their views about air pollution and have their views about layout. And yet, again, like so many other interested community groups, they have been stonewalled at every turn. The so-called ‘consultation process’ has been a sham. It seems to me that many of the ideas that are being put forward by this group have much merit. I took the time to sit down and meet with this group. My question is: will the minister do the same? At so many fronts across the so-called Big Build, Victorian communities are being treated with contempt. This is one group that deserves to be listened to. We will do that in government through our audit process.

WESTERN VICTORIA REGION

Mr GRIMLEY (Western Victoria) (12:32): (1973) My question is for the Minister for Environment and Climate Action. David Davidson is an elderly resident in western Victoria. He is a retired worm farmer and has proactively contacted the Environment Protection Authority Victoria for guidance before commencing his rural vermiculture operation, which has been broadly praised by the environmental industry and Victorian government agencies. He is considered an international expert and has spoken at several conferences. According to independent assessments his innovative operation has created no environmental harm, only good, and fits neatly within the principles of the Environment Protection Act 2017 and government policies. For over a decade he has been attempting to get clear advice from the EPA as to which regulations apply to vermiculture. Instead he has been served with an overwhelming series of confusing notices that are often contradictory from over 30 different EPA officers. His many requests for a meeting to clarify and resolve the situation have been ignored or rejected, forcing him to lodge several applications to VCAT and the Supreme Court for review, at an enormous cost to his family and taxpayers. My question is: given the vast amount of taxpayers money spent on this case, could the minister please explain how this expenditure is in line with the EPA’s obligations as a model litigant?

SOUTHERN METROPOLITAN REGION

Ms CROZIER (Southern Metropolitan) (12:33): (1974) My question is to the Minister for Early Childhood and Pre-Prep. Minister, the West Hawthorn Preschool in Hawthorn is a much-loved community not-for-profit kindergarten that has been in operation for 75 years. Due to an increase in enrolments it will require the employment of an additional teacher, further adding to the cost of providing the excellent service of this kindergarten. It is approved for having 48 places, but the kinder is being hampered by the government’s plan for free kinder. Hawthorn West kinder currently has two exemplary educators, which are remunerated commensurate with their skills and experience. Retaining these two excellent teachers is made more difficult under the proposed grant of \$2500 that is supposed to cover the running costs but does not. They will be ineligible for the grant if they charge fees. So the rollout of free kinder is actually misleading, and it is penalising my community of Southern

Metropolitan Region. The parents group would like to meet with the minister, so I ask that the minister meet with the parents group so she can explain why it is not actually free.

NORTHERN METROPOLITAN REGION

Dr RATNAM (Northern Metropolitan) (12:34): (1975) My question is to the Minister for Education in relation to Thornbury Primary School. I recently had the pleasure of visiting the school and was impressed with the school's inclusive and welcoming ethos and its commitment to continuing to promote First Nations culture and language. It is a wonderful school and community. The school has a diverse student population and goes above and beyond to meet the needs of all its students. However, the school buildings and facilities are no longer fit for purpose and are in need of urgent repair and renovation. The beautiful heritage building is plagued by leaks, the second storey is inaccessible to students with mobility constraints and the school does not have an indoor space big enough for all students to come together at one time. Minister, the school has prepared plans for an upgrade to the school buildings. It urgently needs the roof on the heritage building to be replaced. This same building needs refurbishment, and a redevelopment of other buildings is required so that the school can provide fit-for-purpose spaces for students—for classes and for the whole school at once. Minister, will you fund the urgent repairs and renovations as a matter of priority so that students can learn in a safe environment?

NORTHERN VICTORIA REGION

Ms LOVELL (Northern Victoria) (12:35): (1976) My question is for the Minister for Roads and Road Safety. I recently raised with the minister the ongoing problems surrounding Regional Roads Victoria's maintenance program of the Doyles Road section of the Shepparton alternate route, specifically between Poplar Avenue and the Broken River. It has now come to my attention that the condition of the Grahamvale Road section of the Shepparton alternate route, in particular from just south of Ford Road to the intersection with the Goulburn Valley Highway, is even worse. This 5.2-kilometre stretch of roadway carries a large amount of traffic, including many heavy vehicles each day, and both lanes of the carriageway are littered with large potholes throughout. Both lanes are breaking up and falling apart in some locations, causing dangerous hazards for road users. Will the minister provide an undertaking that he will order an audit of the road surface of the Grahamvale Road section of the Shepparton alternate route and ensure that the necessary repairs of the road surface are completed?

WESTERN METROPOLITAN REGION

Dr CUMMING (Western Metropolitan) (12:36): (1977) My question is to the Minister for Public Transport in the other place, and it is from Wyndham City Council. Will the minister work with Wyndham city and bus companies to deliver new and emerging transport innovations, including on-demand services and smart technology with real-time solutions? Access to affordable, equitable and reliable public transport is essential to ensure people in the west can access key services and jobs. Wyndham, a rapidly growing area, needs new and more frequent bus services as more residents move into the area. They also need better connections between trains and buses to improve access to public transport and create an alternative to more cars on our roads. This is not the only council or area in the west that needs more buses to be able to access public transport, such as trains.

WESTERN VICTORIA REGION

Mrs McARTHUR (Western Victoria) (12:37): (1978) My question is to the Minister for Health and concerns the ongoing vaccine mandates. A constituent has worked for years within VicRoads, happily serving up to 500 customers face to face every week. He followed COVID-19 guidelines and received two mandated vaccinations to keep his job. Recently the constituent successfully applied for a job in another government office, the Department of Transport. However, for this department the constituent required a booster shot before his contract could be signed. It is farcical that in the new role the constituent faces just a handful of people but requires the additional vaccination. The massive

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workforce shortage in Victoria is unsurprising, with the varying mandates across government departments. My question to the health minister is: when will these ridiculous mandates be dumped, given the workforce shortage, the high degree of vaccination and the limited capacity of vaccinations to stop the spread of the virus?

NORTHERN VICTORIA REGION

Mr QUILTY (Northern Victoria) (12:39): (1979) My constituency question is for the Minister for Commonwealth Games Delivery. Northern Victorians want to see shooting sports in the regional Commonwealth Games in northern Victoria. I recently visited the Shepparton Field and Game venue to review their facilities. I was surprised at how well set up they are, with 101 acres of land, 480 members and the ability to host between 500 and 800 competitors per day. They have got many existing facilities. With the addition of a toilet and shower block, which would leave a lasting legacy for the club, Shepparton Field and Game would be an ideal location to hold clay target shooting events at the upcoming regional Commonwealth Games. With the space they have available they would also be well placed to hold the archery events at the same site after the clay shooting is done. Shepparton is only an hour from Bendigo, where the athlete hub will be. As the initial driving force behind the regional games concept, Shepparton is currently set to only receive crumbs. Minister, will you hold the Commonwealth Games clay shooting and archery events at the Shepparton Field and Game site?

SOUTH EASTERN METROPOLITAN REGION

Mr RICH-PHILLIPS (South Eastern Metropolitan) (12:40): (1980) My constituency question today is to the Minister for Roads and Road Safety, and in particular it relates to Berwick-Cranbourne Road, which is a major north-south arterial in my electorate which is in need of substantial upgrade through to Cranbourne and through to the South Gippsland Highway. The particular matter I raise today is the state of Berwick-Cranbourne Road following recent rain events. The road surface has washed away substantially; there are now enormous potholes in the road. In fact I have seen videos taken by constituents showing them needing to swerve around potholes on Berwick-Cranbourne Road. It is a dangerous situation; it needs to be rectified. It should have been rectified by now. It has been like that for well over a month. I ask the minister: when will repairs be made to Berwick-Cranbourne Road to fix those potholes?

SOUTHERN METROPOLITAN REGION

Mr HAYES (Southern Metropolitan) (12:41): (1981) My constituency question is to the Minister for Energy and Minister for Environment and Climate Action. Three councils in my electorate, Bayside, Port Phillip and Kingston councils, form part of a larger collaboration of 70 councils and other authorities making up the Victorian Greenhouse Alliances group. They are working together to find solutions to address climate change. They have told me that despite their alliance having over 22 years experience collating information on climate change, including solar savings and future energy planning, as well as being engaged with a wide range of stakeholders, their request to meet the minister has been declined. My question is: will the minister agree to meet with the Victorian Greenhouse Alliances to utilise their wealth of knowledge on climate change?

EASTERN VICTORIA REGION

Ms BATH (Eastern Victoria) (12:41): (1982) My constituency question is for the Minister for Roads and Road Safety, and it relates to the method of calculating the distance-based road user charge for zero- and low-emission vehicles. My constituent, wanting to do her bit for the environment, bought a hybrid electric vehicle, a plug-in variety, earlier this year, which can travel only 45 kilometres before functioning in hybrid mode. When the distance-based road user charge is calculated, it is the total kilometres, not the electric portion of the road use, and she highlights that there is an assumption that very little petrol is being used. In country Victoria, and in my case in Eastern Victoria Region, these vehicles frequently travel distances on petrol. I ask the minister, on behalf of my constituent, to review

the method of calculation for these hybrid vehicles so that the road user charge is based more fairly—for regional Victorians—on the electric portion rather than the sole total kilometre portion.

EASTERN METROPOLITAN REGION

Mr BARTON (Eastern Metropolitan) (12:43): (1983) My question is for the Minister for Education. I had a constituent reach out to me to share their concerns regarding the lack of funding for Vermont Primary School. Vermont Primary School is a high-performing public school ranked in the top 3 per cent Better Education percentile. Of course, with these consistently high results the school population has soared, despite there being no government expenditure on the school infrastructure since 2010. The school has 760 students enrolled this year. Their long-term enrolment plan created in 2013 was for only 425 students. Clearly this school is overperforming relative to infrastructure. The information I seek is: does this government have plans to address the lack of school infrastructure at Vermont Primary School?

SOUTHERN METROPOLITAN REGION

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (12:43): (1984) My constituency question is for the attention of the Minister for Transport Infrastructure, and it concerns the crossings at Surrey Hills and Mont Albert, the two that are being done together. There is a huge impact on traders around Surrey Hills and Mont Albert. I have figures here that show turnover down 35 to 40 per cent, foot traffic down 60 per cent—the traders did their own survey—car parking halved and compensation zero. These small businesses are doing it very tough. Jacinta Allan has refused to engage properly with them. I have actually asked in this chamber before whether she would meet me, the traders, Dr Bach and others at the location, and I ask again. These desperately suffering traders—I wonder whether the Minister for Transport Infrastructure will meet with me and the traders to try and provide assistance to them for the damage that is being done to those traders through her project, the level crossing removals.

WESTERN METROPOLITAN REGION

Ms VAGHELA (Western Metropolitan) (12:45): (1985) My constituency question is directed to the Honourable Melissa Horne MP and is on the minister's responsibilities for ports and freight. Recently I visited the Seaworks maritime site in Williamstown—a site with many heritage buildings and piers. I understand that the piers at Seaworks are the only place in Melbourne where tall ships from around the world can berth. I was disappointed to see that one of Seaworks' piers had almost fallen into the water and the main pier was blocked off from boating and public access due to many years of neglect. The piers require urgent attention before it is too late. Once the piers and jetties are repaired and reopened, the increase in tourism revenue and the significant benefits to the communities in my electorate will far outweigh the rebuilding costs. My question to the minister is: can the minister advise when the government intends to fix these piers to make them usable again—and can the minister provide details on what the cost of fixing these piers will be?

EASTERN METROPOLITAN REGION

Mr ATKINSON (Eastern Metropolitan) (12:46): (1986) My matter is to the Premier, and I would simply like to know, after the extraordinary decision to rename the Maroondah Hospital the Queen Elizabeth II Hospital, who in the Indigenous communities, either organisations or individuals, did the Premier consult with before making that decision, or was it a captain's call?

WESTERN METROPOLITAN REGION

Mr FINN (Western Metropolitan) (12:46): (1987) My constituency question is to the Minister for Education. It concerns a visit that I recently had with a couple of constituents whose child attends the Sunshine Special Developmental School. I am sure that the minister is only too aware of the difficulties that have been faced by children and parents at the Sunshine special school of late. Being the parent of a special needs child does bring with it a degree of stress, which can be debilitating if we are not

particularly careful. It is really important that our kids and their kids are looked after. I know that the government has taken steps to bring this school up to the standard where it should be. What I am asking is that the minister never allows this sort of thing to occur again.

Sitting suspended 12.47 pm until 1.54 pm.

Bills

CASINO LEGISLATION AMENDMENT (ROYAL COMMISSION IMPLEMENTATION AND OTHER MATTERS) BILL 2022

Debate resumed.

Committed.

Committee

The DEPUTY PRESIDENT: I remind members that under sections 62 and 64 of the Constitution Act 1975, the Council does not have the power to make amendments to certain clauses of this bill that impose a tax or make appropriations from the Consolidated Fund. No question will be put on these clauses, and any proposed amendments must be in the form of a suggestion to the Assembly. Standing order 14.15 sets out the procedure for dealing with suggested amendments.

Clause 1 (13:55)

Dr CUMMING: Obviously on clause 1 I can acquit any of my questions. My first question, Minister, is in relation to the Community Support Fund and the amount of funds that the government is receiving at this time. Within this bill is there any way of helping with the Community Support Fund, which the government has normally attached to gaming revenue?

Ms PULFORD: This bill does not make any reference to the Community Support Fund, nor does it change any of its purposes or functions.

Dr CUMMING: Minister, in section 3.6.12, 'Payment to Community Support Fund', which is subject to subsection (1A):

... an amount equal to the relevant pub gaming machine entitlement amount in respect of each period referred to in section 3.6.6A must be paid out of the Consolidated Fund into the Community Support Fund.

Am I right that the Gambling Regulation Act 2003 actually has that as a clause?

Ms PULFORD: Which clause of the bill are you referring to? Or are you referring to the principal act?

Dr CUMMING: The principal act, Minister—3.6.12, 'Payment to Community Support Fund'.

Ms PULFORD: As I indicated, the Community Support Fund's operations and functions are not impacted by this legislation, so that is beyond the scope of the bill that is before the committee for consideration. It is also beyond the scope of things that I have been briefed on to bring this bill before this part of our proceedings on behalf of the government.

Dr CUMMING: Under that part that I am speaking to in the principal act, it actually says in that section that the 'average number of gaming machine entitlements has the same meaning'. Then it goes on to talk about the 'average revenue per gaming machine entitlement' having the same meaning in section 3.6.6A(4) of the act. Then it goes into the 'relevant pub gaming machine entitlement amount' meaning:

... an amount equal to 8⅓% of the product of the sum of all average revenue per gaming machine entitlement earned by venue operators and the sum of all of the average number of gaming machine entitlements in respect of a period referred to ...

In other words, Minister, seeing that we are talking about Crown Casino, it obviously has gaming machines and it obviously receives amounts of money which under the principal act become payments to the Community Support Fund, as I brought up in the debate. It would seem that the last time the amount from the Community Support Fund was advertised was in 2018–19. I do not understand. In the time that this Parliament has sat, the 59th Parliament, where is the Community Support Fund, and where can I actually find it in the budget?

Ms PULFORD: Again, this is beyond the scope of the proceedings before us today. I am conscious that we are in the last couple of sitting days before the Parliament expires ahead of the election, but I would encourage Dr Cumming to pursue that line of questioning with the minister through some of the other procedures that are available—perhaps in the adjournment this evening or, if you can navigate the constituency question set of rules, tomorrow the opportunity might present itself to do that in those ways.

Dr CUMMING: I appreciate the minister's response, but unfortunately for constituency questions and adjournment questions I do not seem to get answers from the ministers. They are not timely. They do not sit under the orders as to how the government should respect the questions received. This is obviously the last bill the government has felt is important enough to bring before us on its last day. It has been a concern of mine, even with my maiden speech, Minister, and the concern has been there over the last four years in the 59th Parliament. I understand there are other methods to get answers—

The DEPUTY PRESIDENT: Thanks, Dr Cumming. The problem is that it is outside the scope of the bill, so I cannot direct the minister. If the minister feels that she wants to be helpful to you in getting an answer, that is up to her. I cannot direct her.

Ms PULFORD: Again, these matters are beyond the scope of the bill. I am conscious that the days are numbered for this Parliament and that there may be limits for the member in accessing that information. As I said in the summing up, a number of members spoke quite passionately about gambling-related harm and gambling addiction. Of course the Community Support Fund has been in existence for quite a long time and does take those revenues and ensures they are returned to the Victorian community for good purposes. So that we are able to move on but in trying to be helpful, notwithstanding the rules that we are operating under, if I could take that question on notice and if it is within our power provide some further advice from the minister to Dr Cumming in a timely way.

The DEPUTY PRESIDENT: Thank you, Minister. And thank you for trying to facilitate that.

Dr CUMMING: I am very mindful that on the amendments I am putting forward, which I believe will actually help problem gamblers in my area, I obviously am not able to ask questions. On clause 1, my question to the minister would be this: is there any room for this government to potentially look at the suggestions that I have made by way of my amendments and the way that the Tasmanian government is proceeding to look after problem gamblers or pokie machine users? Is this government looking to do further reforms in the future not dissimilar to the amendments that I want to make?

Ms PULFORD: I thank Dr Cumming for her engagement with this issue, her line of questioning and her clear interest in gambling-related harm to people in her community. Perhaps also I might if I can take that question on notice and see if the minister is able to provide you with some further insights into the government's agenda on gambling-related harm.

The DEPUTY PRESIDENT: Dr Cumming, I just feel I do need to remind you that the questions need to be about the substance of the bill, so questions about the government's future intentions and things are actually outside the scope of the committee. We do need to keep the committee tight to what is actually in this bill.

Dr CUMMING: Thank you, Deputy President. I know we have a big agenda today. This will probably be one of the last questions that I will lay down in this committee stage. I am happy to hand over the historic yearly electronic gaming machine LGA expenditure data that I have got in my hand

from the Victorian Commission for Gambling and Liquor Regulation. It outlines the local government areas, which are, among Western Metropolitan councils: the City of Hume, the City of Brimbank, the Shire of Melton, the City of Hobsons Bay, the City of Wyndham, the City of Maribyrnong and the City of Moonee Valley. It talks about from 2010 to 2018 the amount of money lost and the revenue that has been gained by this government. It clearly shows that there has been a steady increase. The only data that I could see was the \$601 593 888.53 that was received from all of the Western Metropolitan council areas in the year 2017–18, which this government has and which equates to a monthly revenue of \$50 million. I will leave it at that.

The DEPUTY PRESIDENT: Minister, do you wish to respond? You will take that as a comment.

Clause agreed to; clauses 2 to 5 agreed to.

Clause 6 (14:06)

Mr RICH-PHILLIPS: I move:

1. Clause 6, after line 32 insert—

‘(4) For section 36G(4) of the **Casino Control Act 1991** substitute—

“(4) The Minister must cause a copy of each report given to the Minister under this section to be presented to each House of the Parliament within 7 days after receiving the report or, if a House is not then sitting, on the first sitting day of that House after that period.”.

(5) In section 36G(5) of the **Casino Control Act 1991**, after “or the” insert “publication or”.’.

This amendment seeks to insert a mechanism to require the reports of the special manager to be tabled in the Parliament. This is something we discussed in the second-reading debate. We believe that, in the interests of transparency, having these reports made publicly available is a good thing.

Ms PULFORD: I thank Mr Rich-Phillips for moving that amendment. I think Mr Rich-Phillips was here when I outlined the reasons that the government is not supporting this. The special manager’s full and final reports will ultimately be published but will be done in a way that will not provide Crown with right of reply and procedural fairness, as these have been explicitly removed through earlier reforms in response to this royal commission’s set of recommendations. We believe that it would undermine the special manager’s work and compromise the independence of the regulator, but we are also very conscious of the special manager’s need to provide summaries that do not engage those confidential matters so that people can be confident of the reform that is underway.

Mr QUILTY: The Liberal Democrats will support this amendment. Transparency is a good thing. We always support transparency.

Committee divided on amendment:

Ayes, 15

Atkinson, Mr
Bach, Dr
Barton, Mr
Bath, Ms
Burnett-Wake, Ms

Crozier, Ms
Cumming, Dr
Davis, Mr
Finn, Mr
Hayes, Mr

Limbrick, Mr
Lovell, Ms
McArthur, Mrs
Quilty, Mr
Rich-Phillips, Mr

Noes, 20

Bourman, Mr
Elasmar, Mr
Erdogan, Mr
Gepp, Mr
Grimley, Mr
Kieu, Dr
Leane, Mr

McIntosh, Mr
Meddick, Mr
Melhem, Mr
Patten, Ms
Pulford, Ms
Ratnam, Dr
Shing, Ms

Stitt, Ms
Symes, Ms
Taylor, Ms
Terpstra, Ms
Tierney, Ms
Watt, Ms

Amendment negatived.

Clause agreed to; clauses 7 to 12 agreed to.

Clause 13—no question put pursuant to standing order 14.15(2).

Clauses 14 to 51 agreed to.

Clause 52 (14:16)

The DEPUTY PRESIDENT: Dr Cumming's and Dr Ratnam's amendments 1 and 2 are identical, and they are presenting competing propositions for amendment 3. Therefore I will call Dr Ratnam and Dr Cumming to speak to their substantive amendments before the house considers Dr Cumming's amendments 1 and 2. Dr Cumming?

Dr CUMMING: I move:

1. Clause 52, page 54, line 15, after "Subsections" insert "(1),".
2. Clause 52, page 54, line 22, after "subsections" insert "(1),".

My amendments are reflective of what the Tasmanian government is wanting to achieve, so they are in regard to making sure that for our most vulnerable in our community there are limits actually set so that they cannot spend more than \$100 in a prescribed 24-hour period and that there is no more than \$500 prescribed within a month and \$5000 within a year. As I said in my earlier contribution, normally roughly around \$5000 is what you would pay in land tax or council rates. I believe that when people have a very low income this is one way of making sure they do not lose their house, that they have got food on the table and that the government still gets some money in their coffers—but it is actually in and around gaming within your means. Those are my amendments.

Dr RATNAM: I would like to move my amendments:

1. Clause 52, page 54, line 15, after "Subsections" insert "(1),".
2. Clause 52, page 54, line 22, after "subsections" insert "(1),".

These amendments are extremely simple. They extend the precommitment scheme that will apply at the casino to every gaming venue in the state. It means that nobody in Victoria will be able to play the pokies unless they have signed up to the precommitment system and set limits on losses and time spent playing. This is a really commonsense amendment that should have been included in the bill from the start. Gambling harm does not just occur in the casino; in fact it occurs much more frequently and at higher levels outside, within our community. Any harm minimisation measure must apply universally across all gaming venues in the state.

I also want to take the opportunity to thank the Alliance for Gambling Reform for their tireless work over the years pushing the government to do better on gambling reform and a number of the councils who are part of the alliance's work. I know from experience that fighting for change can be a long and hard process, but it is thanks to their campaigning and the campaigning of those in our communities with lived experience of gambling harm that we have seen the reforms that we are debating today. I would encourage the government to continue listening to these voices and heeding their calls for change.

Mr RICH-PHILLIPS: Could I just put our position on the record. We will not support these two sets of amendments. We understand the intent that Dr Cumming and Dr Ratnam have but also make the point that the vast majority of people that use electronic gaming machines are not problem gamblers, so this is going to have a large impact on a lot of people who are not in that cohort. Indeed there is substantially more gambling activity which takes place outside EGMs—be it wagering, lotteries et cetera—

Ms Crozier: Online.

Mr RICH-PHILLIPS: or online, as Ms Crozier says—which is not picked up within this scope. So while we appreciate the intent, I guess a similar analogy is people who have a problem with liquor

consumption—alcoholics. We do not seek to restrict the supply of alcohol to everybody because there is a cohort of people that have difficulties with the supply of liquor. So while we understand the intention of this amendment, we will not be supporting it.

Ms PULFORD: The government will not be supporting these amendments for the reasons that I outlined in the summing up. I thank both Dr Ratnam and Dr Cumming for their advocacy on behalf of their communities and people who experience problem gambling. The legislation as it has been developed is strictly in response to the recommendations from the royal commission and relate to the casino. These proposals go somewhat beyond that. We believe that this is not the most effective way by which to achieve the things that my colleagues here are seeking to achieve, so we will be opposing.

Mr QUILTY: The Lib Dems will not be supporting this for the same reason that we are not supporting the bill. It is taking a bad nanny state move and making it worse.

The DEPUTY PRESIDENT: I remind members before I call for the division that even though Dr Cumming's and Dr Ratnam's amendments later on are vastly different, this first block—amendments 1 and 2—are exactly the same. If you are intending to support either Dr Cumming's or Dr Ratnam's amendments, you should vote yes to these amendments.

Committee divided on Dr Cumming's amendments:

Ayes, 5

Cumming, Dr
Hayes, Mr

Meddick, Mr
Patten, Ms

Ratnam, Dr

Noes, 30

Atkinson, Mr
Bach, Dr
Barton, Mr
Bath, Ms
Bourman, Mr
Burnett-Wake, Ms
Crozier, Ms
Davis, Mr
Elasmar, Mr
Erdogan, Mr

Finn, Mr
Gepp, Mr
Grimley, Mr
Kieu, Dr
Leane, Mr
Limbrick, Mr
Lovell, Ms
McArthur, Mrs
McIntosh, Mr
Melhem, Mr

Pulford, Ms
Quilty, Mr
Rich-Phillips, Mr
Shing, Ms
Stitt, Ms
Symes, Ms
Taylor, Ms
Terpstra, Ms
Tierney, Ms
Watt, Ms

Amendments negatived.

Clause agreed to; clauses 53 to 68 agreed to.

Reported to house without amendment.

Ms PULFORD (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (14:30):
I move:

That the report be now adopted.

Motion agreed to.

Report adopted.

Third reading

Ms PULFORD (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (14:30): I move:

That the bill be now read a third time.

Motion agreed to.

Read third time.

The PRESIDENT: Pursuant to standing order 14.27, the bill will be returned to the Assembly with a message informing them that the Council have agreed to the same without amendment.

**MONITORING OF PLACES OF DETENTION BY THE UNITED NATIONS
SUBCOMMITTEE ON PREVENTION OF TORTURE (OPCAT) BILL 2022**

Second reading

Debate resumed on motion of Ms SHING:

That the bill be now read a second time.

Dr BACH (Eastern Metropolitan) (14:31): It is good to rise to make a contribution on the Monitoring of Places of Detention by the United Nations Subcommittee on Prevention of Torture (OPCAT) Bill 2022, which is a strange little bill and one that on this side of the house we do not oppose. Back in 2017 the Australian government, the then coalition government, signed an optional protocol, the United Nations Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment—this is known as OPCAT for short. That protocol has now been signed by a range of nations, but not others. I checked the website of the United Nations a little earlier on, and sure enough the membership is quite broad. The website says it is:

... composed of 25 independent and impartial members drawn from countries which are parties to the Protocol. Members serve in their personal capacity and are drawn from a variety of different backgrounds relevant to its work, including lawyers, medical professionals and detention and inspection experts. Members do not work for any Government and do not receive any instructions from state authorities.

I had a look at the nations that some of these representatives come from, and again it is a diverse and eclectic mix. They include Lebanon, Tunisia, Senegal, France—and to be fair to him, the French President has in fact been saying a whole series of quite sensible things recently, including about the Queen—Morocco, the Maldives, Germany, Panama, Norway, Peru, Uruguay, Costa Rica, Poland, Spain, Argentina and Denmark. So it is an interesting mix for an interesting committee. It is worth noting, as it was noted in the other place, that some of the members on this committee represent countries that do not themselves have the best human rights record—and that is putting things mildly. But nonetheless here is my perspective: any port in a storm.

In the other place Mr O'Brien in particular in his contribution spoke about some of the egregious abuses of human rights that we have seen in Victoria over recent months and years, and in particular he referred to the hard lockdown of 300 public housing commission residents who were detained in their homes and then some of the commentary of the Ombudsman and other independent umpires here in Victoria about that. This bill is crafted in such a way as to not allow any examination of those issues, but there are other issues here in Victoria that this interesting committee could look into if it so chooses to do. In particular I am referring to some of the appalling and ongoing human rights abuses in Victoria's youth justice facilities. These are well known and, predicting some of the commentary from others opposite, have nothing to do with COVID, Scott Morrison or Jeff Kennett.

In 2017 and then in 2019 the independent children's commissioner and the Ombudsman wrote scathing reports highlighting the systemic use of solitary confinement in Victoria's youth prisons, at both Parkville and Malmsbury, and they highlighted the fact that the government's use of solitary

confinement is against the law. It is against our international obligations as well and causes so much harm to the vulnerable young people who find themselves in our youth prisons. The children's commissioner more recently did a fantastic report called *Our Youth, Our Way*—fantastic because of the spotlight it shone on a really serious issue. It was troubling, nonetheless. What she said is that so often we see the most vulnerable and traumatised young people in our state move from our child protection system, and in particular residential units, institutions in the community, into the youth justice system, where they are further traumatised and brutalised and then, when they are released—because every single young person in our youth justice facilities is coming out—because of the mistreatment they received at the hands of the state, well, surprise, surprise, huge numbers reoffend.

The government's own statistics say that over 60 per cent of young people, upon release from Malmsbury and Parkville youth justice centres, reoffend. But then there is the dark figure. Scholars of these things talk about the dark figure because of course so much crime occurs in the community that is never detected, and so based on a conservative estimate it is more like 80 per cent of the young people who are detained by this government, systemically subjected to solitary confinement in breach of their human rights, then reoffend. We should care deeply for the young people that this government fails in child protection and youth justice. Even if you do not, even if your sole lens is one of community safety, you should want a spotlight to be shone upon the appalling practices of the Andrews Labor government in youth justice because they lead to more crime in the community.

Historically I have been no great fan of the United Nations. In particular the ongoing anti-Israel sentiment that so often emanates from the United Nations is something that is deeply distasteful to me, but, as I say, any port in a storm. It has not been enough for this government that the children's commissioner has condemned them for their human rights abuses of vulnerable young people in youth justice. It has not been enough for the Andrews Labor government that the Ombudsman has condemned them for their human rights abuses of vulnerable young people in youth justice. Both pre COVID. COVID has nothing to do with the systemic use of arbitrary solitary confinement in youth justice, which many legal experts call torture. So I have written to this committee. I have written to the chair of this committee urging the committee to inspect Victoria's two youth justice facilities and once again shine a spotlight on the human rights abuses of the Andrews Labor government.

This is an odd bill. It is an odd thing we are doing today. I would have thought that the minister could deal with any administrative matters regarding this committee themselves. However, here we are. Fine. On this side of the house we will not oppose the bill. Then again, I hope that when this committee come here in some weeks, between 16 and 27 October, I am advised that they look carefully at what is happening in our youth justice facilities.

Mr FINN (Western Metropolitan) (14:39): Running the risk of getting into a demarcation dispute with Mr Quilty, I will be brief. I wish to make a very clear point on this bill, the Monitoring of Places of Detention by the United Nations Subcommittee on Prevention of Torture (OPCAT) Bill 2022. I think the United Nations is the most corrupt organisation on the face of the earth. I wish Australia was not involved with the United Nations. I wish Australia was leading the way, in fact, in leading free nations out of the UN. The United Nations is an organisation that is run by tinpot despots and extremist lunatics, and for the life of me I do not know why we would be bending over—or bending over backwards, should I say; or maybe I was right the first time—to facilitate this sort of activity by the UN.

It is interesting to note that in the overview of this bill it states that to enable the subcommittee to perform its inspections independently and in full this bill requires that the responsible minister and a detaining authority must permit the subcommittee access to and unrestricted access within a place of detention. Just giving the UN carte blanche to walk in and do whatever it likes is not something that I am at all comfortable with, given its record on a whole range of issues. I am not happy with that at all.

It also says that we need to give access to all relevant information, including personal and health information. Now, I ask you: is anybody, after what has happened in this state over the last 2½ or three

years, going to trust this government with anybody's health records or indeed personal or health information? Is anybody going to trust the Andrews government to do that? I certainly would not, and I certainly would not trust the UN if indeed they got that sort of information. In fact I would regard this legislation as a startling condemnation of the Andrews government. What this is saying is that the Andrews government has totally failed to protect the human rights of a good number of people. What this legislation is saying is that the Andrews government has failed to prevent people from being tortured and to prevent people from being wrongfully in detention. We know that is true; we have seen that for the last 2½ years, when Daniel Andrews on a daily basis would get up, wearing his North Face jacket or whatever it might be, to tell us that we were locked up for another day. First of all it would be a week. Then it would be two weeks, then it would be a month and then it would be six months. We did not quite know when we were coming out of it.

If the UN was going to come in and make a declaration that Daniel Andrews had violated the rights of Victorians by locking us in our homes, by refusing to allow us into the streets after a certain hour, then I might think about it. But we know damn well that is not going to happen. We know damn well that the UN and the Premier are on a similar wavelength, and that is not something that I am happy about. That is not something that I can or will support. As I say, I regard the UN as an abomination. I think it is an organisation that is well past its time. I was quite excited when AUKUS came into being—was it earlier this year or last year? We had the United States, Australia and the UK forming a defence pact. I thought that might be the start of an international organisation which would promote freedom throughout the world. I still hope that that might be the case, because the UN certainly will not do that. The UN does not do that, and I would not trust the UN to do anything in Australia. I certainly do not want them roaming the streets telling us what we should and should not do.

If we cannot do that ourselves, if this government is not capable of doing that, they should get the hell out of the place. If the Premier and the ministers cannot do what this legislation is suggesting somebody else can do, then the government should resign. The government should just get out because I think it is just disgraceful that the government would abrogate its responsibilities in this way. Indeed it is in effect telling Victorians that they have failed. That is what they are saying. They are saying to Victorians that, 'We have failed and we are going to hand over our responsibilities to a foreign body'. That is what they are saying to Victorians. I reckon Victorians are saying to Dan Andrews, 'If you want to hand your responsibilities to another body—to a foreign body, to the United Nations—Premier, you can go to hell'. Premier, we do not accept that. We are Victorians. This is a sovereign state. We do not need people from a foreign organisation coming in here telling us how we should run things. That is intolerable. That is something I will not accept, and I will be voting very, very strongly against this legislation.

Dr KIEU (South Eastern Metropolitan) (14:46): I rise to speak to the Monitoring of Places of Detention by the United Nations Subcommittee on Prevention of Torture (OPCAT) Bill 2022. At the outset, the United Nations is not a perfect organisation, and there is a lot of criticism about that.

Mr Finn interjected.

Dr KIEU: Let me finish, Mr Finn. But I want to put on record that without the United Nations High Commissioner for Refugees I would not be where I am today. That is my gratitude as a former refugee.

This bill is a technical bill but very important and necessary because human rights are universal for everyone, even for those who are deprived of liberty because of law enforcement, because of certain restrictions in emergencies and other incidents. Mr Finn and also the opposition have spoken about the many criticisms of and sentiments about the United Nations, but I would like to remind the house that it was the former federal government of the same party as the opposition who in 2017 ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, also known as OPCAT. OPCAT seeks to assist nations to meet their

obligations under the convention and protect people in detention against torture and mistreatment through a regime of regular, independent, prevention-focused inspections.

Under the ratification formalised by the former federal government, the obligations on Australian governments are to a two-part inspection system: one, enabling periodic visits by the UN subcommittee on prevention of torture, and two, establishing, designating or maintaining a domestic national preventative mechanism, also known as the NPM, to coordinate and conduct visits to places of detention and monitor the treatment of persons in detention. This was ratified. The preamble of OPCAT explicitly recognises the link between proactive inspection of places of detention and improving the situation of those detained. Our state government supports the ratification, and the UN has recently announced that the subcommittee will visit Australia sometime between 16 and 27 October, but the final dates have not been confirmed yet.

This bill defines the places of detention in Victoria which the committee can inspect. Also the bill enables access to places of detention and people detained there, and the bill also authorises detaining authorities to provide the subcommittee with access to relevant information to inform their inspections. So far the places of detention that are defined include prisons, youth justice facilities, secure care facilities, police and court cells, designated mental health service areas, parts of residential facilities, residential service accommodation, specialist disability accommodation, quarantine facilities and also the vehicles that transport detainees. Even the private contractors who engage and operate in places of detention, such as privately operated prisons, are also required to provide access and information to UN visitors because the bill also covers, by definition, the detaining authorities.

The bill ensures that the UN can speak to detainees and access relevant information to evaluate measures to strengthen protection for detainees. This includes unrestricted access to all information on the treatment of detainees and detention conditions and places of detention, but we do have safeguards to protect detainees' right to privacy. The bill also stipulates that access may be denied to the committee due to major emergencies as well as that visits may be temporarily paused if it is required to maintain function of the detention facility. Our government supports the principles of OPCAT, but we note that we already have a robust oversight regime that has the legislative, administrative and judicial measures necessary for protecting persons deprived of liberty.

Increased accountability in places of detention will help to safeguard the integrity and transparency of our system. There are programs in Victoria that currently have legislative mandates to conduct regular monitoring visits to places of detention, namely the independent prison visitor program and also the Office of the Public Advocate's community visitors program. The Victorian Ombudsman and the Commission for Children and Young People also conduct semiregular monitoring visits to prisons and youth justice centres. Victoria runs three voluntary independent visitor programs that conduct regular monitoring visits to places of detention as well.

The findings from those independent visitor programs inform monitoring and investigation by oversight agencies. We are confident that these mechanisms provide sufficient oversight to identify issues relating to places of detention. However, we do welcome opportunities for improvement and further transparency. The implementation of OPCAT in Victoria will provide a specific, formalised, transparent monitoring program of places of detention.

To summarise, Australia's obligations under OPCAT conflict with and could create uncertainty about Victoria's existing laws, which detaining authorities must comply with. This bill hence addresses this issue by establishing a clear legislative framework for inspection visits and provides clarity for the UN subcommittee and the operators of places of detention. Currently Victoria's facilities are governed by a series of legislation that would otherwise be complex to navigate. This legislation is necessary because without it, it would be difficult for the UN subcommittee to access places of detention in a consistent way as well as speak to detainees. There would also be uncertainty for administrators of places of detention about their applications regarding providing information and access. I therefore commend the bill to the house.

Ms PATTEN (Northern Metropolitan) (14:55): I rise to speak on this bill. Despite Mr Finn's assertions that this is some giant conspiracy for some amorphous, foreign force to take us over and take the information out of our brains and do some other conspiratorial things, this is actually a very sensible piece of legislation. It is a very sensible treaty that we signed five years ago as a country, and it has been progressively rolled out around the world and certainly around Australia. The monitoring of places of detention, Mr Finn—places of detention, the places where Mr Finn would like to see everyone locked up forever. I have never heard Mr Finn defend the rights of people in prison before. But new things happen in here all the time.

This is the monitoring of places of detention by the United Nations subcommittee on the prevention of torture—the prevention of torture. This is important. This is legislation that, as I say, has been in the process of being implemented for a number of years. I do not think we are going to get it perfect, because this is looking at how we introduce the monitoring of places of detention, how we work out how we do that monitoring and how we enable the United Nations subcommittee on the prevention of torture to access our places of detention. This is it—it is places of detention. It is our prisons, it is our mental health secure care, it is our youth detention. By way of hoping that we do not go into too much committee on this, I do have a question around whether this legislation would also enable that subcommittee to access prison cells, which would also be places of detention under the definition of this act. But I am not certain, from reading the bill or the second reading, whether police cells would come under this domestic national preventative mechanism.

This is a treaty and a piece of legislation that was much talked about during the inquiry into the criminal justice system. That inquiry, which many of you took part in, received submissions from hundreds of organisations around our state and around our country. It has presented over 100 recommendations. It runs to two volumes. It is a substantive piece of work. Sadly the government is due to respond to it by 24 September at the latest, and I am afraid today is the 19th and tomorrow the 20th, so I would hope that the government may have actually started work on that and might be able to provide this house with a response to that report tomorrow. Unfortunately I do not hold my breath because even substantive reports like the inquiry into homelessness and the inquiry into the use of cannabis have remained unanswered by the government.

Again I refer back to Mr Finn's concerns about people getting our secret information. This is actually also about protecting the privacy of those in detention, and this legislation sets out some very good protective parameters to protect the privacy of detained people. As it says in the second-reading speech, it will 'ensure detained or other persons who provide information to the Subcommittee are protected'. Not only is their privacy protected, but they are protected from reprisal. Certainly in the inquiries that I have been involved in, when we have had the opportunity to visit juvenile justice detention centres and when we have had the opportunity to visit prisons both in Melbourne and regionally, there is that fear of reprisal. People are fearful of making complaints and speaking up for fear that that will come back and bite them. Anecdotal experience would say that that actually does happen, so this is very welcomed.

We heard from numerous organisations in Victoria that gave evidence to the criminal justice inquiry that the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment was going to provide some of the answers to questions around the unnecessary use of restraints and the use of solitary confinement in unnecessary circumstances. In part of what we were hearing and in some of the issues that were raised—even in the inquiry into the impact of parental incarceration on children—we were hearing about circumstances where mothers were being shackled during childbirth if they were operating out of a prison. This is just something that a modern society like Victoria would not countenance. It needs to be exposed if it is occurring, and it needs to stop happening. Mothers were being shackled and handcuffed when they were taken to the doctor for neonatal care of their babies and kept in handcuffs until the doctor required that those handcuffs be removed. This is the type of activity where OPCAT and this legislation and the monitoring of these places will provide the much-needed sunlight.

There was much concern during that inquiry around the secrecy around private prisons, and we know that we have privatised many of our prisons in Victoria. They are multibillion-dollar industries. I myself have been caught when asking questions around the operation of these prisons and the organisations that run them. I have been caught by ministers telling me that that is commercial in confidence. That will not be the case under this legislation. This legislation will ensure that there is a level of transparency in prison conditions, and it will address some of the problematic practices that we heard about during our inquiry. Again, it is an inquiry that the government has not responded to, but I would encourage them, even if they do not get a chance today, to tomorrow agree to just some of the recommendations. I would look at, in line with the spirit of this legislation, recommendation 82, which calls on the Victorian government to review the use of solitary confinement, physical restraints and strip-searching in Victorian prisons with a view to introduce policy to regulate the use of these practices. Let us not leave it to the UN to tell us what to. We know that this is wrong. We know that when we are strip-searching women in the Dame Phyllis Frost prison—over 90 per cent them, in fact almost all of them, have got experiences of trauma and experiences of sexual violence and family violence—we are further traumatising them through the practices of that prison, and that must end. This legislation will go some way to shining a light on that, but I think there are things that we can do without having to wait for the UN subcommittee to look at this.

The Fitzroy Legal Service, in my region, also concurred with this, saying that ‘OPCAT alone isn’t enough’. We know the importance of organisations like our community legal centres in shining a light. We are awaiting with trepidation the coroner’s report on Ms Veronica Nelson, an Aboriginal woman who died in custody under extraordinary conditions. It was an absolute tragedy. It showed everything that is wrong with some of our bail laws, but it also showed what was wrong with the health services that are provided in our prisons. We are now—and my heart pounds as I say this—having a coronial inquest into a baby that died in a prison, and I would say that that baby would not have died if that baby had the same health services that you and I have outside of prison. This is one of the reasons why OPCAT is so important—to ensure that transparency is there and to ensure that practices where health services are denied are not allowed to happen in our prisons and in our detention centres in Victoria.

Jesuit Social Services are also calling for the urgent implementation of OPCAT. They cautioned that implementing OPCAT, as this bill will do, cannot address all the issues in the criminal justice system and advocated for change in other areas—more transformative change. Now, I am harping on this, but I would refer the government to the committee’s inquiry into the criminal justice system, where we made numerous recommendations and findings in this area.

We need to look at how we keep people out of prison and not continue to expand our prisons and build new ones. I despair when I see Cherry Creek being built right next to an adult prison. Is that the message that we are sending young people who are some of our most disadvantaged children in our community? The message we are sending them is, you know, ‘Your next stop is next door’. This is what we need to change. We heard this very loudly and clearly from the Victorian Aboriginal Legal Service, the Aboriginal Justice Caucus and many of the other Aboriginal community controlled organisations, and in particular the Victorian Aboriginal Community Controlled Health Organisation, who all gave evidence to say that what we are doing now is inadequate. What they also stressed, and I hope and would like to be optimistic and have confidence, is that in the rollout of this as we develop the framework for monitoring places of detention by the subcommittee that we will ensure that that subcommittee understands the cultural significance, understands that they need to do this in a culturally appropriate way that is safe for Aboriginal people. Because we know we are still locking up more Aboriginal people than anyone else in our community per capita. We are still seeing deaths in custody of Aboriginal people in our prisons in Victoria.

My heart goes out to the family and friends of people like Veronica Nelson. My heart goes out to the family and friends of all people who have died in custody, but in particular the families and friends of the Aboriginal people who have died in our custody. This is why, while OPCAT is one measure, and

it is a significant measure and an important measure that we take, we need to wholeheartedly consider how we detain people, why we detain people and how we can improve our criminal justice system.

Now, I note that there was about half a million dollars put forward for the funding of OPCAT in the budget. We know that that will not be enough. I understand that the minister is in communication with the federal government around providing significantly more funding for this. I hope that that is forthcoming because we want this to work, but it will not work if it is not properly funded. We want to see that OPCAT operates alongside the Ombudsman and operates alongside IBAC so, I guess, that we can have faith that our prison structures are doing what they are supposed to do, and that is ensuring that while protecting the community we are also rehabilitating people in prison and that we are not unnecessarily detaining people, which I would have to say we are doing right now, when the majority of women in our prisons are there on remand—they are unsentenced.

So I welcome this legislation, but I do urge the government and implore the government to consider the report of the Legal and Social Issues Committee and the very hard work that so many organisations, non-government organisations, put into that report—the number of people with lived experience who talked about their life in detention, talked about the experiences of that period of detention and talked about what we could do better. OPCAT is certainly part of that toolbox of improving our system, but it is not the silver bullet. We can do more, and that will be around bail reform, that will be around parole reform and that will be around drug law reform. All of these areas have to walk alongside OPCAT and the oversight that this legislation will bring to our detention centres. So while I welcome this legislation, I implore the government to do more.

Ms WATT (Northern Metropolitan) (15:13): I rise to speak on the Monitoring of Places of Detention by the United Nations Subcommittee on Prevention of Torture (OPCAT) Bill 2022, and in doing so I am pleased to note that the Victorian government supports the principles of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The OPCAT bill seeks to facilitate access by the UNSPT, or the subcommittee on the prevention of torture, to Victoria's places of detention. This includes youth justice facilities, secure care facilities, police cells, court cells, designated mental health service areas, relevant parts of residential treatment facilities, residential service accommodation, specialist disability accommodation and quarantine facilities. I would like to clarify in these remarks that the UNSPT does not intend, nor will it be permitted, to enter private residences or places where a person is not detained by order or consent of the state. This bill will facilitate the UN visits, which have been announced for 16 to 27 October 2022, through removing legislative barriers to the UN accessing Victorian places of detention, accessing information and providing clarity to detaining authorities on their obligations and necessary protections to vulnerable detained persons.

In 2012 I helped facilitate the visit of the UN special rapporteur on the rights of indigenous peoples, Professor James Anaya, as part of his investigation into extractive industries and their impacts on indigenous peoples. Now, many of you may never know the efforts required to get a UN special rapporteur to Australia and the opening up of unique opportunities that needs to happen so that these visits offer meaningful engagement to fulfil their obligations to report to the global community on what really is happening here in our nation. But these experiences really do need to unlock the opportunity for UN experts to be in front of people with lived experience, and that is why I am so proud to have played my part in getting Professor Anaya in front of First Nations communities in WA and why within this bill we will see the same opportunities now available for people with lived experiences of staying in places in detention.

Australia's obligations under OPCAT conflict with and create uncertainty about Victoria's existing laws, which detaining authorities must comply with. The bill addresses these issues by establishing a clear legislative framework for inspection visits and providing clarity for the UNSPT and the operators of places of detention. Currently Victoria's facilities are governed by a series of legislation that is difficult to navigate, and without this legislation it would be difficult for the UN subcommittee to access places of detention in a consistent way across our state as well speak directly to detainees. Also

administrators of places of detention would be uncertain about their obligations regarding providing information and access. In 2017 the former coalition federal government ratified the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, OPCAT, and with that OPCAT seeks to assist nations to meet their obligations under the convention and to protect people in detention against torture and mistreatment through a regime of regular independent and prevention-focused inspections. This law brings our legislation in line with other jurisdictions like Tasmania, the Australian Capital Territory and the Northern Territory, which have legislative frameworks in place to facilitate visits by the UNSPT, and the absence of proper funding to date has significantly hampered Victoria's ability to progress the necessary preparations and consultation required to design a national preventive mechanism.

Let me just say Victoria is indeed working constructively with the new Albanese federal Labor government to facilitate the full implementation of OPCAT in Australia in a way that is effective and sustainable. The Monitoring of Places of Detention by the United Nations Subcommittee on Prevention of Torture (OPCAT) Bill 2022 provides a whole-of-government framework to facilitate inspections of places of detention by the UN subcommittee. It also removes the barriers while clarifying obligations for authorities. I have indeed outlined what those places are earlier in my remarks.

The government supports the principles of OPCAT, noting that we already have a robust oversight regime that has legislative, administrative and judicial measures necessary for protecting persons deprived of liberty. Increased accountability in places of detention will help to safeguard the integrity and transparency of our system. The bill ensures that the UN can speak to detainees and access relevant information to evaluate the measures to strengthen protection for detainees. This includes unrestricted access to all information on the treatment of detainees, detention conditions and the information on places of detention.

During the upcoming UN visit their officers have an obligation not to jeopardise the life, physical and psychological safety and wellbeing of detainees. As I said, this is in the context of Victoria's current legislation being complex to navigate, and this legislation before us today, this bill, simplifies the process for the UN subcommittee to access places in a consistent way and to speak to detainees so that we do indeed hear the lived experiences of people in detention. It is something that is coming up very, very soon, and so with that in mind I commend this bill to our chamber.

Mr LIMBRICK (South Eastern Metropolitan) (15:19): I rise to speak on the Monitoring of Places of Detention by the United Nations Subcommittee on Prevention of Torture (OPCAT) Bill 2022. Torture in all its forms is a stain on human history. As libertarians we believe it is unethical to harm another human being, which is why we stand fiercely against aggression and torture. To us the most odious act of aggression is when such an act is carried out by the state against its own citizens. Indeed former Senator David Leyonhjelm made this clear when he forced the Abbott government to explicitly outlaw any kind of torture from its national security law.

Whilst torture is illegal in Australia, our history is littered with torturous and degrading practices against vulnerable people in state care or detention. This is plain in a number of reports, including the Royal Commission into Aboriginal Deaths in Custody, the Don Dale royal commission—the Royal Commission and Board of Inquiry into the Protection and Detention of Children in the Northern Territory—and the Royal Commission into Aged Care Quality and Safety and of course in onshore and offshore detention. However, it disgusts me to point out that these egregious acts are not limited to our past.

Torture is still alive and thriving in some of our most important state and territory institutions. As I have mentioned many times in this place, the pandemic exposed the willingness of Victorian bureaucrats and the police to expose citizens to torturous and degrading practices, things like locking people in towers without notice; detaining elderly people in rooms without visits, basic care or end-of-life compassion; locking people in hotels and apartments for months on end with restrictions on

fresh air and exercise; restricting visits and rotations in prisons; unjustifiable strip searches; and cruelty against people being detained and arrested.

In Tasmania the commission into Ashley Youth Detention Centre is also coming to terms with recent allegations of torture while in state detention, including from one detainee who claimed that he was held down and raped on multiple occasions, had his arms pinned behind his back and head rammed into walls by guards who were aware he had suffered a head injury earlier in life, was forced to perform sexual acts on a group of three guards who withheld his medication until after the abuse and was also held in isolation at freezing temperatures for days on end. This is odious behaviour and a truly reprehensible breach of the United Nations torture conventions and human decency. But the picture that is laid out before me suggests that instances of torture and degradation in detention in Australia are not isolated incidents by a few sadistic individuals. They are representative of a system that lacks accountability and actual independence from the executive government, the part of government with primary responsibility for the treatment of people in detention. To that end I find myself in furious agreement with the objective of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, also known as OPCAT—that is, to create international oversight mechanisms that prevent the mistreatment of people in detention. To my mind Australia and her states and territories would benefit from or at least be less brazen about abuses with some form of external oversight. In this way OPCAT would make Victoria accountable to international human rights standards rather than state-appointed individuals and institutions that provide ad hoc and inconsistent scrutiny.

However, what is unfortunate about this bill is that it confers oversight on a United Nations subcommittee. As libertarians we resist centralisation of power in supranational bodies like the UN and the World Bank. To us, conferring power on vast, unaccountable international bureaucracies favours the interests of the unelected elites that govern them and undermines democracy and national sovereignty. Indeed one only has to look so far as the United Nations charter to see how it can be regarded as a world government charged with policing the world. According to article 1.1, member states must maintain:

... international peace and security, and ... take effective collective measures for ... removal of threats to the peace ...

Article 43 gives the United Nations Security Council what amounts to a standing army. These sweeping powers enable a united Security Council to initiate conflict, impose blockades, unseat governments and levy sanctions, all in the name of the international community. Perhaps the clearest example of this was via UN Security Council resolution 1483, which legitimised the invasion of Iraq on false allegations that Saddam Hussein was in possession of weapons of mass destruction. This invasion saw some of the most torturous abuses of human rights in the modern era and left Iraq with civil and economic instability and vulnerable to terrorism by Daesh for decades—somewhat ironic seeing as the UN holds itself out as the purveyor of human rights standards.

While I maintain a high level of mistrust of supranational governments and would prefer an organisation such as Amnesty International to assume this function rather than the UN, it would be a dereliction of duty or commitment to human rights if I rejected every cause championed by the UN simply because it did not completely coincide with my political ideal. After careful consideration and examination of the bill I understand that the UN subcommittee's rights are very limited in scope, their powers are soft in nature and the whole regime can essentially be overridden by the minister in the government of the day. Accordingly I believe that this is a case where we can make a significant leap forward towards protecting liberty and human rights in Victoria without directly limiting or constraining any other rights or freedoms, and if this can help unmask the people in institutions who continue to permit or perpetrate these inhuman practices, we should absolutely make that leap. The Liberal Democrats will support this bill.

House divided on motion:*Ayes, 34*

Atkinson, Mr	Hayes, Mr	Quilty, Mr
Bach, Dr	Kieu, Dr	Ratnam, Dr
Barton, Mr	Leane, Mr	Rich-Phillips, Mr
Bath, Ms	Limbrick, Mr	Shing, Ms
Bourman, Mr	Lovell, Ms	Stitt, Ms
Burnett-Wake, Ms	McArthur, Mrs	Symes, Ms
Crozier, Ms	McIntosh, Mr	Taylor, Ms
Davis, Mr	Meddick, Mr	Terpstra, Ms
Elasmar, Mr	Melhem, Mr	Tierney, Ms
Erdogan, Mr	Patten, Ms	Vaghela, Ms
Gepp, Mr	Pulford, Ms	Watt, Ms
Grimley, Mr		

Noes, 2

Cumming, Dr	Finn, Mr
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Motion agreed to.**Read second time.***Third reading*

Ms STITT (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood and Pre-Prep) (15:32): I move, by leave:

That the bill be now read a third time.

Motion agreed to.**Read third time.**

The PRESIDENT: Pursuant to standing order 14.27, the bill will be returned to the Assembly with a message informing them that the Council have agreed to the same without amendment.

**MAJOR CRIME AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL
2022**

*Second reading***Debate resumed on motion of Ms SHING:**

That the bill be now read a second time.

Dr BACH (Eastern Metropolitan) (15:33): It is good to rise to make a contribution on the Major Crime and Community Safety Legislation Amendment Bill 2022, the ill-named Major Crime and Community Safety Legislation Amendment Bill 2022 because it does not deal with many major crimes. I was hopeful when I saw the title that it might deal with some significant matters that have been broached in the debate in the other place, some of which I may touch upon in my contribution as well. Instead the bill deals with some rats and mice—some small matters—and I want to make it clear at the outset that on this side of the house we do not oppose this bill, but we were disappointed. We were disappointed because there are a range of other matters that this bill and justice bills at this time could deal with that have not been dealt with over many years, and when I saw the title I was hopeful because I live in hope.

This bill will amend the Confiscation Act 1997 in relation to digital assets, search warrants and seizure warrants, exclusion applications, partial forfeiture of tainted properties, enforcement of pecuniary penalty orders against real property, information-gathering powers and examinations, restraining orders and miscellaneous matters. On a number of fronts the bill is seeking to keep up with the times and in particular to keep up with digital technologies—not something I am against. The bill also seeks

to amend the Crimes Act 1958 in relation to search warrant powers under the act; the lodgement of search warrant reports with the Magistrates Court; and the retention, destruction, disclosure and use of fingerprints taken from persons under the act as well—again in an effort to carry out some cleaning up of some older legislation.

The bill also will amend the Crimes (Assumed Identities) Act 2004 in relation to the circumstances in which authorised civilians who are Victoria Police employees can be authorised to assume identities under the act and the delegation of the Chief Commissioner of Police's powers under the act. Penultimately, the bill will amend the Drugs, Poisons and Controlled Substances Act 1981 in relation to quantities of certain drugs, forfeiture provisions under the Confiscation Act 1997 and finally will make a consequential amendment to the Sex Work Decriminalisation Act 2022.

Now, all of these various minor amendments are meritorious enough in and of themselves. The point that the Shadow Attorney-General, Mr O'Brien, made in the other place was that he was particularly keen to see some changes to the law when it comes to outlaw motorcycle gangs. I would refer members to his very interesting contribution on this point. He has raised matters regarding how inadequate our current laws are on a number of occasions. The point he made was that when he saw this bill he was hopeful that the government may have acted.

There are other priorities across the broad justice portfolio that I would have seen included in an act such as this. I have recently been meeting with an amazing group of young people, all of whom have had experiences in Victoria's youth justice system, and they have great ideas about what more we can be doing to stop vulnerable young people from entering our youth justice system in the first place. That should be the aim, because we know that all we do when we funnel more and more vulnerable and disadvantaged young people into our youth justice system is to further criminalise them and further traumatise them, which makes the community less safe. We should be tough on crime, and the way you do that with vulnerable and disadvantaged young people is by seeking to support them as early as possible, because we know that once so many of these young people get into the youth justice system it is too late. We do so little in our youth justice system to aid real reformation.

Another thing I am regularly told by this group of young people who have lived experience in Victoria's criminal justice system is that once in Parkville and Malmsbury so much more can be done to provide a therapeutic response. Why aren't we doing more to provide educational services in Parkville and Malmsbury? I thought that might be in this bill. Why aren't we doing far more to provide mental health support in Parkville and Malmsbury? Why don't we change our policies around the arbitrary use of solitary confinement, as a number of members discussed in the previous, very odd bill relating to a UN subcommittee.

So the bill that lies on the table of the house has the support of the opposition. We have very few concerns with the bill itself. I would just reiterate the point that some other members have made that this is a missed opportunity to seek to deal with some of the quite frankly more significant issues across the justice portfolio. For what it is worth, we will support this bill.

Ms TERPSTRA (Eastern Metropolitan) (15:39): I rise to make a contribution on the Major Crime and Community Safety Legislation Amendment Bill 2022. I am pleased to say that this bill will deliver the *Community Safety Statement 2018–19* commitments to strengthen Victoria's asset confiscation scheme and improve search warrant and crime scene processes. The bill has been developed in consultation with key government and legal stakeholders. It also will improve Victoria Police's response to serious and organised crime, will streamline, clarify and modernise fingerprint and search warrant powers and the use of assumed identities in criminal investigations and will create operational efficiencies for the police and the courts.

Specifically the bill will improve Victoria's asset confiscation scheme by strengthening the investigation and enforcement powers, updating offences that result in the automatic forfeiture of assets and modernising the scheme to account for technological developments, for example by

extending provisions to digital assets like cryptocurrency. It will also modernise Victoria Police's search warrant powers and fingerprinting framework and amend the Crimes (Assumed Identities) Act 2004 to streamline and modernise processes for Victoria Police to authorise and use assumed identities in the online environment. Organised crime has long been using digital currencies to partake in illegal transactions and make the tracing and identifying of digital currencies and assets difficult.

The bill includes Australian-first reforms to bring digital currency exchanges within the definition of 'financial institution' for the purposes of confiscation powers. These exchanges hold records of cryptocurrencies and other digital assets in private wallets and provide exchange services where cryptocurrencies can be transferred to other currencies, including traditional currencies. Under the reforms, law enforcement can require exchanges to provide account information as well as monitor and freeze digital assets in the same way they already can with banks and bank accounts. The bill will go a long way to clamping down on these criminals and make it much harder for them to skirt these laws through opaque digital exchanges and anonymised accounts. These amendments also provide clear powers for digital assets to be monitored and frozen to prevent them from being dissipated by a criminal target.

This bill will also clarify and strengthen investigation and enforcement powers, including those regarding serious drug offenders, information gathering by law enforcement, restraining orders and enforcement of confiscation outcomes. The bill extends offences that trigger the automatic forfeiture of assets upon conviction to include the following: (a) the possession of a trafficable quantity of firearms, and (b) trafficking in amounts greater than 600 grams of the drug 1,4-BD, known as a surrogate for the drug known as GHB.

Therefore the bill before us today allows law enforcement to issue multiple individual information notices to seek updated account information during ongoing litigation and also expands the circumstances in which the production of documents can be compelled. It is essential that law enforcement has the powers it needs to effectively identify and locate possible proceeds of crime. The Confiscation Act 1997 already has strong information-gathering powers, and this bill makes improvements to expand them further. For example, law enforcement will be able to demand documents in addition to its current powers to ask questions when examining suspects about their assets. These amendments will ensure our confiscation laws are fit for purpose and give police the powers they need to investigate, identify and confiscate ill-gotten gains—there is a phrase that has not been said for a while.

These amendments to the Crimes Act 1958 clarify and streamline Victoria Police's powers for fingerprinting and search warrants, enabling better use of police time. The bill empowers Victoria Police officers to personally take copies of electronic data from computers and storage devices. It will also empower Victoria Police when executing a warrant under the Crimes Act to: seek assistance from persons with specialised skill or technical knowledge—for example, locksmiths or forensic accountants—without those assistants being named in advance in the warrant; secure electronic equipment for operations by experts; take a copy of data stored on a computer or data storage device; and break open a safe or other storage receptacle or transport it to a different location to search it safely.

Additional safeguards will be included in this bill with respect to the expanded search warrant powers. Police will be required to lodge a detailed report with the court following the execution of a warrant, and people with an interest in the warrant can then inspect the report. In addition, the Magistrates Court will be able to require a police officer to give evidence on the matters in the report and also to direct that a seized item be returned to its owner, consistent with existing law. The bill ensures this power will only be exercised where the expert skills are necessary to execute the search warrant. Provisions are included to clarify that, where reasonably necessary, Victoria Police may break open a safe or other storage receptacle on warrant premises or transport it to another location to be searched safely.

The bill modernises the processes for Victoria Police to authorise specially trained public service employees to operate assumed identities under the Crimes (Assumed Identities) Act 2004. The

amendments extend to the duration of assumed identities for Victoria Police public servant employees from three months to 12 months and, where an assumed identity application for a Victoria Police public servant employee is being considered, will remove the requirement that it is impossible or impractical for a law enforcement officer to acquire or use the assumed identity. In this day and age, undercover work is predominantly done through online profiles, and the vast majority of current assumed identities are dedicated to this task. These tasks are best undertaken by highly trained employees of Victoria Police and not necessarily sworn officers. This will allow for a more efficient use of resources and allow investigators to more easily undertake this work.

Contrary to what Dr Bach's contribution was about, that this bill really is about the rats and mice of things and fiddling around the edges, as you can see, substantial work is being done to streamline and make it easier for Victoria Police to do the work that they need to do in catching organised criminals but also to continue to do their important work to ensure they get the evidence they need to ensure they get the convictions that they are working on. With that, I will conclude my contribution there, and I will commend this bill to the house.

Ms PATTEN (Northern Metropolitan)

Incorporated pursuant to order of Council of 7 September 2021:

I rise to make a short contribution to the Major Crime and Community Safety Legislation Amendment Bill 2022.

It is typically an omnibus bill, and I will not canvass all the matters it addresses but do want to express my concern in regard to some very troubling aspects.

If enacted, the Major Crime and Community Safety Legislation Amendment Bill 2022 would result in a dangerous expansion of police investigative powers, including the power to compel people to provide access to personal devices.

The proposed insertion of section 80A and section 80B into the Confiscation Act 1997 would allow police to apply for a warrant which gives them the power to direct people to provide 'any information or assistance that is reasonable and necessary' to allow police to gain access to computers and data.

As Liberty Victoria have indicated, and I thank president Michael Stanton for his counsel, the warrant process is one of the most invasive of police powers, allowing police to enter and search property. It is a power that should be used sparingly and only where necessary, and the proposed amendments have the potential to extend this power in inappropriate and unintended ways.

Liberty Victoria is concerned about a number of elements in the proposed legislation, which undermines the right to privacy and the presumption of innocence, as am I.

These reflect the concerns raised in SARC's review of this bill.

Most troubling in my mind is that proposed section 80C sets out that people who refuse to comply with a direction to allow access to a device can be subject to a penalty of up to five years imprisonment.

This is too severe and not reflective of the potential criminality involved in the offence. It also abrogates an individual's fundamental right to silence, a cornerstone of the justice system.

A potential five-year jail term for a 'no comment' response to police questioning—for a snap decision from someone who doesn't understand the nature or gravity of the law. Is that really what we want?

What makes this worse is that it could capture innocent third parties that could face criminal prosecution if they do not immediately provide access to devices—parties who aren't being investigated, like children or employees.

For the above reasons I oppose the bill.

As Liberty Victoria have also articulated, the case has not been made as to why such powers—which are likely to impact on innocent people caught up in a police investigation—are necessary or proportionate limitations to human rights, particularly the rights to privacy and freedom from self-incrimination.

Motion agreed to.

Read second time.

Third reading

Ms STITT (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood and Pre-Prep) (15:46): I move, by leave:

That the bill be now read a third time.

Motion agreed to.

Read third time.

The ACTING PRESIDENT (Mr Melhem): Pursuant to standing order 14.27, the bill will be returned to the Assembly with a message informing them that the Council have agreed to the same without amendment.

EARLY CHILDHOOD LEGISLATION AMENDMENT BILL 2022*Second reading*

Debate resumed on motion of Ms SHING:

That the bill be now read a second time.

Dr BACH (Eastern Metropolitan) (15:47): Between 2012 and 2014 the Hawks went back to back to back. Well, today, here in the Legislative Council, we are going Bach to Bach to Bach with the Early Childhood Legislation Amendment Bill 2022.

Members interjecting.

Dr BACH: Don't look at me like that! Once again, the Liberals and Nationals will not be opposing this bill brought before the house by Minister Stitt, one of my favourite ministers. This bill seeks to enhance the regulatory system for early childhood education in Victoria. The bill proposes various amendments to several acts. It is following a national quality framework review which occurred in 2019, and at a meeting of education ministers nationwide on 6 March earlier this year the final review was endorsed. I will talk about some of the specifics of this bill, noting that we do not oppose it. We do not oppose the key elements of this bill because the purpose of this bill is to seek to make the early childhood education and care sector even safer for children and to lift quality.

I know that I will also speak for the minister when I say that the overwhelming majority of those people who work in this sector are quite amazing and have the highest regard of course for the safety of the young people in their care but also seek to ensure that a really rigorous education is offered to them. I know this to be the case from personal experience. I know this to be the case because, as I have discussed with the minister on a number of occasions, I have a daughter in three-year-old kinder—and a wonderful thing three-year-old kinder is as well, a wonderful thing. She is at a sessional kindergarten, so I might make some remarks about sessional kindergartens, but previously my daughter had been in a different so-called long day care setting. Again I know I speak for the minister when I say also that I do not love that language. I think the amazing people who work in this sector do not love that language, but that is the language that is so often used. The minister is careful to talk about early childhood education and care, and I seek to be careful as well. I spent my life pre-Parliament teaching in secondary schools, so I am a parochial secondary school teacher, but all the research shows that those of us who teach in the more senior years can make nowhere near the impact that those teaching in the early years can make, and yet as a society we still do not pay enough respect to those working in this sector—a message that the minister seeks to propagate at every opportunity as well. In seeking to make these immensely important educational settings for the youngest Victorians even safer, we as a Parliament are certainly not questioning the dedication and skill of so many wonderful people, overwhelmingly women of course, who work in this sector every day.

Of course it is worth noting that overwhelmingly people in this sector support this bill, so what a nice way to almost end our session together by once again talking about a bill in this area that has the

support of the opposition and the support of the government. I am hopeful of support from a large portion of the crossbench.

I have previously aired some of my views about some recent changes that the government has made that overwhelmingly are fantastic changes by the way, Minister Stitt, but will have and are having a significant deleterious impact upon one element of the broader sector: sessional kindergartens. On this point Mr Hodgett, the Shadow Minister for Early Childhood and Children—I no longer have the great privilege to shadow Minister Stitt; I have been relieved of those duties—the member for Croydon in the other place, will have more to say on this important matter in the lead-up to the election. But I do not think that a bill like this is necessarily the place for partisan pointscoreing, not so late in the session. It is a good bill. We do not oppose this bill. I thank the minister for bringing it forward and for the fantastic collaboration of so many wonderful people right across this very important sector.

Sitting suspended 3.53 pm until 4.13 pm.

Mr McINTOSH (Eastern Victoria) (16:14): This bill is about how we raise the next generation of Victorians, about how we engage with our kids in child care, kinder and maternal and child health in their crucial first years of life and about how we set them up for their lifetime. Given I see early childhood educators almost every day of my life at drop-off and pick-up, I speak with particular passion on this bill. I am so grateful to the workers who support our kids and our family day in, day out. In both child care and kinder, our kids receive such beautiful care from so many beautiful people. Every day I am impressed by the care and dedication our early education workers provide to babies, toddlers and children, who at such a young age can be so demanding. These workers are not simply minding our kids, they are teaching them about the fundamentals of what it is to be human and gifting our kids with skills to help them through life. I am deeply passionate about preventing mental illness in future generations, and early childhood is the place to make the biggest difference. Our early educators build the foundations of the mindset our children take into and through their lives. They help our kids identify, control and continue to master their feelings and control their behaviour.

In speaking on the bill today I want to highlight the work of a Victorian-based national mental health charity, Prevention United. I spent time talking with the founder and CEO of Prevention United, Dr Stephen Carbone, who told me that it is possible to prevent mental health conditions and that this is an area we should always be working towards. The early childhood sector is fundamental to this.

When it comes to building the mental health and preventing the mental illness of future generations, there are two areas to focus on—building protective factors and reducing risk factors, or, simply, maximising the good and minimising the harmful impressions that we leave on our kids. Protective factors for our children and their social and emotional skills are their resilience, their self-esteem, social skills, mindfulness and basic literacy and numeracy, which enable them to participate in the community. Risk factors include experiences of abuse, neglect and trauma. The more these can be limited or eliminated, the better the mental health outcomes for the next generation will be. If kids know that the world is good and that they have a safe place in it, they will thrive. Building lots of safe and secure attachments to other adults in the community, like educators, reinforces this, and this is why child safe standards are so important. It is also why it is so important that early childhood education is affordable and accessible.

Kindergarten programs in Victoria, including the new three-year-old kinder program and existing four-year-old kinder, will be free from next year. We will establish 50 government-operated childcare centres over the decade, ensuring that early childhood education is available in areas with the greatest unmet demand and providing convenient access for working parents. The affordability and accessibility of child care is so important to the economy, especially for women's participation in the workforce. The more we strengthen parental leave, child care and workplace flexibility, the more we will maximise the full potential of our economy.

Accessibility also includes the extent to which early childhood services can welcome a diverse range of families, including culturally and economically. The more families are included in early childhood services, the more cohesive our society will be. Including families that are marginalised is so important for breaking the cycle of intergenerational poverty. Early childhood services do a fantastic job working with child protection and foster families to include children who are at a higher risk of adverse events. Supported playgroups are a great example of this, where skilled childcare workers work with families to build confidence in their parenting skills.

In recent years it has become completely accepted how important self-understanding and self-awareness are. Top levels of success are now equally attributed to mental health awareness and wellbeing as much as any skill. Just look at the incredible season the Collingwood Football Club had in 2022. An almost identical team with identical skills went from 16th on the ladder to one point from a grand final they would have won. Mindset is an incredible thing, and around the world elite athletes, soldiers and businesspeople are trained to improve their mental state to get the most out of themselves.

We can make massive changes as a society in big areas like violence and mental health. Too often violence and other forms of maltreatment are part of a generational cycle, and we must work to stop this. Early childhood is the time in life where we can break this cycle. It also gives kids the best start in life and sets them up for participation, first in the community and school and then in the workplace and broader society. But early childhood support does not just help the kids; it helps the whole family and the wider community and economy as well.

New parents need all the help they can get, as bringing home a baby for the first time, or second or third for that matter, is one of the biggest and most challenging events in life. There is no preparation for bringing home a newborn. Midwives and maternal and child health services come into the home, sit with families, often over a cuppa, and give that reassurance that you, your partner and new baby are going to be okay. This is such a fundamental service for families—learning how to care for a newborn, making sure they are feeding and growing, and spotting any early signs that something may need further attention. These first weeks are crucial, and home visits from skilled workers are so important for supporting new parents to form a secure attachment with their new bub. Giving confidence and reassurance to new parents sets them up for success, and the impact of this service can never be fully measured.

The nurses who do this work are kind and come across almost like family whilst working to the highest standards. This bill reinforces those highest possible standards for our maternal and child health services. This support does not stop with the health of the baby. Victoria's holistic maternal and child health services also connect new parents in the community with parents groups. No-one knows what you are going through in life like someone who has been through the same thing or someone who is currently going through the same thing. I hear all the time that lifelong friendships are made at parents groups, not just for the parents but for the kids too. I know that has been true for my family.

The other parents in our group have been a great support and great friends, but now a few years in we still get involved in weekends away and even Friday night takeaway, with a WhatsApp group for last-minute catch-ups. When you have got a couple of kids screaming at you, there is nothing better than getting other kids to distract them and getting some adult chats in. These friends now slot into the wider support network for so many parents, added to family and neighbours. I believe it takes a village to raise a child, and whether that is any of the above—neighbours, whatever family might be around—it is important for families to be able to draw on them at all times.

That is the motto of a local children's service in my electorate of Eastern Victoria, the Tyabb Village Children's Centre. Tyabb Village is a family-run business that operates a fantastic childcare centre and supports local families. The village offers long day care, soon-to-be three- and four-year-old kinder, home-cooked meals and a focus on outdoor education and getting the kids out into the community. Lavinia and Richard have big plans to start a farm kinder program to extend their outdoor education passion and philosophy. The 2.7-acre site will host a barn-style learning centre as well as a working

farm, which is the perfect backdrop for building skills and connecting kids to animals, nature and themselves. The program will continue the current work of building social and emotional strengths and growing little people who are confident amongst their peers, able to self-settle and aware of who they are.

The children at Tyabb Village are already environmentally aware, and some are even activists. The flow-on effects of this are that the kids go home and advocate for changes like setting up compost, using less plastic and soft-plastic recycling. The same applies to food: Richard cooks delicious, nutritious meals and the kids try lots of different foods and learn about healthy eating, including learning valuable life skills by cooking with their peers. All this knowledge goes home with the kids at the end of the day. With the farm, the kinder kids will know where food comes from and how it can be produced sustainably.

Already the kids go down to the paddock classroom every Wednesday, and when they come back they are relaxed, calm and happy. There is nothing like watching kids in gumboots with mud on their hands splash and play in a puddle. To raise a generation of people with strong ties to the community and their local environment, we want them out spending time in these environments. I visited the site, and this is exactly the kind of holistic early education that will build connected, resilient kids for the future. I could not be a bigger supporter of the work they are doing, and I will work closely with Lavinia and Richard to advocate for funding for these amazing plans.

There remains a fundamental responsibility for governments in this sector, and that is to ensure safety, quality and affordability in children's services. This bill updates and integrates the Victorian quality system in line with the most recent five-yearly review of the national quality framework, changes that have been agreed to by all education ministers around the country. The result of this is strength in standards of care, improved safety and quality and a more streamlined approach to regulation of child safe standards. The efforts we put into our young can make big changes—and quickly. In just a decade our three- and four-year-olds will be early teens, and if we can build into them the basics of wellbeing, youth mental health in the future will be much improved. It is pretty simple: we want people to be happy and healthy and to respect themselves and others, which will in turn lead us towards a safe, happy and healthy society. The amendments contained in this bill support this through necessary updates to the way we regulate safety and quality in our maternal and child health and early childhood sectors.

Mr LIMBRICK (South Eastern Metropolitan) (16:23): I rise to speak on the Early Childhood Legislation Amendment Bill 2022. Due in part to overtaxation and unchecked government spending leading to inflation, living on a single wage is not an option for many young families like it used to be. This is why access to safe childcare services is more important and more in demand than ever. However, we have a major problem with child care in Australia. The cost of child care in Australia has become prohibitive—and that is if you can find a placement. In Australia we are paying more of our income compared to many other parents around the world, and we have a gross workforce shortage. This is having a flow-on effect not just for families balancing childcare fees with other costs of living but for society as a whole, with many mums scaling back their workforce participation to ensure their family can access a higher rate of childcare subsidy or because they are on seemingly endless waiting lists with no relief in sight.

The answer to the cost of day care and workforce issues is relatively simple but would force the government to admit that the problem was created by government interventions in the first place. Just like in other sectors, such as energy and tertiary education, the heavy hand of government has distorted demand and market pricing. I have previously warned in this place about the dangers of further

regulation and increasing the qualification levels required of our childcare workers, and on that occasion I said:

If we get rid of the over-regulation, then more workers can enter the industry, providers can operate efficiently and with lower costs and then more services can be offered to more people, including those in rural areas, at a lower cost.

This particular bill creates a new regulator, expands the national quality framework and uplifts the qualification requirements of maternal and child health nurses. These appear to be more structural measures of quality that lend themselves to easy industry oversight and assessment but appear to have little relevance to the actual quality of the service. These structural measures increase costs. We need to stop adding onerous regulations in this place. We need to walk them back and focus on policies which make it easier and cheaper to run a childcare centre—that is: remove red tape and adopt sensible tax and energy policies. The Liberal Democrats believe in appropriate yet minimal regulation. As such we will not support this bill.

Ms TAYLOR (Southern Metropolitan) (16:25): I am very happy to speak on this bill, and I should emphasise that when we are talking about regulation, underpinning that is a good and sound purpose. I would assert for the benefit of the chamber that strengthening the safety of children in their early childhood services and improving oversight and compliance tools for the Victorian regulatory authority are sound purposes. When you are thinking about some of the most vulnerable people, children in their early childhood years, I would suggest that there are very sound and good reasons for regulation in this space. I think perhaps ideological arguments about regulation may not be the best fit when discussing this bill, because the bill really does have a very sound purpose. There are, I would say, very few young children who can defend themselves, and they definitely need some objective and independent oversight to make sure their best interests are at heart. So, hopefully to allay the concerns that may have been raised over there by the Liberal Democrats, there is a sound purpose for the regulation in this space. I am very confident in saying that I think it is certainly well founded.

On that note I will just go to the fundamental tenets of the bill. There are two main objectives. One is implementing the outcomes of the review of the national quality framework, the national regulatory scheme for early childhood services. If we are looking at consultation—again to assert the very good and sound purpose for this bill—the national quality framework review involved two rounds of national public consultations with a high level of sector engagement in consultations during 2019 and 2021, which further lends support to the basis and certainly the work that has gone into developing this particular bill. The proposed amendments arising from the NQF review reflect consultation with the sector and are expected to have support from the sector. So I would assert quite confidently it certainly attests to the validity of the bill being debated here today. The second objective of the bill is to enable the child safety standards to be enforced in early childhood services by the existing regulator in an integrated manner, which is a very logical way of moving forward as well. Further to the validity of this bill, education ministers have agreed nationally that the national quality review changes will commence from July 2023. So you can see that there really is a strong consensus on the changes being brought about.

A further note, I should say, is that passage of these amendments through the Parliament is time critical. Victoria is the host jurisdiction of the national law and needs to ensure that the bill is passed this year to enable the implementation of the outcomes mid-2023. So it is actually really important as we are debating this bill today that we see its safe passage through the house to ensure that the time-critical changes can be brought about in an efficient way. Passage of the bill is also critical to ensuring the integrated sector regulator provisions of the child safe standards can commence on 1 January 2023 along with the rest of the new enforcement regime for the standards, because it is all very well to have standards, but they have to be able to be enforced to be worth their weight in the long run and to in the end achieve the outcome of establishing those standards in the first place.

The bill also makes maternal and child health amendments to safeguard the prerequisites to become part of the MCH workforce and is consistent with the government's commitment to deliver a high-quality service into the future. Certainly the education of Victorian children is of the highest priority, and I do not think anyone could doubt that when you look at how much our government is investing. We are investing \$5 billion in universally funded three-year-old kindergarten delivered across the state in 2022, including \$1.68 billion for infrastructure. And a further \$9 billion was recently announced to make three- and four-year-old kinder free in participating centres from 2023—I think this has been suggested, but just to reinforce how committed we are to this very important stage in children's lives—to build 50 government-run low-fee childcare centres in areas of greatest demand, with many of them to be built on or next to the government schools, and to introduce a year of pre-prep, doubling four-year-old play-based learning to 30 hours per week. It also attests to the value of that early education in establishing the best possible outcome for children later in life. The good news is that the first of the 50 childcare centres will open from 2025. Pre-prep will be gradually implemented from 2025, with full implementation in 2032. Combined, these reforms will create 11 000 new jobs for early childhood teachers and educators. And as is consistently the case with our government, it is a holistic approach, on the one hand providing optimal education for Victorian children while also stimulating jobs in the sector, much-needed jobs, to make sure that Victorian kids get the very best education from early in life, right when they need it, to set them up for the best possible outcome in their futures. And it is really supporting contemporary models of education that Victorian children deserve.

A further point that I was going to make was really to just delve into some of the elements that are really being put forward today in terms of the amendments. One, safety measures in family day care are a particular focus. We know this is where regulatory measures can be strengthened, with, unfortunately, an over-representation of incidents and cancelled licences. So coming back to the point upon which I started my contribution to the debate, there really is an impetus to bring forward these changes here today. Family day care coordinators will be required to complete child protection training prior to commencing employment and to undertake annual refresher training, which would seem to be very fair and reasonable in light of the vulnerability of children. The regulator, the Department of Education and Training, will have improved access to information about the types of homes and buildings that family day care operators are working from, which will assist in emergency situations. Again you can see that that is very logical and fair and reasonable under the circumstances. Furthermore, the regulator will be able to more rigorously assess the fitness and propriety of service providers across the sector, including by asking questions in any format and assessing their knowledge of the national quality standards. We could see that there is a strong consensus on these elements and certainly an imperative to make sure that children are being looked after by persons who are truly across these fundamental elements of actually being a service provider in this industry. A service licence will be able to be cancelled or not approved if provider approval under the Commonwealth family assistance law has been rejected or cancelled, and maximum penalties for offences under the law will be increased to align with CPI increases. It is not that there is an emphasis on a punitive element, but rather it is incentivising the best possible care and outcomes for Victorian children and making sure that there is appropriate regulation and that the standards of the care of those children are being adhered to.

Amendments will also be introduced to reduce the burden for education and care services, including extending the validity of the highest excellent quality rating from three to five years—so you can see that will certainly alleviate some of the burden in that space—and aligning the definition of 'person with management or control' of a service with a family assistance law definition to better capture persons exercising significant influence over the operation of the service. So you can see that there is an important clarification being brought through there. The guide to the national quality framework will be updated and streamlined, and there will be changes to improve guidance and provide better resources and tools to help providers and services more easily comply with regulatory requirements. On the one hand you can see that there are essentially a better framework and better controls being put in place for the betterment of Victorian children but also balancing that with making sure that providers

are perhaps better able to understand or be fully aware of what they need to do in this space. It is really supporting from both angles, and I think that is certainly very important.

The Secretary of the Department of Education and Training will be able to regulate the child safety standards in the early childhood sector as an integrated sector regulator. What does this mean? This means providers and services will only need to deal with the existing regulator exercising one set of powers, so you can see a streamlining of processes there. This will support early childhood services to comply with child safe standards so that protecting children from harm and abuse is embedded in the everyday practice of leaders, staff and volunteers. Again, it seems to be a pretty commonsense approach, and we certainly want no less when it comes to protecting Victorian children. While some safety measures will impose modest costs on service providers, there is also some reduction in burden, which is important. The projected cost impact of implementation of all NQF review recommendations in Victoria is \$2.1 million per year over a 10-year period.

The bill also includes some amendments relating to maternal and child health nurses. These amendments allow staffing requirements for maternal and child health nurses to be formalised in regulation. Why? To ensure that staff have appropriate skills and qualifications to provide high-quality and safe services. So you can see that there is a consistent theme here, and that is on the one hand making sure that the best interests of Victorian children are at the forefront and that regulation, which is appropriate, is being implemented, but on the other hand also a streamlining or integration of services as well, so it really enhances the functioning of the sector overall. That is really, really important bearing in mind the significant and, I would say, unprecedented investment in early childhood education by our government, factoring in that those early years of life are, as we know and as studies have shown, absolutely critical in terms of, really, the best outcomes for children as they grow over time and into their adult years. Because we are very aware of this and we see it as of the highest priority, it makes sense to also be bringing through these reforms at this time to ensure a truly holistic approach when it comes to the massive reforms that are coming through in early childhood education. On that note, I commend the bill to the house.

Ms TERPSTRA (Eastern Metropolitan) (16:39): I rise to make a contribution on this important bill, the Early Childhood Legislation Amendment Bill 2022, and I am pleased to see that the opposition is supporting this bill. What we know about our early childhood services sector is that they are wonderful, hardworking and dedicated professionals. They do amazing work for our littlest Victorians. Every time I visit a kinder in my region I have the best day out ever, because it is such a delight to visit our kinders and see our littlest Victorians learning in wonderful and supported environments and all the amazing things that they do through play. It makes you feel like you are a kid again when you sit down and play with the playdough or play with the building blocks or whatever it is that the kids have got out. We know that young children learn through play; they also learn about interacting with each other and how to get along with each other. But it also is about school readiness for these kids. They learn to sit on a mat, they learn to pay attention—all those sorts of things. They are all really critically important foundational things that need to be laid down for when they do attend prep. Kinder is so critically important.

In regard to this bill, as we know, the early childhood services are governed by the Education and Care Services National Law and an accompanying set of national quality standards. But over the past couple of years a nationwide review of the national quality framework has been undertaken, and the framework incorporates the act and regulations and the standards. The review found a number of ways in which quality and safety can be improved, and that is effectively what is at the heart of this bill and the changes that are being proposed. These things include better safety mechanisms for children who are transported to services on buses, greater child safety training requirements for family day care coordinators and improved access to information about family day care providers by the department—in other words, the regulator. The regulator will be able to more rigorously assess the fitness and propriety of service providers across the sector. Maximum penalties for offences under the law will be increased to align with CPI increases, and this will also enable child safe standards to be enforced in

early childhood services by the existing regulator, the Secretary of the Department of Education and Training, so services are dealing with a single regulator. Again, these are amendments that go to making our early childhood services safer and continuing to lift the quality of these services for children, because as we know, our littlest Victorians deserve the best, and they are certainly getting that with our wonderful early childhood educators.

Another great initiative that this government is doing is making sure that we can attract more people to the sector to work as early childhood educators. I know people can access our free TAFE initiative to become an early childhood educator. It is a wonderful initiative because we know, with all the investment that our government is making in the childhood space—like free kinder, or free pre-prep as we call it, so three- and four-year-old kinder—we need people to work as early childhood educators, and there has never been a better time to work as an early childhood educator than now. Our free TAFE initiatives will help people get into those jobs, the jobs they need, and get the skills they need for the jobs that they want. Free TAFE is an important initiative to do that, because we need lots and lots of skilled workers in that pipeline to come through and be early child educators. It is a critically important role. Again, the laws proposed under this bill are about lifting the quality and safety standards for the sector, because we continue to learn and continue to have continuous improvement in this space. As I said, we have listened to the nationwide review, taken that review very seriously and looked at the improvements that were recommended through that review. Again, we are acting on those sorts of things to make sure that our littlest Victorians continue to learn in the safest environment possible and continue to learn and grow.

Just on that, I might reflect on a critically important and really well received initiative. By way of example, Minister Stitt, the Minister for Early Childhood and Pre-Prep, and I went to the Donwood aged care home in the Eastern Metropolitan Region, in Croydon. It was an amazing day. We saw the kindergarten come into Donwood aged care. It was lovely. We saw the residents in the aged care facility sitting with the kids. They were all playing and interacting with one another. Just the joy that that brought to the faces of those elderly residents at the aged care home was absolutely amazing. What we saw there was the power of education for our youngsters but also the power of positive interaction on an intergenerational basis for young people and also for older people. Now there is talk about getting older kids—like, teens—involved in the same sort of process. We can get some teens interacting with older Victorians. For example, if they have never had grandparents themselves, they will have an opportunity to mix with older Victorians and have an older adult in their life—because, let us face it, our families might look very different to what might have been the *Brady Bunch* kind of model. Not everyone comes from a *Brady Bunch* family, and sometimes it is good to have some options around having older adults in your life. It could be parental role models or grandparental role models.

What I saw when the minister and I went to visit Donwood aged care with the Maroondah Pre-school was that our elderly Victorians still have so much to give to our youngest Victorians. As I said, joy was brought to the faces of those elderly residents. Many of them were elderly but a little bit frail and some of them were suffering with dementia, but you could just see that that interaction with our youngest Victorians through play really brought a sense of joy to those people, and also the kids experienced that sense of joy and that grandparental kind of role model of an older adult. So it really is a win-win situation. Again, they were learning through play. If you looked at the floor, it was an absolute mess—there was paint everywhere—but that is the whole point about play; you get messy, right? And the whole point of having the best play experiences is being messy.

I have also seen in kindergartens in my region the fantastic initiatives of our early childhood educators, where they make sensational outdoor play spaces—you know, making it available so children can climb trees, for example. I remember quite a few years back there was a thing about not allowing kids to climb trees because it could be a little bit dangerous, but it is actually—

Dr Bach: Shameful.

Ms TERPSTRA: I know—let kids climb trees all the time. It is about taking responsible risks and learning from those risks. But also in those outdoor play spaces I have seen some amazing creation of natural environments—like water running through creeks that have been made inside the centre so children get to experience playing in water but also becoming muddy, building mud pies and doing all of those sorts of things they would experience in an outdoor environment.

Dr Bach: Brilliant.

Ms TERPSTRA: It is absolutely brilliant.

Ms Stitt: Bush kinders.

Ms TERPSTRA: Minister Stitt was just saying ‘Bush kinders’, and I can reflect on my own children’s experiences. My son went to a Steiner kinder, and I used to love the way that they would make bread. They would make the bread together, they would then bake the bread and they would sit down for morning tea and eat the bread. It was actually an amazing thing. It was a lovely thing, but again, it is part of that experience of learning to do something together and sharing in that experience—in that case, eating the bread at the end. They were creating something together and then sharing in that experience together. So there are lots of different opportunities for young Victorians in kinder.

There are lots of different settings. Like I said, there are Steiner kinders, there are Montessori kinders and there are our mainstream kinders, but I also see our excellent early childhood educators taking the best of all of those options and incorporating them into the kinder environment, in any event. With the Steiner environment there are differences in that and with Montessori there are differences in that, but every time I go and visit a kinder in my region, what I see is the children getting the very best of each of those environments, and it makes for an excellent experience for those children. Again, I am loathe to say ‘learning environment’ because it is not a classroom environment because the children are learning through play. That is something that is critically important, and you want to see that happening. There is lots of finger painting going on, lots of puzzle making going on and just all manner of things. I know any parent who has had children at kinder would well remember the tonnes of boxes and cartons that used to come home after the kids had been at kinder for the day. They would have made lots of things out of cardboard boxes, and you are thinking, ‘My recycling bin is going to explode because I have got no place to put these’. And you had to keep them. You could not get rid of them. You had to keep them for many years.

Dr Bach: They know if you chuck it out.

Ms TERPSTRA: They know if you chuck it out, and you cannot chuck it out because otherwise they get very upset. There is a lot of thought and creativity poured into those projects, right? You know, you come home with all of this stuff. That is the whole thing about kinder: it is amazing. It also engages the parental community. We would always donate things so that the kids could have lots of the materials that they needed, whether it was boxes, paper—all manner of things. It was fantastic.

I might remark on a really good experience that just came back to me of when my son was at a Steiner kinder. One of the things that Steiner kinders do is they celebrate the seasons coming in. I think it was the autumn season and one of the activities that they did was they made lanterns out of wax paper and then put a little candle in it and did a walk through a bush area at twilight. That was celebrating the autumn season, and we walked with the kids through these woodland environments. Those sorts of things were amazing experiences for our young learners.

Minister Stitt talked about bush kinders earlier. There are so many different things and experiences our young Victorians can experience in a kinder, and all of those things provide a really rich environment for the continued development and expansion of their knowledge and their experiences outdoors. It is an amazing thing. I mean, we know that for kids to continue to develop and grow they really do need those outdoor experiences—to get exposed to nature, to the natural environment. Like

I said earlier, water play, playing with mud, playing in an open creek or outdoor area, or climbing trees—one of my favourite things to do, and I reckon Mr Barton would agree with me on this.

Mr Barton interjected.

Ms TERPSTRA: That is right. One of my favourite things to do when I was a kid was to climb trees and go down the creek. I would just say that, again, those are outdoor, natural experiences for kids, and we really need to make sure that our kids, when they are going to kinder, can get those outdoor and natural experiences, because climbing trees and those sorts of things are about taking responsible risks. You learn that if you climb a tree and you have not got the right grip, you might fall and that is not a great thing. Again, taking responsible risks is really, really, critically important, as is allowing our kids to have those fabulous experiences. Our early childhood educators—the way they program these learning experiences for kids, the kids get such a rich and active environment and opportunities to participate in all of these many things.

This bill, as I said, is about improving the safety standards, and it is critically important to make sure that our littlest Victorians are as safe as possible. Our government has taken and will continue to take all the issues of child safety and quality provision seriously. We already do have a very rigorous safety and compliance framework which children's services must operate in, and this bill will further enhance those requirements.

We have got a strong track record in investing in our regulator. In the 2020 budget the government allocated \$46.5 million over four years to maintain existing regulatory operations and address growth and risk in the sector. This bill ensures that we have those laws to monitor, enforce and support the sector, and of course our budget commitment also demonstrates our commitment to make sure that the sector is appropriately resourced. I might leave my contribution there, and I commend this bill to the house.

Mr BOURMAN (Eastern Victoria) (16:53): I want to make a contribution about the early childhood learning sector. It is something that at my age I never thought I would be doing, but I am having a real-time experience with it right now as Becky is now getting towards three. She is just over 2½, and she has been doing day care for a year and a half or so now. And some of that was through the COVID times, which was challenging for everyone. But I have got to say, before having my own experiences with this I never really gave the whole early learning, day care sector—which I think is probably the wrong thing to call it—much thought. But as time has gone on I have watched the amount of things that she has been taught there whilst playing. And if anyone had said 'play-based learning', I would have said, 'Maybe you need a new dealer'. But now I watch and I see that they make them do little things that may look innocuous to us, but the children are learning stuff. They are learning to play in a group. They are learning to paint. They are learning to fall from trees—maybe not fall from trees, not at that age.

It is through that that I have watched the early learning educators come and go. To be honest, the vast majority of them are just fantastic people trying to do a good job, trying to do the tough job of looking after so many kids—I know there are ratios and things like that—and I see them putting in their heart and soul. The vast majority of them just love children, and you can see it. We have made some good relationships with them as we go along, and as they move on for various reasons it is difficult. Fortunately kids get over stuff pretty quickly. But I watch them, and it is one of those things: I do not think they pay them enough. And the problem is, as usual: where does the money come from? Maybe that is a thing for the government to help with.

We use Bambini in Hampton, just as a free shout-out to them, and the people that run it and the day care educators there are awesome. They have been responsive. They have worked hard. As I said, I watched them through the COVID era. I watch them through the era now, post COVID, which is nearly as bad because of the amount of lurgies that are going around. I am now enjoying yet another one that she has brought home. But that is also part of the thing of making their system better. All

through it, I have watched these people just march on. You can see it is not for money, it is not for 'This is my job'; it is because they enjoy doing their job.

I think the whole thing is it needs to be a tightly regulated area, because there are little children. Some of them cannot walk. In fact Becky could not walk when she went in there, really, so it must have been more than a year and a half. I have watched the other kids in her little group go from little things rolling around on the floor to now all running around and screaming and riding little bikes and things like that. Every single day that she goes there those people are part of it.

I am going to keep my contribution quite brief, but I just think the people that do this—and I have only had a very small experience; it is very narrow—just need to know they are appreciated, much like teachers. As I said, I do not know that calling them day care centres is really fair. These people are teaching the children. They may not be teaching them to read or write, but they are teaching the basics of life. I am going to leave my contribution at that. I just wanted to chuck that in. As I said, it is something I am going through now. When I first started the whole thing, I was very, very dubious, but now I am definitely a believer.

Ms LOVELL (Northern Victoria) (16:57): I rise to speak on the Early Childhood Legislation Amendment Bill 2022. It gives me great pleasure as a former minister to actually speak on an early childhood bill. This bill is about making a number of amendments to make child care safer for children and to lift the quality of services. The bill requires that all family day care coordinators complete child protection training prior to commencing employment, and the bill provides for greater access to information about family day care providers by regulatory authorities. The regulator will also be able to assess more rigorously the fitness and propriety of service providers across the sector. The bill also makes some minor amendments relating to maternal and child health nursing services to require providers of maternal and child health nursing services to employ or engage only if they have the prescribed requisites. It makes changes to numerous acts. I am not going to list all of those, but they are the acts that regulate children's services in Victoria, whether they be education or care services, and they are very important acts.

The Liberal Party will not be opposing this bill. However, I would like to make some comments about early childhood and the quality standards and where we are in Victoria today. We all know that early childhood is vitally important. The services that are provided in the early years do deliver back in spades to the Victorian community. A media release that the Minister for Early Childhood and Pre-Prep put out on 1 September talks about how every dollar invested in early childhood education receives \$2 back over a child's life. The Heckman curve tells us that every dollar that is invested in early childhood services actually delivers \$17 back to the community over the lifetime of a person as well. We know that 95 per cent of a child's brain development occurs in the first five years of age, so what is happening in early childhood services is the most vital time of a child's education. This is when they learn to learn. If they do not get it when they are young, it becomes a struggle for them later on. The minister's press release from September also acknowledges that children in grade 3 who went to kindergarten were 15 to 20 weeks ahead of those who did not, and by age 16 students who attended two or more years of kindergarten would have better cognitive and social skills, higher exam scores and better social and emotional outcomes and be more likely to go on to higher academic study. This is not rocket science. We need to get early childhood right.

One of the things that is concerning me about early childhood in this state is the percentage of children who are attending four-year-old kindergarten in particular. The kindergarten participation rate when I was the minister in 2013–14 was actually at 98.2 per cent. That was very high. We worked hard to get that up. We took the Aboriginal participation rate from around 57 per cent to just over 95 per cent, but the general rate was 98.2 per cent. It has never reached that level again under this government; in fact it has declined. In many years the closest it got was about 96 per cent or something in 2015, but what we saw in 2020–21 was a decline to 89.1 per cent. This was nearly 7 percentage points below the government's own target. Then their target for the next year again was set at 96 per cent, but they only expected to achieve 92.9 per cent.

I have gone through all of the reasons why early childhood is so important, and what we know is that you cannot get those early childhood years back. It is cognitive, the development that happens in that first five years. Their early childhood education is the one time you have to get to that child. You cannot get a four-year-old kindergarten year back when the child is six. They have moved on cognitively. It is critical that this government improves those participation rates to get back up to that very high 98.2 per cent that we had achieved. We were aiming for even higher, and the government have certainly been negligent in allowing it to drop to below 90 per cent to 89.1 per cent.

The rating systems in Victoria are also showing that there has been a decline in standards. To her credit, Maxine Morand was very, very strong also on improving quality and outcomes in early childhood services, and I took over that work. I was very proud to actually chair the ministerial council at the time when we implemented the national quality framework for early childhood in this country, and I drove that agenda nationwide. But what we find here in Victoria currently is that there are three early childhood education centres with ratings that are more than seven years old—they have not even had their ratings upgraded—109 with ratings that are six years old and 634 with ratings that are five years old. This was all reported in April 2022 in the *Age* in Melbourne. The Community Child Care Association president, Julie Price, said that the long delays and old assessments could devalue the system, because when an assessment is seven or five years old or when you take seven to five years between assessments and ratings, all services are not necessarily improving. You need to have those ratings coming through regularly so we know that improvements are being made. It is also very important to parents to know what the current ratings are before they send their children to a centre.

In this article a spokesperson for Goodstart Early Learning, which operates 640 centres around Australia, said that parents relied on the ratings, as I have just said, to make decisions about where to enrol their children, but she said many state regulators were falling short, with long breaks between assessments due to underfunding and insufficient staff. We know that Victoria is falling short on those assessments, and we see that there are more than 100 centres that have not been assessed within the last six years, three that have not been assessed in the last seven years and also 634 that have ratings that are more than five years old.

There was also an article that appeared in the *Sunday Herald Sun* in September—not so long ago—that talked about the KindiCare quality index rating. It said in Victoria there are 234 centres that are rated as just being ‘fair’, and this means that they are still working towards meeting the national quality standards. These are standards that have been in place for about 10 years in this country, and they are still working towards them. It is not good enough, and this minister should have been working harder to make sure that all of our centres are up there meeting those national quality standards and delivering the best early childhood education in Victoria.

We know that we are going to need about 11 000 additional kindergarten teachers in Victoria over the next 10 years, but it is also important that we do have the best trained and the best qualified staff in early childhood, because—I went through before all of the reasons why—early childhood is the most important time in a child’s education.

I have to say that when I was the minister I was really heartened by the fact that I had the support of both the Minister for Education, Martin Dixon, and the Minister for Higher Education and Skills, Peter Hall, in actually turning education on its head in Victoria. It had all been about the higher levels of education prior to that, and these were two ministers who actually agreed with me and who recognised that early childhood was the most important level. I think it is important that parents start to focus on this as well. Parents traditionally sent their child—they may or may not have—to a kindergarten, their child attended a local primary school and maybe a local secondary school, and then when their child got to be in about year 10 they started to think, ‘Perhaps we should send them off to a private school to finish off their education’. Well, actually I would be investing all of the money that I was going to invest in private schools for years 10, 11 and 12 into their early education to make sure that they got the best start to their education, and then they would have better opportunities for learning for life.

What we have seen here in this state in their haste to train teachers is that we have got now—and this was a press release from the minister in July—an accelerated bachelor of early childhood education. I hope that this accelerated bachelor does not lead to a decline in the quality of the training of early childhood teachers. It should not cut corners at all. We need to have the best and the brightest teaching in our early childhood years, and I certainly hope that in their haste to train up to 11 000 additional educators this government are not cutting corners on quality in the education of those staff. This was a concern that was actually raised in the *Shepparton News* in response to that media release of 15 July. In the *Shepparton News* on 19 July there was an article called ‘Sector boost’, and it talks about concerns being raised about fast-tracked degrees. It quotes the director of Inspira Kids in Kialla as saying:

It’s great that they are accelerating the bachelor’s degrees; however, we need to make sure that these courses still have the same amount of placement hours as before ...

She went on to say:

If we’re shortening the degree, and shortening the amount of time spent on placement, then the teachers who are graduating are less prepared.

This is the concern that I have. We cannot cut corners when it comes to training these teachers. It has to be a high-quality degree that they are getting so that we then have the best educators in early childhood.

I would encourage this minister to go back and look at the work that Maxine Morand did and the work that I did in investing in the early years and investing in quality, to make sure that early childhood education in Victoria is the highest quality that it can possibly be but also to make sure that she does the work to find all of those children who are not attending a kindergarten program in the year before school and to get the percentage of children well up back into the high 90s; 98.2 per cent as we had it and even more would be a great target for her to set rather than being satisfied with 89.1 per cent of children attending kindergarten.

Dr CUMMING (Western Metropolitan) (17:11): I rise to speak on the Early Childhood Legislation Amendment Bill 2022. This bill is about making child care safer for children and lifting the quality of service. I believe it is the responsibility of every adult to look after our children and to ensure their safety, so I welcome any changes that set out to achieve this. The changes will result in family day care coordinators completing child protection training prior to commencing employment. They will also mean that the questions can be administered to an applicant for provider approval to assess their suitability and to access their knowledge of the national quality framework. They will update the maximum penalties for offences. Put simply, protecting children from harm and abuse will be embedded in the everyday thinking and practice of leaders, staff and volunteers.

The amendments will also require providers of maternal and child health services to employ or engage nurses only if they have a prescribed prerequisite. The guidelines outline the qualifications and registration requirements for maternal and child health services. Not only will maternal and child health nurses need the appropriate qualifications, but they will need to be registered as a midwife. I am not quite sure if you know this, but I actually studied midwifery for a year. I was also on Maribyrnong City Council for 21 years, and we had a lot of maternal and child health nurses. I am a mother of five. I realise the very important role that maternal and child health nurses play in our communities. They are who each mother or parent goes to with every little developmental query about a small baby or infant.

I am also concerned, though, that during this time we have a shortage of maternal and child health nurses. Earlier this year I raised the problem that Melton is experiencing in this area. It is nearly every local government area that is struggling to actually get qualified maternal and child health nurses. Melton City Council, as an example, is projected to increase its population from 185 471 to 264 651 by 2031 and then to 448 000 by 2051. The weekly birth numbers in the City of Melton have increased

from 47 babies born each week in 2020 to between 60 and 90 babies born each week in Melton. New clients entering the service are also up from 242 in 2020 to 352 today. I could go on to the statistics for Wyndham or Sunbury or even Maribyrnong or Williamstown. There is an increase in the number of babies born in each of those municipalities—the City of Maribyrnong, the City of Hobsons Bay, the City of Brimbank, the City of Melton. All have had huge increases in the number of babies born. So we need maternal and child health nurses.

The government's requirement for further qualifications I support, but the government also actually has to help this workforce to get these qualifications. Otherwise we are going to continue with the shortages that we have at the moment. How is this government going to help them upskill? Will they financially assist? Most councils have reached out themselves, trying to entice people to come forward to become maternal and child health nurses. What they have done is actually even offered to pay for their schooling because of the shortages that they are experiencing in each local government area. There are so many job applications open; in recruitment they are constantly looking for maternal and child health nurses.

Has any consultation been done with local government? That is my question. Have they actually spoken to all of the local government areas to see how they can assist more maternal and child health nurses to get into the system? Are there going to be additional nurses being trained in hospitals? Now you have to have nursing and midwifery, and then you do your qualifications to become a maternal and child health nurse. We have lost obviously a lot of midwives. We lost a lot of maternal and child health nurses and childcare workers through this pandemic due to vaccine mandates—mandates that we never needed to have—and we could have retained the already skeleton workforce that we had. This government needs to drop the mandates to actually get the midwives, the childcare workers, the cleaners, the maternal and child health care workers back into those councils.

Protecting children from harm and abuse has to be embedded in the everyday thinking and practices of those that work with them, but it also has to be embedded in the thinking of every individual. I support the government's changes, but there is more that needs to be done to protect our children. These lockdowns obviously never needed to occur. The amount of sexual abuse and the calls from children that were suiciding never needed to occur. If this government did not take the approach of lockdowns and mandates, the number of suicides from—

The ACTING PRESIDENT (Mr Gepp): Dr Cumming, I ask you to come back to the bill. There is no point of order from any member in the chamber, but we are straying. Can we come back to the content of the bill rather than straying into matters that have no relationship to it.

Dr CUMMING: Acting President, I thank you for your interjection, but—

The ACTING PRESIDENT (Mr Gepp): It is not an interjection, Dr Cumming. It is a request from the Chair to come back to the content of the bill.

Dr CUMMING: My apologies, Acting President. I am fairly sure that we are talking about child protection, and I am thankful for the government's amendments to strengthen the requirements and to have those safety checks. But in the last couple of years the number of children that were not protected, because of lockdowns, and the amount of abuse that occurred are extremely sad. I know it is making the government very uncomfortable. Nobody likes to talk about sexual abuse of children, but unfortunately the statistics do not lie. The number of children calling Kids Helpline doubled if not tripled. The amount of sexual abuse that was occurring in homes due to lockdowns is extremely uncomfortable, but it is true. The mandates never needed to occur, nor did the lockdowns.

Ms STITT (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood and Pre-Prep) (17:20): I thank all members for their thoughtful contributions in relation to this debate. This is a bill that is all about making early childhood services safer and continuing to lift the quality of these services for children.

If I can just respond briefly to a couple of members' comments: on Ms Lovell's invitation for us to invest all our money in the early years, of course we do not need any invitation to do that. This government is absolutely committed to investing in early childhood education and care. We have already committed \$5 billion to three-year-old kindergarten. We know that having two years of early childhood education will be an absolute game changer, particularly for those children experiencing disadvantage and vulnerability. I would just contrast our investment and commitment—\$14 billion on landmark, nation-leading early childhood reforms, including \$5 billion to three-year-old kindergarten, which is now fully rolled out across the state, and our Best Start, Best Life reforms will build on that—with the Baillieu-Naphthine governments' investment of just \$400 million for that entire term. I think that we do not need any invitation, Ms Lovell, to invest in early childhood. We are absolutely doing so.

These reforms—there is no question they are big and they are challenging, but they are going to be life changing. We could not successfully implement any of these reforms without the support of our wonderful workforce. I commend the comments made by a number of members about the importance of the early childhood workforce in our state. They have done an incredible job, particularly over a couple of very challenging years. They are education professionals, and I will always do whatever I can to elevate the status of those workers and do everything possible to continue to retain the excellent workforce we already have and attract a really strong pipeline of teachers and educators as we move through our reforms.

Fundamentally the bill before us today is about the regulatory framework and the expectations of the sector. We obviously have high expectations when we are talking about child safety. Just in relation to a couple of the comments made by Dr Cumming: I do want to reassure you, Dr Cumming, that there was extensive consultation by my colleague the Minister for Health with the Municipal Association of Victoria about the changes to maternal and child health requirements. We are not actually requiring anything new in terms of the qualifications. We are just making it abundantly clear in the legislation and reiterating what already exists in regulation. There has been, as I say, consultation with the MAV, local government and of course the Australian Nursing and Midwifery Federation, who represent maternal and child health nurses. Our government has also recently announced free nursing and midwifery courses, which is highly relevant to building that strong pipeline. Maternal and child health nurses require a midwifery qualification as well.

Just getting back to the guts of this bill, there are two main objectives of this bill: implementing the outcomes of the review of the national quality framework, which a number of members have touched on, and the national regulatory scheme for early childhood services—enabling the child safe standards to be enforced in early childhood services by the existing regulator in an integrated manner. The amendments will lead to improvements in educator practices, qualifications and understandings. They will also improve parents' understanding and awareness of service quality, safe practices and risk mitigation. The bill will support early childhood services to comply with child safe standards so that protecting children from harm and abuse is embedded in the everyday practice of leaders, staff and volunteers. These amendments are supported by every state and territory, and Victoria is the host jurisdiction of the national law.

It is important that this bill is passed in a time-critical manner so that all other jurisdictions can implement the outcomes of the national quality framework in mid-2023 and the commitment that had been made by education ministers. The passage of the bill this year is critical. I thank members who have indicated that they will not be opposing the bill and those that have indicated that they will be supporting the bill, and I commend the bill to the house.

Motion agreed to.

Read second time.

Third reading

Ms STITT (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood and Pre-Prep) (17:25): I move, by leave:

That the bill be now read a third time.

Motion agreed to.

Read second time.

The PRESIDENT: Pursuant to standing order 14.27, the bill will be returned to the Assembly with a message informing them that the Council have agreed to the same without amendment.

Business of the house**ORDERS OF THE DAY**

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (17:26): I move:

That the consideration of orders of the day, government business, 5 to 12, be postponed until later this day.

Motion agreed to.

STANDING ORDERS

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (17:27): I move, by leave:

That:

- (1) the draft standing orders, recommended by the Procedure Committee in its *Standing Orders Review 2022*, September 2022, be adopted as the standing orders of the Legislative Council;
- (2) the new standing orders come into operation on the first sitting day of the next Parliament; and
- (3) the temporary order agreed to on 2 February 2021 and amended on 4 May 2021 relating to Tuesday's start time be rescinded, effective immediately.

I will be very brief. There is a report that was tabled by the Deputy President today. It is the cumulation of work from the Procedure Committee that has been occurring over the duration of the 59th Parliament. We have met on 16 occasions, and predominantly a lot of that has been this year. It is all about modernising and reflecting the true practices of the house and a lot of requests that have been made by the clerks in relation to errors that they may have picked up or language that is no longer fit for purpose.

It is a non-controversial report. First of all, people outside this house probably would be bemused about some of the practices of this place, but in terms of some of the amendments that we are making I think members would be familiar with them and not actually be aware that they are not part of the standing orders now and perhaps have been a part of our temporary orders, which we have become accustomed to. So picking up those temporary orders that have been working well and bringing them into some permanency are some of the features of this report.

I do want to commend the attention to detail and the commitment of our secretariat, led by Mr Keir Delaney and Ms Annemarie Burt and supported on occasion by the Clerk, Mr Andrew Young, as well as Ms Christina Smith and Ms Jody Milburn as executive assistants to the President. The President is of course the chair of this committee. I will make passing reference to the former President, Mr Leane, but he did not do half as much work as the current President in relation to the Procedure Committee. To Mr Elasmr, who has chaired the bulk of the work of this report, I pay my deepest respects. Other members of the committee include the Deputy President, as we know, who tabled the report today, Mr David Davis, Ms Georgie Crozier, Mr Stuart Grimley, Dr Tien Kieu, Ms Fiona Patten, Ms Jaala Pulford and obviously me.

The Procedure Committee go through all of the standing orders and discuss how they work and discuss whether there needs to be improvement or indeed updated language. The aim of our work in reviewing the standing orders was to create efficiencies in chamber procedures; reflect a house that is now far more diverse than when many of the rules were written; better reflect the house's constitutional role as a house of review; improve understanding of and accessibility to the rules of the house; increase the relevance and responsiveness of the rules and functioning of the chamber to current attitudes, practices and changing needs; and to clarify contradictory and irrelevant rules that have made the application, explanation and interpretation of the standing orders difficult—which is code for 'The clerks found things that really didn't make much sense and brought them to our attention, and it made sense to agree to remove them'.

As you can see, it is quite a large report, and it is important because it covers the conduct of our chamber. They are the rules and procedures that we need to follow. Hopefully, as it is a unanimous report—we sought to be very reflective of the needs of all members of the chamber—there is in no way a benefit to the government in relation to the changes here, nor is there a benefit to the opposition or indeed the crossbench. It is about picking up and making sure that this house functions as best as possible whilst also modernising the language and indeed making sure that we use, as much possible, plain English to ensure that it is clear and that terminology is used consistently throughout the standing orders.

There is also a section in relation to the modernisation of practices in the Parliament. As we know, we now have e-petitions and the like, so there are sections in relation to petitions and, where those are matters of importance, how the chamber may wish to consider them. As we are aware, it is more than open to members of Parliament to raise a substantive motion in relation to a matter that is brought to the attention of the house by way of petition. But in relation to the recommendations on the standing orders, bringing in a discrete option for the debating of a petition on a Wednesday, which is when we would have similar conversations around statements on reports, was deemed by the committee to be an appropriate recognition of something that may attract a lot of attention from the public.

Overall it is predominantly reflecting practices of this house that we have become accustomed to, to ensure that at the commencement of the next Parliament, rather than having to perhaps go into that complex situation where we have several standing orders, sessional orders and temporary orders, we try as best as possible to start with a clean slate and make sure that we pick up on the experiences of this Parliament and that the non-controversial and straightforward elements can be reflected at the start of the next Parliament.

Hopefully with this motion people have had an opportunity to have a look at the standing orders review again. There is a lot of work that has been undertaken by the clerks. A lot of this is the will of the clerks, and we like to keep them happy, particularly at the end of a session. I think they deserve that at the very least. But also there have been some really productive conversations, with the members of that committee talking through how things apply, how we could make it easier, how we could better make sure the people that watch us get a rough idea of what is going on. So that was the attempt: simplifying, modernising and ensuring that this place functions well. Standing orders do not always compel us to behave appropriately, but this is indeed a way to ensure that the standing orders provide clearer guidance that is easy to read about what we do when—times and the like—and hopefully it will receive support from across the chamber. As I said, it is designed to reflect as best as possible the views of everyone that is in this chamber, in this Parliament, and indeed set us up for the next Parliament. With those words I am happy to conclude my remarks and seek the house's endorsement of this motion.

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (17:34): I will be brief on this matter. This is a traditional way that the Council conducts itself towards the end of a sitting. A sessional order review will occur, and what innovation and changes have been made across the period of the Parliament—what has worked and what has not worked—will be looked at closely by the Procedure

Committee, as it is now called. Recommendations will then be made for what should be entrenched in the standing orders of the chamber.

It is the case, I might add, that I personally am very cautious about changing these. I see the Leader of the Government, and I pay tribute to the way the committee has operated. It has operated fairly collaboratively under your chairmanship, President. We have looked at these things and carefully reviewed matters. Often it is the case that there is no immediate reason, when you look at things phrased the way they are, but on deeper reflection there is a historic reason why things have come about in the way they have, and that is the point of caution. But I think we have struck the balance properly on this occasion. There are some changes and some steps forward that the Leader of the Government has outlined.

I should pay tribute to the work of Annemarie and Keir in particular, who have done the background work on this, and I am thankful for that. I think the whole committee is thankful for the work that has been done—bowling up things, only to have us then question these and say, ‘Does that really work in the way you intend?’. The outcome I think is an example of where such collaborative committee processes lead to something that is better than any individual would have achieved. I should also put on record Mr Rich-Phillips’s contribution. I had him informally look at a number of points, and he went through them carefully, alerting people to some of the points that we needed to think more carefully about. I do want that on record.

I also do think that by and large the Council does cover a large amount. We always smile at our Assembly colleagues when they say to us, ‘Oh, I’ve got an adjournment tonight’. We smile and think, ‘Well, we have a lot of those; we have a lot of speaking opportunities’. But the freedom and the flexibility of the chamber is actually something to be protected. The ability to innovate and the ability to ensure that messages have got through within a structured way is actually something that is quite important. So with that small number of comments I indicate that we will support these changes, and again I pay tribute to the work done by you, President, and the staff of the committee in reviewing many of the points.

Motion agreed to.

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (17:37): I move, by leave:

That the following changes to standing orders take effect from the 60th Parliament:

- (1) Omit standing order 1.01(10) and substitute:

“The Council proceeds to the election of a President, following which the President takes the Chair, reads the Lord’s Prayer and makes an Acknowledgement of Country.”

- (2) Omit standing order 1.07(5) and substitute:

“The President will then take the Chair, read the Lord’s Prayer and make an Acknowledgement of Country.”

- (3) Omit standing order 4.02 and substitute:

“President takes Chair when quorum present

The President will take the Chair as soon after the time appointed for the meeting of the Council as a quorum* of members is present, and will read the Lord’s Prayer and make an Acknowledgement of Country.

*To constitute a quorum there must be present (inclusive of the President) one-third at least of the members of the Council [See section 32(1) of the *Constitution Act 1975*].”

- (4) Omit standing order 4.05(1) and substitute:

“The President will take the Chair as soon after the time appointed for the meeting of the Council as a quorum of members is present, and the President, or a local religious leader, will read the Lord’s Prayer and the President will make an Acknowledgement of Country.”

I think this is self-explanatory, but the reason that I was keen to move this motion today was to ensure that the practice of an acknowledgement of country, which is part of our temporary orders at the moment, would be a feature of the first day of Parliament in the 60th Parliament. I do not think, again, that this is controversial, but if we did not do it this side of the expiration of the Parliament then we would not have an opportunity before the first day to ensure that an appropriate acknowledgement of traditional owners is part of our proceedings. So that is the drive and intention for this motion today. It sounds a bit clunky, but effectively the words that are important in this motion are ‘acknowledgment of country’.

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (17:39): On this occasion the opposition will support these changes or not oppose these changes. I do just want to put on record our concern to protect the position of the Lord’s Prayer in the standing orders, and I notice the government’s amendments do that. I note that when earlier motions were brought to the chamber concerning the Lord’s Prayer and its significance in this chamber, effectively the debate was paused. The government have indicated that if they are re-elected they will bring back those changes to remove the Lord’s Prayer. I am quite prepared to indicate today that we will resist that change. We think that the historical significance of the Lord’s Prayer is great. We think that it is a very clear marker of the Westminster tradition and of the legal and administrative arrangements that we operate under in a Westminster democracy, and in that sense we will certainly be very clear about that. But I do indicate that this does not change the position of the Lord’s Prayer—I am just making that quite clear—and in that sense that is an important aspect for us in not opposing this change.

Motion agreed to.

Adjournment

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (17:41): I move:

That the house do now adjourn.

INDEPENDENT PANDEMIC MANAGEMENT ADVISORY COMMITTEE

Ms CROZIER (Southern Metropolitan) (17:41): (2124) My adjournment matter this evening is for the attention of the Minister for Health. Although the Minister for Health does not have direct oversight of the issue that I speak about—it is in relation to the parliamentary committee that I am sitting on, the pandemic committee—there is an important element to the question I am going to ask, because it relates to the chief health officer. I and my colleagues Emma Kealy and Kim Wells in the other place have been very thorough in wanting to understand exactly the advice that the government has been provided with.

We have got the scenario where the IPMAC, the Independent Pandemic Management Advisory Committee, report—the Minister for Health has said—will not be released until after the election, because we have only got two sitting days this week and of course we have got a motion about that tomorrow. I am concerned that the actual oversight and what the chief health officer is saying publicly are not being regarded or not being taken into consideration by the minister. We know that the advice given in the last orders, when the declaration was extended to 12 October, was ignored by the minister. She said that herself. In the last few days the chief health officer, Dr Sutton, has said that we are in a wave and we are in a trough at the moment and that the virus will take off. Quoting his tweet, he said:

It’s clear were in the ‘trough’ part of COVID-19 activity now, with fewer cases and hospitalisations than we’ve seen for months. That’s very welcome, of course. It may also be that the coming wave is lower and slower than the waves we’ve seen in 2022, for different reasons.

He went on to say, though:

The coming ‘wave’—if that’s the term—may be driven more by the waning hybrid immunity (recent infection + vaccination) than by any particular variant. Make no mistake, the variants will come.

I was keen to have the pandemic committee sit again so that we could hear from the chief health officer. Well, clearly that is not going to happen, because I cannot get any response out of the chair, Suzanna Sheed. She has refused to even answer the two letters I have sent to her about this. We could meet tomorrow while the Parliament is sitting, but, no, I have had nothing from her. And as I have previously said, the government MPs just refuse to turn up to this committee. The action I seek is for the minister to release all advice that she has received from the chief health officer or any other officials within the department about these comments made by the chief health officer about the next wave that he thinks will come and the preparation that is in place, should we in Victoria find ourselves in a situation like we found ourselves in last summer.

RECWEST FOOTSCRAY

Dr CUMMING (Western Metropolitan) (17:44): (2125) My adjournment matter is for the Minister for Community Sport in the other place, and the action I seek is for the government to urgently fund the reconstruction of RecWest in West Footscray. I have spoken before about the shocking state of this facility. RecWest is falling apart. It was built in 1953 and a new wing was added in 1970. That is more than 50 years ago, and it desperately needs rebuilding. A master plan has been completed and the community has been consulted. The new RecWest leisure centre and sporting precinct is a shovel-ready stimulus project that will have a significant impact on the health and wellbeing of the Maribyrnong community, which is predicted to have a 68 per cent population increase by 2040. The new facilities include a gym, indoor and outdoor basketball courts, an oval, parkland and a playground and will complement the state government's investment at Footscray High School's Barkly Street campus with open space and facilities being available to approximately 1600 students. The facilities are home to local community sporting clubs, including the VFL Roosters, the Druids Cricket Club and West Footscray sporting clubs. It offers multicultural activities, a range of indoor sport and fitness programs, mothers groups, social functions and much, much more.

The \$25 million redevelopment will result in the creation of 85 jobs, \$75 million of economic activity and a reduction in the \$500 million annual cost of physical inactivity. Three years ago I asked the Premier to fund this facility and his response was for the council to obtain a loan through the community sports infrastructure loans scheme. Local councils are stretched to the limit. They do their best to maintain community infrastructure as well as build new infrastructure to cater for their growing communities. They operate under a rate cap, limiting their ability to raise revenue. They, unlike this government, try to be fiscally responsible and limit their debt. The community urgently needs this centre. Without the government funding it as an election promise, it will not be built for years. West Footscray deserves this, Footscray deserves this and the area around the Footscray Hospital precinct deserves this—if you are going to go down the path of housing rather than mental health facilities.

POST-TRAUMATIC STRESS DISORDER TREATMENT

Ms PATTEN (Northern Metropolitan) (17:48): (2126) My adjournment matter is for the Minister for Health and relates to schedule 9 permits. I have recently become aware of a consultation document published by the Department of Health in August this year proposing to restrict permits for schedule 9 poisons for human therapeutic use under the Drugs, Poisons and Controlled Substances Regulations 2017 to clinical trials only. The effect will be to limit, amongst other things, the currently approved medical use of MDMA and psilocybin outside of clinical trials. This will be a highly regressive change. Given the growing level of evidence supporting the use of these medicines, we have seen that the TGA is providing the special access scheme approval for these, following medical review, so we have got the checks and balances to ensure that this is appropriate treatment in the individual circumstances.

The rationale supposedly for this scheduling is uniformity. I think this is a pretty hollow argument given where we went with medicinal cannabis some years ago. We went out there and we have been at the forefront of psilocybin and MDMA, and in fact we are doing some quite remarkable work in this state in these areas. This follows a request that I made to the minister imploring the Department

of Health to issue a schedule 9 permit to enable a psychiatrist with approval from the TGA under the special access scheme to treat a patient who was suffering from treatment-resistant PTSD, and that treatment was to be with MDMA and psychotherapy. Patients suffering from PTSD and other mental health conditions will be the losers out of this, and if these rules change it could prevent life-saving interventions, so the action I seek is that the minister reject this proposal outright.

SOCIAL HOUSING

Ms LOVELL (Northern Victoria) (17:50): (2127) My adjournment matter is directed to the Minister for Housing and concerns the government's continued failure regarding social housing policy and particularly their failure to release the current social housing waiting list figures. The action that I seek from the minister is for him to provide an explanation as to why he has failed to release the June quarter data for the social housing waiting list despite it now being September, and I call on him to release it immediately. I also ask him to provide an undertaking to Victorians that he will release the September quarter social housing waiting list figures within a week of the end of the quarter.

Members of the Andrews Labor government are quick to congratulate themselves regarding Labor's social housing policy. However, the truth is that on every level Labor's social housing policy has been an absolute disaster for those Victorians seeking assistance with housing. Applications on both the social housing waiting list and the priority waiting list have exploded in the eight years of the Andrews Labor government. Upon being elected in 2014, the Andrews Labor government inherited a social housing waiting list from the Liberals of 34 618 applications. As housing minister in the Baillieu and Napthine governments, my department and I had worked hard to house families and reduce that waiting list to that figure after inheriting a waiting list of 41 212 applications from the Brumby Labor government.

Over the last eight years of Labor the social housing waiting list has exploded to 55 097 applications, an increase of 59 per cent under the Andrews Labor government. Worse still, Labor do not want Victorians to know the true number of families languishing on the waiting list and are deliberately hiding the latest figures. The minister has refused to release the June quarter figures on the social housing waiting list despite us now being in late September and the September quarterly figures being due in 10 days time. Even more appalling is Labor's treatment of those Victorians seeking priority housing, with applications going from 9990 families in September 2014 to 30 508 today, an increase of 207 per cent. These families are some of the most vulnerable Victorians, including those that are homeless, those escaping the trauma of domestic violence, those living with a disability and those that have special housing needs. But Labor is content to let them languish on the priority housing waiting list and wait while this government attempts to hide the truth from Victorians. These figures, we need to remember, are applications—they are full households. An average household size in Victoria is 2.54, so if you multiply those 55 097 applications by that figure, it is almost 140 000 Victorians languishing on Labor's waiting list—more than we will see at the MCG this Saturday.

PIPECON

Mr MEDDICK (Western Victoria) (17:53): (2128) My matter this evening is for the Minister for Local Government, and the action I seek is that she investigate whether proper procurement processes were followed by the City of Ballarat in the awarding of a \$2 million contract to a company that was convicted of killing two workers and is under investigation by the DPP for killing a third. Pipecon killed Charlie Howkins and Jack Brownlee in 2018, and just two years later, in 2020, another worker died working for Pipecon. The timing of the contract coincided with the announcement in Ballarat of the government's fair jobs code, a document that specifically seeks to ensure the safety compliance and record of companies who wish to win contracts funded by public money. The City of Ballarat's decision flies in the face of the principles of the code. Further, the council's own procurement policy states that the OH&S schedule may be subject to review by the safety and risk unit as determined by the tender panel. Whether this happened in the case of Pipecon and the Tate Street project has not been disclosed.

All workers deserve to go home, and the awarding of this contract to Pipecon has both workers and the public outraged and concerned that they will kill more. I hope the minister will respect the memories of these dead workers and their families and investigate not just the process but whether this company should be allowed to tender for projects using public funds.

DROP PUNT COMMUNITY GROUP

Dr BACH (Eastern Metropolitan) (17:54): (2129) My adjournment matter tonight is for the Minister for Planning. Yesterday I had the great pleasure of catching up again with members of an important community group in Prahran, the Drop Punt community group. Now, I like the Drop Punt community group for a number of reasons. One is the pithy name. The Drop Punt community group has campaigned for years and years to drop the Punt Road public acquisition overlay. Interestingly this is something that the government over a long period of time has been implacably opposed to. This is odd, because under the Punt Road public acquisition overlay a future government could bulldoze a huge number of heritage homes—along Punt Road—pubs and other historic buildings, all to widen the road. My friend Ryan Smith in the other place has for a long period of time mounted the case to drop this overlay. That is the position of the Liberals and Nationals; it was at the last election and it is at this election. However, the government has been opposed to it.

To be fair, we have a new Minister for Planning—as we have a new minister for just about everything—and so I want to reach out to her tonight in a spirit of goodwill to see if she will join with us, with many concerned locals, to put our minds at ease. If you do not have a secret plan to bulldoze many homes and historic pubs and other buildings along Punt Road, why would you wish to keep this overlay? The government even initiated a process in 2016. The Andrews Labor government initiated a ministerial advisory committee process, and do you know what that process determined? It determined that the overlay should be dropped. But the government at that time had a different position.

I do not think it shows weakness to change one's mind in the face of facts. I actually think it shows strength, and I think it would do this new minister much good to show strength and to consider the facts on the table: that we are thinking here about a move to widen Punt Road and to bulldoze a huge number of important buildings and homes. That would be a disaster for local residents, it would add significantly to emissions and it would do nothing for travel times. The Labor government's own process determined that enacting this secret plan would cut only 11 seconds off travel times, so this is not a plan that the government should move ahead with. It was wonderful when I met with the Drop Punt community group, when I was joined by Matt Lucas—not the Matt Lucas from *Little Britain* but the Liberal Party's Matt Lucas, our candidate for Prahran. He too is passionate about dropping this planning process. The action I seek is for the minister to do so.

CRADLE TO KINDER PROGRAMS

Ms MAXWELL (Northern Victoria) (17:57): (2130) My adjournment is to the Minister for Health, and the action I seek is for the minister to reinstate funding to the successful early intervention Cradle to Kinder programs. I must say I was very excited when the government announced in 2021 that it was investing \$335 million over four years in early intervention programs. This funding included Cradle to Kinder and Aboriginal Cradle to Kinder programs, but what we did not know was that this funding was not secure for the long term and the sector has been fighting each year to retain a program that they believe delivers value and real change. Now funding for this program has been cancelled.

The Cradle to Kinder program was established in 2010. It commenced with 10 programs. It has grown to have a strong reputation and be used by many agencies and is highly valued by sector workers and families alike. Cradle to Kinder has been targeted to mothers aged 25 years and under who are identified as at risk or vulnerable and provides intensive case management and engagement when they are pregnant or within six weeks after their child is born, until their child is four years of age. This is strong, early intervention and one of the few that delivers sustained engagement with families over

critical formative years. Referrals to Cradle to Kinder come from multiple areas, including child protection but often from maternal and child health services or other social services when they are known to be vulnerable but before child protection have entered the picture.

The government has shifted the funding for Cradle to Kinder across to the family preservation and reunification response. This program is fine, but it is nothing like Cradle to Kinder. Instead of engaging with a parent while their child is in utero, when they are at risk or identified as vulnerable, the reunification response referral pathway is through child protection, which everyone says is too late. When child protection is involved, it is harder for services to engage, and some behaviours are entrenched. The family preservation and reunification response offers very intensive engagement, but it stops after six months. This abandons families during critical transition periods of a child's engagement, when sleep cycles and behaviours change, and this can trigger stress and upheaval for parents. We know that Monash partnered with MacKillop Family Services to conduct an evaluation of Cradle to Kinder, and the final evaluation is still to be published. We know anecdotally, from speaking to many people across the sector, that this program works. In speaking with those workers, they reinforced to me a strong view that instead of providing a suite of services that can meet the individual needs of clients, we continue to make them fit in a box, and it does not work. I implore the government to restore investment in this program. There is nothing else like it, and vulnerable families need it.

INDEPENDENT CONTRACTORS

Mrs McARTHUR (Western Victoria) (18:00): (2131) My adjournment matter is for the Minister for Industrial Relations. In December last year the Labor government introduced its fair conduct and accountability standards—its latest scheme to undermine the Victorian economy, by proposing to impose stringent regulations on the use of independent contractors. With both the federal and state legislative and executive branches of government now dominated by the political wing of the trade union movement, it seems that only one branch of governance remains sensible on industrial relations in this country—the judiciary.

In February this year the High Court handed down two concurrent decisions in *CFMMEU v. Personnel Contracting* and *ZG Operations Pty Ltd v. Jamsek*. In those judgements the High Court clearly delineated the difference between an employee and an independent contractor. Contrary to the union movement's arguments, the court stated:

The employment relationship with which the common law is concerned must be a *legal* relationship. It is not a social or psychological concept like friendship.

As such the court held that whether a worker is an employee depends ultimately on the contract upon which the business has engaged them—not on abstract notions about the reality of the relationship between the parties, as proposed by the unions. This was a significant victory for common sense but more importantly for business certainty and confidence, given that thousands of businesses across this state engage independent contractors for very legitimate reasons and should not be at risk of liability for considerable employee entitlements or prosecution under this government's oppressive wage theft legislation.

Now Victorian Labor's friends up in Canberra want to throw this certainty into chaos by proposing to regulate on employee-like forms of work and integrate them into the employment-based industrial relations system. The finer details of this proposal are yet to be seen, but rest assured they will not be good, with big unions now dictating the policy of the Commonwealth. At minimum the plan to unnecessarily regulate legitimate forms of independent contracting should not be duplicated at both the state and federal levels. Given that the Commonwealth government is now proceeding with their own policy, I call on the minister to abandon any further development of the fair conduct and accountability standards, which I would remind Minister Pallas was based on a recommendation that called for the Commonwealth to lead in this space, not for a rogue state government to do so.

PUBLIC TRANSPORT ACCESSIBILITY

Dr RATNAM (Northern Metropolitan) (18:03): (2132) My adjournment matter tonight is for the Minister for Public Transport, and my ask is that he expedites the accessibility upgrades to Melbourne's tram network. I recently met with Martin from the Disability Resources Centre, who has been tirelessly advocating for accessibility upgrades for over two decades. We attempted to board a tram on the Lygon Street route, where the numbers 1 and 8 trams take passengers to and from Brunswick and the city. We were unable to board a single tram. Not a single stop along the Lygon Street part of the route is accessible. The stops are narrow and difficult to navigate with a pram or a wheelchair, and while some low-floor trams run along the route, without level access stops these trams are all but useless. An accessible transport network is not just a transport infrastructure issue; it affects people with disabilities, with injuries and with mobility issues and the elderly and those with children in prams. It locks people out from fully participating in society, leaving them reliant on expensive and polluting forms of private transport, like taxis.

We are rapidly approaching the December 2022 deadline for accessibility upgrades to Melbourne's tram network, but by the end of this year the federal transport standards require all of the country's public transport infrastructure to be fully accessible, with the exception of the trains and trams, which have been given another 10 years. In Victoria we are nowhere near meeting this deadline. As the Victorian Auditor-General's Office found in its 2020 audit of the accessible tram network, in 2018–19 just 27 per cent of tram stops were level access, only 38 per cent of the tram fleet was low floor and just 15 per cent of tram services delivered a fully accessible journey with a low-floor tram at a level-access stop. Since then progress has inched along at a snail's pace. Not only will we not meet the December 2022 deadline for accessible infrastructure, but we are not on track to meet the December 2032 tram compliance requirement. In fact at the current rate of construction our network will not be accessible to everyone until 2066.

We must do better. We need a rapid increase in upgrades across the entire network so that our tram network is fully accessible to everyone. I ask the minister to expedite the accessibility upgrades to Melbourne's tram network so that everyone is able to take a tram to where they need to go.

GOVERNMENT PROCUREMENT POLICY

Mr RICH-PHILLIPS (South Eastern Metropolitan) (18:06): (2133) I raise a matter for the attention of the Assistant Treasurer in the other place, and it relates to the government procurement framework. This is something that has undergone extensive reform in the past under the previous government. When I was Assistant Treasurer we undertook a substantial rewrite and consolidation of the procurement framework, simplifying those policies. Some of the elements that were introduced were successful, others less so. Since those changes were made in 2012 and 2013 there have been a number of changes to the procurement framework under the current government over the last eight years. It is now time for a wholesale review and update of the procurement framework because a number of issues have emerged with the current framework, particularly with the additional changes that were made by the current government that have actually made it more difficult for vendors to deal with government and to engage with government.

The Australian Information Industry Association, with which I had a very strong relationship when we were in government, is a very good source of advice to government. Its Victorian policy advisory network produced a paper on procurement reform, making a number of significant recommendations to government. I would like to touch on a couple of those. The first is in relation to procurement thresholds. AIIA is recommending the reintroduction of procurement thresholds. One of the decisions taken previously was to shift to a procurement model which relied on risk and complexity as the basis for determining how procurement was done, rather than having simple dollar thresholds—to adopt an approach used in the private sector. The problem is in the public sector we have a different culture to the private sector and a risk complexity model has simply not worked, so there is now support within the industry to go back to a dollar threshold model whereby different levels of complexity would be

required in procurement based on the value of the procurement. Another is to look at evidence-based decision-making.

One of the key complaints I hear about government procurement is its cost to vendors. In many instances a vendor or a group of vendors will spend more on putting in a bid for a project than the project is actually worth. Government should not be requiring the private sector to spend more on bids than any individual project is worth. So a mechanism whereby governments would capture the cost of bids and report on the cost of bids would hopefully have the effect of driving down the cost of bids, ensuring that government makes procurement processes simpler for lower value procurements to ensure that it is worthwhile for vendors to bid and therefore the government gets a more competitive market. There are a range of initiatives proposed by the AIIA, and what I seek from the Assistant Treasurer is a commitment to this government adopting those changes and reforming the procurement framework.

WESTERN AQUATIC AND EARLY YEARS CENTRE

Ms VAGHELA (Western Metropolitan) (18:09): (2134) My adjournment matter is directed to the Honourable Steve Dimopoulos MP for the minister's portfolio responsibilities of sport and major events. Recently I was briefed by Hobsons Bay City Council on its Western Aquatic and Early Years Centre in Altona Meadows. The Western Aquatic and Early Years Centre is a \$60 million project which incorporates an indoor 25-metre pool, hydrotherapy, learn-to-swim pools, numerous gym rooms, a kindergarten, child care and maternal child health facilities. I understand that the proposed centre will have a strong focus on catering for people with disabilities, especially people on the autism spectrum. Once it is built, this centre will cater for nearly 200 000 people in a 10-kilometre radius, including residents of Altona Meadows, Seabrook, Altona, Laverton, Sanctuary Lakes and Point Cook. Hobsons Bay City Council has developed concept plans for the multifaceted centre and is currently taking those plans to the community. I am advised that already there is great local support for this development, with many residents signing up for regular updates through that consultation process.

Melbourne's west desperately needs community facilities such as the proposed Western Aquatic and Early Years Centre in Altona Meadows, and in particular one that serves autistic children. The Hobsons Bay City Council estimates that it will draw in 500 000 visits each year over 10 years. I am advised that the project will generate 110 jobs during construction and 15 full-time equivalent jobs working at the centre once it is completed. The Hobsons Bay City Council has committed \$20 million to this aquatics and early years centre. It is seeking similar contributions from both the state government and the federal government. The action I seek from the minister is to work with the Hobsons Bay City Council and commit to funding this much-needed project for the residents of Hobsons Bay and the broader Western Metropolitan Region.

HER MAJESTY QUEEN ELIZABETH II

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (18:11): (2135) My adjournment matter tonight is for the attention of the Premier, and it relates directly to the appropriate recognition of Her late Majesty Queen Elizabeth II and her enormous contribution to the Commonwealth and to the world, but in particular to Victoria. We have all been struck, I think, by the outpouring of emotion and respect and the strong understanding of her huge contribution over 70 years on the throne—her selfless approach, her preparedness to work in the interests of the broad Commonwealth, including Victoria. What I am seeking from the Premier is a response to the need to mark Queen Elizabeth II not necessarily through an institution but through, specifically, a statue or two. The first should be somewhere in the central region of Melbourne, and this is a matter that as a state we should take steps to implement. Secondly, I think it would be appropriate in the parliamentary precinct here if there was some formal recognition of Queen Elizabeth II and her enormous contribution to this institution. She did open Parliament here in the early 1950s period, and that was a significant day for Victoria and for this Parliament.

I think it would be appropriate that there be recognition through appropriate statues in public places, one somewhere near the centre of Melbourne and, secondly, we should have some recognition on this precinct as well. I think it would be something that the Premier could respond to and take on as a step forward. Certainly it is important to recognise our constitutional heritage, and that is typified by Queen Elizabeth II and her selfless contribution. I think it is an appropriate recognition of her as certainly the longest serving monarch that the British tradition has had. It is also a recognition of the exemplary role model that she has been for so many women. Across the Commonwealth there is huge respect, and we can play our role in that recognition too.

INDEPENDENT PANDEMIC MANAGEMENT ADVISORY COMMITTEE

Mr LIMBRICK (South Eastern Metropolitan) (18:14): (2136) My adjournment matter is for the attention of the Minister for Health. If we think back to late last year, the debate around the government's proposed pandemic legislation probably represents the most significant legislative challenge the government experienced this term. Like the Liberal Democrats, many Victorians did not trust the government to extend any significant powers. With vaccine mandates preventing most unvaccinated people from working until just a few months ago, and many others still to this day, I think they have been proven right. It was not just these Victorians that were opposed to the bill, however; many representatives of the legal sector and members of this Parliament expressed significant concerns with details of the bill.

A key element that was included in the final version of the bill was championed as an important oversight and transparency measure: the establishment of the Independent Pandemic Management Advisory Committee, otherwise known as IPMAC. I questioned the time line of IPMAC's reporting ability back in November in committee stage. There were also questions about resourcing of IPMAC to ensure that it could deliver reports in a timely manner. Given the lack of transparency and oversight on government decisions during the pandemic I am sure the government understands why I was dubious about IPMAC's reporting abilities. The Attorney-General told us at the time:

There are no arguments in relation to the requirement for transparency, and this bill has a range of measures to ensure that information is provided to not only the public but also to members of this place.

One of the first things the Liberal Democrats did early this year was to refer a motion to IPMAC to try and ensure there was independent scrutiny of the mandatory vaccination orders which were preventing tens of thousands of Victorians from earning a living. I was pleased to see this week that IPMAC also looked at the communication of pandemic orders. There has been a lot of criticism of confusing and poorly communicated directions.

If this government wants to remain true to its promise of IPMAC delivering transparent reports to the people of Victoria, it should release these reports now, yet the government is once again thumbing its nose at the people by relying on administrative elements of the legislation that allow it to hold off on releasing the reports until four sitting days after their delivery. We have only two left. The people of Victoria have a right to know what is in the reports. The people of Victoria have a right to read these reports before heading to the polls in November. If the reports are not released prior to the election, IPMAC will have delivered the people of Victoria nothing during the entire lifetime of the pandemic declaration period. Minister, if these reports are not released, the government will have lied to the Victorian people. They have broken their promise of transparency, and they have shown contempt for the people. I request that the minister commit to releasing these reports by close of business tomorrow.

EASTERN VICTORIA REGION BUS SERVICES

Ms BURNETT-WAKE (Eastern Victoria) (18:17): (2137) My adjournment matter is to the Minister for Public Transport. The action I seek is for the minister to investigate the possibility of adding additional bus routes from Cranbourne to Mornington that stop in suburbs such as Tyabb, Somerville, Moorooduc and Baxter. I would like to thank Aaron Brown, the Liberal candidate for Bass, for bringing this constituent issue to my attention. The constituent has been advocating for quite

some time to have a new bus service that spans from Cranbourne to Mornington linking all the smaller country towns. My constituent relies on bus services to get around and advises me that there are only currently three bus services a day from Pearcedale to Frankston. There is not currently a bus route that goes from Pearcedale and stops in Tyabb, Somerville, Moorooduc and Baxter before heading to Mornington. Residents have no choice but to get one of the limited services to Frankston, which is a 40-minute route, and then swap onto a second bus for a further 40 minutes to get to the Mornington city centre.

Over 94 residents recently signed a petition in favour of the Cranbourne to Mornington service. Unfortunately this petition was not tabled in Parliament due to formatting requirements and the constituents have not been able to get it to me in time for this sitting week, but that number does show wide community support for additional public transport. While services to Frankston are already limited during the week, on a Saturday morning there is just one service to Frankston. Those unable to drive do not have the option of hopping on a bus on a Saturday afternoon or a Sunday to get to the shops or appointments. The residents believe that Coolart Road, Eramosa Road, Frankston-Flinders Road and Baxter-Tooradin Road should be included in any new routes. The population on the Mornington Peninsula is rapidly growing. It is essential that residents in both Bass and Mornington have access to adequate public transport. I call on the minister to investigate the possibility of adding additional bus routes from Cranbourne to Mornington stopping at Tyabb, Somerville, Moorooduc and Baxter.

COVID-19 VACCINATION

Mr QUILTY (Northern Victoria) (18:19): (2138) My adjournment matter is for the Minister for Emergency Services. Vaccine mandates across Victoria are still causing many people and many organisations a great deal of hardship. In the last few weeks my office has been contacted a number of times regarding vaccine requirements around volunteer emergency services. Many volunteers have been locked out of these organisations and continue to be excluded to the detriment of regional Victoria. I spoke at length with two CFA volunteers in north-east Victoria regarding their circumstances. Both served during the Black Summer fires of 2019–20, both in New South Wales and in the Alpine shire. Both were eligible for the National Emergency Medal for their extended service through the Black Summer fires. Medal ceremonies were held in Wodonga and Bright at the end of July. Unfortunately, due to them not disclosing their vaccine status to the CFA, they were not permitted to attend this ceremony to be presented with their medals as CFA firefighters. However, they were permitted to attend the ceremony as members of the public to watch their comrades being presented with their medals.

The National Emergency Medal is a formal recognition that Australia appreciates the efforts and contributions of CFA members during the 2019–20 bushfire crisis. I am a little embarrassed myself that I qualified for this medal. I was only fighting fires that summer for a short time, unlike many who spent months in multiple deployments with all the toll that took. Presentation of this medal recognises sacrifice and service, and it is a great shame these volunteers were excluded. After being excluded for the last year and a half, they are now being allowed to respond to 000 emergency calls under certain circumstances, but they are still not permitted to attend training, brigade meetings or functions or to provide peer-to-peer counselling. Without attending required training, their certification will lapse and they will again be excluded from attending emergencies.

I was also contacted by a constituent stating that in the north-east region all new or present members of the SES need to be fully vaccinated to participate. In regional areas of Victoria our emergency services, including the CFA and the SES, are essential to our communities during times of crisis, whether that be catastrophic bushfire seasons, flooding or storm events or attending motor vehicle accidents. Our CFA and SES volunteers are often first on site and the people we look to for guidance and reassurance. They help our communities prepare for disaster and are the people we look for when things go bad.

Volunteer rates in Australia show a significant drop from 36.2 per cent in 2010 to 28.8 per cent in 2019. We need to do everything we can to attract and keep volunteers, not make it harder. I am baffled as to why we still have these mandates in place for volunteers. They make absolutely no sense and have no scientific backing to support them. Minister, the action I seek is for you to remove all vaccination requirements from the CFA and SES volunteers in order to ensure regional Victoria will have enough trained volunteers to manage the upcoming bushfire season and other emergencies.

COMMERCIAL PASSENGER VEHICLE INDUSTRY

Mr BARTON (Eastern Metropolitan) (18:22): (2139) My adjournment this evening is for the Treasurer. The illegal entry of Uber into the market and the subsequent deregulation has had consequences far and wide. We are all aware of the costs that were paid by Victorian taxi and hire car families. However, I do not believe the Victorian taxpayers are quite aware of the costs they suffered as well. At the time of deregulation in 2017 there were 5600 taxis. Two thousand of these were permits that were leased out by the government for in excess of \$20 000 per year. That is \$40 million a year just from leasing permits that the government is no longer collecting. Consider that we have now got 10 500 taxis and about 80 000 rideshare vehicles. On top of that, the government reduced annual fees for a commercial passenger vehicle driver to a mere \$55 and have not collected this fee for five years. They have of course muddied the water, misleading taxpayers by claiming that these fees were waived in response to COVID. But how can you justify the waiving of fees in 2017, 2018 and 2019? Clearly the government had a crystal ball.

Who loses in all of this: the taxpayer. The supply of wheelchair-accessible vehicles is diminishing, passengers are facing a new norm of predatory surge pricing and drivers are refusing to turn on the meter. The industry is in mayhem and the taxpayers have lost out on hundreds of millions of dollars because of how desperately this government wanted to accommodate Uber. Our streets are plagued with congestion, and the gig economy has been a gateway for creating a new working poor. This only shows the arrogance of this government in treating rideshare like it is not just another taxi.

In the meantime households are being squeezed from all sides. This government has introduced a number of new taxes on Victorians this past term but purposefully neglects the responsibility to collect fees from the commercial passenger vehicle industry. Without doubt Victorian taxpayers have paid a heavy price for the government to accommodate Uber. Treasurer, in the interests of transparency for taxpayers, will you instruct Treasury to calculate just how much revenue this government has foregone since the deregulation of the commercial passenger vehicle industry in 2017?

RESPONSES

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (18:24): Tonight there have been 16 adjournment matters for ministers. One of them was directed to me. Mr Quilty's specific action item in relation to his request is for me as minister to remove all vaccine requirements for emergency services volunteers. That is not a matter for me. That is a matter for the Minister for Health. I do not have a role in relation to that requirement. However, I am happy to acquit his adjournment if he is happy with that.

In relation to the health advice for vaccine requirements for emergency services, a lot of factors were brought into the consideration of that. Particularly in regional areas we talked through the fact that CFA volunteers and SES volunteers in particular are predominantly outside et cetera, but there are certain occasions when they have to enter vulnerable workplaces, particularly aged care facilities, when fire alarms go off and the like. There were particular examples where volunteers may go into vulnerable settings—which was one of the reasons that underpinned the health advice—is my understanding, bearing in mind again that it was not a decision for me. As Mr Quilty has correctly identified, the CFA and SES have worked with the Department of Health to ensure that some functions can continue for people that do not meet the vaccine mandates. I understand that some critical training can occur, and there are some provisions for emergency requirements where appropriate.

ADJOURNMENT

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The advice I have from both the CFA and SES is that operationally the impact is minimal and it is not affecting their ability to protect Victorians, and as we are coming out of winter and further consideration occurs from the Department of Health and indeed the minister, they will be looking at all of those issues. I thank Mr Quilty for his adjournment matter. Hopefully I have given him an adequate response from the perspective of issues he raised. However, the specific action item that he did raise is not a matter for me.

Mr RICH-PHILLIPS (South Eastern Metropolitan) (18:27): I would just like to raise two outstanding adjournment matters if I can. The first is actually 1952 in the name of the Attorney-General, which was asked on 26 May, relating to the cabinet decision register. The second one is 2031 from 2 August for the Minister for Education, relating to technical schools. If I could have those followed up, please, Minister.

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (18:27): I make a personal commitment to Mr Rich-Phillips to get him an answer by tomorrow.

The PRESIDENT: The house stands adjourned.

House adjourned 6.27 pm.