



# **Hansard**

## **LEGISLATIVE ASSEMBLY**

### **60th Parliament**

**Tuesday 26 November 2024**



**Office-holders of the Legislative Assembly**

**60th Parliament**

**Speaker**

Maree Edwards

**Deputy Speaker**

Matt Fregon

**Acting Speakers**

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

**Leader of the Parliamentary Labor Party and Premier**

Jacinta Allan

**Deputy Leader of the Parliamentary Labor Party and Deputy Premier**

Ben Carroll

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

John Pesutto

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

David Southwick

**Leader of the Nationals**

Danny O’Brien (from 26 November 2024)

Peter Walsh (to 26 November 2024)

**Deputy Leader of the Nationals**

Emma Kealy

**Leader of the House**

Mary-Anne Thomas

**Manager of Opposition Business**

James Newbury

**Members of the Legislative Assembly**  
**60th Parliament**

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

<sup>1</sup> Resigned 27 September 2023

<sup>2</sup> ALP until 29 April 2024

<sup>3</sup> Sworn in 6 February 2024

<sup>4</sup> ALP until 5 August 2023

<sup>5</sup> Greens until 1 November 2024

<sup>6</sup> Resigned 23 November 2024

<sup>7</sup> Resigned 7 July 2023

<sup>8</sup> Sworn in 3 October 2023

**Party abbreviations**

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

# CONTENTS

---

MEMBERS	
Member for Prahran .....	4673
Resignation.....	4673
Nationals leadership .....	4673
BILLS	
Justice Legislation Amendment (Anti-vilification and Social Cohesion) Bill 2024.....	4673
Introduction and first reading .....	4673
Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024 .....	4673
Introduction and first reading .....	4673
Terrorism (Community Protection) and Control of Weapons Amendment Bill 2024.....	4674
Introduction and first reading .....	4674
BUSINESS OF THE HOUSE	
Notices of motion and orders of the day .....	4674
PETITIONS	
Community safety .....	4674
COMMITTEES	
Scrutiny of Acts and Regulations Committee .....	4675
Alert Digest No. 16 .....	4675
Environment and Planning Committee .....	4675
Inquiry into Securing the Victorian Food Supply .....	4675
DOCUMENTS	
Documents .....	4675
BILLS	
Subordinate Legislation and Administrative Arrangements Amendment Bill 2024.....	4676
Transport Infrastructure and Planning Legislation Amendment Bill 2024 .....	4676
Council's agreement.....	4676
Agriculture and Food Safety Legislation Amendment Bill 2024.....	4676
Duties Amendment (More Homes) Bill 2024 .....	4676
Roads and Road Safety Legislation Amendment Bill 2024.....	4676
Subordinate Legislation and Administrative Arrangements Amendment Bill 2024.....	4676
Transport Infrastructure and Planning Legislation Amendment Bill 2024 .....	4676
Royal assent .....	4676
COMMITTEES	
Standing Orders Committee .....	4676
Membership .....	4676
MOTIONS	
Community safety .....	4677
Middle East conflict .....	4677
BUSINESS OF THE HOUSE	
Program .....	4677
MEMBERS STATEMENTS	
Croydon electorate festivals .....	4683
Croydon electorate community services .....	4684
Williamstown electorate .....	4684
Ashley Gordon.....	4684
inTouch.....	4685
Transit Soup Kitchen.....	4685
Narre Warren North electorate schools .....	4685
Teacher workforce.....	4685
Peter Yiannoudes.....	4685
Kew electorate road safety.....	4686
Parkville train station.....	4686
Jarrod Bell .....	4686
Leader of the Nationals .....	4687
Frontline workers.....	4687
Local government elections.....	4687
Reservoir High School social media round table .....	4688
Springvale Rise Primary School community hub .....	4688
Local government elections.....	4688
Reservoir Village.....	4688
Climate change .....	4688

# CONTENTS

---

Broadmeadows electorate education .....	4689
Geelong cycling and pedestrian infrastructure .....	4689
Kingswood Primary School .....	4689
Clarinda Primary School.....	4690
Clarinda electorate students .....	4690
Gendered violence .....	4690
Industrial relations .....	4690
Geelong electorate events .....	4690
Emergency services.....	4691
Pakenham electorate charities .....	4691
<b>BUSINESS OF THE HOUSE</b>	
Notices of motion .....	4691
<b>BILLS</b>	
Justice Legislation Amendment (Committals) Bill 2024 .....	4692
Second reading.....	4692
<b>QUESTIONS WITHOUT NOTICE AND MINISTERS STATEMENTS</b>	
Road maintenance .....	4698
Ministers statements: Guru Nanak Lake .....	4700
Bail laws .....	4700
Ministers statements: treaty .....	4701
Economic policy.....	4701
Ministers statements: gendered violence.....	4702
Probate fees .....	4703
Ministers statements: education .....	4703
Economic policy.....	4704
Ministers statements: community safety .....	4706
<b>CONSTITUENCY QUESTIONS</b>	
Nepean electorate .....	4707
Pakenham electorate.....	4707
Ovens Valley electorate .....	4707
Narre Warren South electorate.....	4707
Narracan electorate.....	4708
Cranbourne electorate .....	4708
Rowville electorate.....	4708
Glen Waverley electorate.....	4708
Warrandyte electorate .....	4708
Pascoe Vale electorate.....	4709
<b>RULINGS FROM THE CHAIR</b>	
Constituency questions .....	4709
<b>BILLS</b>	
Justice Legislation Amendment (Committals) Bill 2024 .....	4709
Second reading.....	4709
<b>COMMITTEES</b>	
Parliamentary committees .....	4735
Membership .....	4735
<b>MOTIONS</b>	
Budget papers 2024–25 .....	4735
<b>ADJOURNMENT</b>	
Health system.....	4754
Container deposit scheme .....	4755
Maternal and child health services .....	4755
Bentleigh electorate telecommunications infrastructure.....	4756
Goulburn Valley Highway .....	4756
Place names.....	4757
Cultural heritage assessments.....	4758
Cambridge Reserve dog park .....	4758
Bay Road–Highland Avenue, Sandringham.....	4759
Greenvale Reservoir Park .....	4759
Responses .....	4760

**Tuesday 26 November 2024**

**The SPEAKER (Maree Edwards) took the chair at 12:03 pm, read the prayer and made an acknowledgement of country.**

*Members***Member for Prahran***Resignation*

**The SPEAKER (12:04):** I wish to announce that on 23 November 2024 I received the resignation of the member for Prahran. I will issue a writ for a by-election in due course.

**Nationals leadership**

**Danny O'BRIEN (Gippsland South) (12:05):** I advise that the Nationals party room has elected me as the Leader of the Nationals.

*Bills***Justice Legislation Amendment (Anti-vilification and Social Cohesion) Bill 2024***Introduction and first reading*

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

That I introduce a bill for an act to amend the Crimes Act 1958, the Equal Opportunity Act 2010 and the Bail Act 1977, to repeal the Racial and Religious Tolerance Act 2001 and to make consequential amendments to other acts and for other purposes.

**Motion agreed to.**

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

**Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (12:06):** The Justice Legislation Amendment (Anti-vilification and Social Cohesion) Bill 2024 will expand and strengthen Victoria's anti-vilification laws to better protect all Victorians from the serious harms of vilification and hate conduct.

**Read first time.****Ordered to be read second time tomorrow.****Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024***Introduction and first reading*

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

That I introduce a bill for an act to amend the Gambling Regulation Act 2003 and the Casino Control Act 1991 in relation to precommitment and carded play and for other purposes.

**Motion agreed to.**

**Danny O'BRIEN (Gippsland South) (12:07):** I ask the minister for a brief explanation of the bill.

**Melissa HORNE (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (12:07):** The bill will amend the Gambling Regulation Act 2003 and the Casino Control Act 1991 to establish

a framework to implement precommitment and mandatory carded play in non-casino venues and to amend the permitted spin rates on electronic gaming machines to a minimum of 3 seconds.

**Read first time.**

**Ordered to be read second time tomorrow.**

### **Terrorism (Community Protection) and Control of Weapons Amendment Bill 2024**

#### *Introduction and first reading*

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (12:08): I move:

That I introduce a bill for an act to amend the Terrorism (Community Protection) Act 2003 and the Control of Weapons Act 1990 and for other purposes.

**Motion agreed to.**

**Brad BATTIN** (Berwick) (12:08): I ask for a brief explanation of the bill.

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (12:08): This bill makes amendments to improve the effectiveness and efficiency of the voluntary case management scheme under the Terrorism (Community Protection) Act 2003. It also amends the Control of Weapons Act 1990 to enhance community safety by enabling Victoria Police to exercise without warrant or suspicion unlawful weapon search powers in public places that are in areas declared by the Chief Commissioner of Police to be designated areas, and in a more flexible way, for longer periods and in expanded circumstances.

**Read first time.**

**Ordered to be read second time tomorrow.**

#### *Business of the house*

#### **Notices of motion and orders of the day**

**Notice given.**

**The SPEAKER** (12:10): General business, notices of motion 25 and 26 and order of the day 4, will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 5 pm today.

#### *Petitions*

#### **Community safety**

**Martin CAMERON** (Morwell) presented a petition bearing 9829 signatures:

Issue:

This petition of residents in Victoria draws to the attention of the Legislative Assembly the tragic death of Doctor Ashley Gordon. The petitioners therefore request that the Legislative Assembly calls on the State Government to amend legislation to afford police greater 'stop and search' powers, including the ability for officers to 'stop and search' if they have reasonable suspicion; reinstate section 30B of the Bail Act; and cancel plans to raise the age of criminal responsibility from 10 to 14.

Action:

The petitioners therefore request that the Legislative Assembly calls on the State Government to amend legislation to afford police greater 'stop and search' powers, including the ability for officers to 'stop and search' if they have reasonable suspicion; reinstate section 30B of the Bail Act; and cancel plans to raise the age of criminal responsibility from 10 to 14.

**Ordered that petition be considered tomorrow.**



*Committees***Scrutiny of Acts and Regulations Committee***Alert Digest No. 16*

**Gary MAAS** (Narre Warren South) (12:11): I have the honour to present to the house a report from the Scrutiny of Acts and Regulations Committee, being *Alert Digest* No. 16 of 2024, on the following bills and subordinate legislation:

- Agriculture and Food Safety Legislation Amendment Bill 2024 – house amendment
- Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024
- Inquiries Amendment (Yoorook Justice Commission Records and Other Matters) Bill 2024
- Roads and Road Safety Legislation Amendment Bill 2024 – house amendments
- Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024
- SR No. 31 – Survey Co-ordination Regulations 2024
- SR No. 37 – Subordinate Legislation (Freedom of Information (Access Charges) Regulations 2014) Extension Regulations 2024
- SR No. 49 – Country Fire Authority (Community Fire Refuges) Regulations 2024
- SR No. 68 – Treasury Corporation of Victoria (Prescribed Agencies) Regulations 2024

together with appendices.

**Ordered to be published.**

**Environment and Planning Committee***Inquiry into Securing the Victorian Food Supply*

**Juliana ADDISON** (Wendouree) (12:12): I have the honour to present to the house a report from the Environment and Planning Committee on the inquiry into securing the Victorian food supply, together with appendices and transcripts of evidence.

**Ordered that report and appendices be published.**

*Documents***Documents****Incorporated list as follows:****DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** – The Clerk tabled:

Auditor-General – Report on the Annual Financial Report of the State of Victoria: 2023–24 – released on 22 November 2024

*Climate Change Act 2017:*

Victoria's Climate Science Report 2024

Victorian Greenhouse Gas Emissions Report 2022

*Coroners Act 2018* – Statutory review report under s 118A

*Financial Management Act 1994* – 2024–25 Quarterly Financial Report No 1 – released on 15 November 2024

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

Banyule – C174

Manningham – C139

Melbourne – C451, C464

Mount Alexander – C99

Pyrenees – C55

Victorian Planning Provisions – VC263

Whitehorse – C234

Wyndham – C263

Statutory Rule 129 under the *Transport (Compliance and Miscellaneous) Act 1983*

*Subordinate Legislation Act 1994* – Documents under s 15 in relation to Statutory Rules 126, 127, 128

*Victorian Environmental Assessment Council Act 2001* – Notice of request to the Victorian Environmental Assessment Council for an assessment of State forests in eastern Victoria under s 26C

**PROCLAMATIONS** – Under SO 177A, the Clerk tabled the following proclamations fixing operative dates:

*Drugs, Poisons and Controlled Substances Amendment (Pill Testing) Act 2024* – Whole Act – 12 November 2024 (*Gazette S610, 12 November 2024*)

*Victims of Crime (Financial Assistance Scheme) Act 2022* – Remaining provisions – 18 November 2024 (*Gazette S610, 12 November 2024*).

### ***Bills***

#### **Subordinate Legislation and Administrative Arrangements Amendment Bill 2024**

##### **Transport Infrastructure and Planning Legislation Amendment Bill 2024**

*Council's agreement*

**The SPEAKER** (12:14): I have received messages from the Legislative Council agreeing to the following bills without amendment: the Subordinate Legislation and Administrative Arrangements Amendment Bill 2024 and the Transport Infrastructure and Planning Legislation Amendment Bill 2024.

#### **Agriculture and Food Safety Legislation Amendment Bill 2024**

##### **Duties Amendment (More Homes) Bill 2024**

##### **Roads and Road Safety Legislation Amendment Bill 2024**

#### **Subordinate Legislation and Administrative Arrangements Amendment Bill 2024**

##### **Transport Infrastructure and Planning Legislation Amendment Bill 2024**

*Royal assent*

**The SPEAKER** (12:14): I inform the house that the Governor has given royal assent to the Agriculture and Food Safety Legislation Amendment Bill 2024, the Duties Amendment (More Homes) Bill 2024, the Roads and Road Safety Legislation Amendment Bill 2024, the Subordinate Legislation and Administrative Arrangements Amendment Bill 2024 and the Transport Infrastructure and Planning Legislation Amendment Bill 2024.

### ***Committees***

#### **Standing Orders Committee**

*Membership*

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

That Tim Read be a member of the Standing Orders Committee.

**Motion agreed to.**

*Motions***Community safety**

**David SOUTHWICK** (Caulfield) (12:15): I move, by leave:

That this house condemns the hateful, antisemitic protests that occurred outside Caulfield synagogue last night, stands with Victoria's Jewish community and calls on the Allan Labor government to show leadership and strengthen Victoria's move-on laws and make sure antisemitic thugs face consequences for their actions.

**Leave refused.**

**Middle East conflict**

**Gabrielle DE VIETRI** (Richmond) (12:15): I move, by leave:

That this house:

- (1) notes that the state government will not be renewing its memorandum of understanding with the Israeli Ministry of Defense due to public pressure; and
- (2) calls on Labor to end all partnerships that supply Israel with weapons responsible for the ongoing genocide in Palestine and the destruction of Lebanon.

**Leave refused.**

**David SOUTHWICK** (Caulfield) (12:16): I move, by leave:

That this house condemns the Allan Labor government for covering to the Greens by cancelling Victoria's memorandum of understanding with Israel, condemns the Greens for their antisemitic misinformation and calls on the Allan Labor government to reverse their decision and reopen this important trade opportunity for local Victorian businesses.

**Leave refused.**

*Business of the house***Program**

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (12:16): I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 5 pm on 28 November 2024:

Justice Legislation Amendment (Committals) Bill 2024

Budget papers – motion

Nuclear power – motion

Parliamentary apology to Victorians who experienced historical abuse and neglect as children in institutional care – motion

Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024

Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024.

What an important government business program to spend the last sitting week of this year with our focus on. Late last week, indeed on Thursday, I had the great honour of joining the Premier, the Deputy Premier and so many other ministers and caucus members from this side of the house at a special celebration to mark the commencement of treaty negotiations. This was a really important milestone in our state's history. As members of this house know, when it comes to truth, justice and treaty, it is only this side of the house, a Labor government, that will deliver that for our First Nations people. So it is important that this bill be considered by the house this week. The legislation builds on our commitment to truth-telling, because unless you have a record of the truth you cannot move forward. We have an invitation from First Nations people to listen and understand the story of our nation and the impact of colonisation and to learn from that and to move forward.

I had an extraordinarily profound experience. I was called to Yoorrook, and I had to face in to the many harms that have been caused in our health system to First Nations people as a result of both conscious and unconscious bias. While we talk about the importance of cultural safety in our health system it is really vital to me that we call out what is happening for what it is, and it is racism that is having the impact on First Nations people. It is simply unacceptable to me as health minister that the health outcomes for Aboriginal people are so much worse still than they are for non-Aboriginal people. The stories that are being shared – the stories of discrimination, the stories of babies being born on verandahs because Aboriginal women were not allowed inside a hospital –

**The SPEAKER:** Order! Leader of the House, I ask you not to anticipate debate.

**Mary-Anne THOMAS:** As you can tell, this is a topic which I feel really strongly about, and this is really important legislation. Quite frankly this is legislation that provides those on the other side of the house with an opportunity to demonstrate that they have the courage to stand on the side of First Nations people and stand on the right side of history. Indeed it will be a test for the new Leader of the Nationals, because the Nationals represent a number of seats –

**James Newbury:** On a point of order, Speaker, I am loath to take a point of order on relevance, and I would say that you have advised the Leader of the House to come back to the motion. I believe the Leader of the House is straying somewhat.

**The SPEAKER:** Leader of the House, I ask you not to anticipate debate. Also, Leader of the House, can you clarify for me that at the commencement of your contribution you referred to the legislation and the motions on the paper?

**Mary-Anne THOMAS:** Yes, I did, Speaker.

**The SPEAKER:** Thank you. Can you table it?

**Mary-Anne THOMAS:** Yes. That is my contribution in relation to the Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024. In terms of the Justice Legislation Amendment (Committals) Bill 2024, this bill is about making careful changes to modernise Victoria's committals process. These changes will preserve the important benefits that the committal process provides while minimising duplication of processes in the trial court.

Finally, the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024 is an important enabling step on our government's election commitment to implement Australia's first paramedic practitioners by amending the Drugs, Poisons and Controlled Substances Act 1981 to enable paramedic practitioners to prescribe scheduled drugs within their scope of practice. This is a really important bill. It means that our hardworking paramedics – our advanced life support paramedics, our MICA paramedics – will continue to have pathways to grow their careers that are on-road pathways, that are pathways that are focused on the delivery of patient care. As I said, this is commitment that was given to the people of Victoria and one that this bill will help acquit. I commend this program.

**James NEWBURY (Brighton) (12:22):** I rise to speak on the government business program, and in doing so if I may just take a moment to acknowledge that it is the last sitting week before Christmas, and this Parliament operates because of wonderful people around the building who do incredible hard work to keep this place going. The clerks provide us with advice all the time and do an incredible job to make sure the house and the traditions of the house hopefully continue over time. Also, the staff around the building do an incredible job: the cleaners, the cooks and the staff out the back who look after us and make us coffees. I know Jacquie and her team, and Alex, who makes a mean coffee, do an incredible job out there and look after us. In the spirit of Christmas, I think it is important to acknowledge them, but also our broader staff on all sides of the chamber. We are only what we are because of the support in the teams around us, and our staff work tirelessly for us and for the community – they work incredibly hard for the local communities. I know in my team Elouise Ager,

Victoria Morgan and Edward Bourke are working in my office, and we miss Allie Amey, my office manager who has had twin boys Jack and Luke. We miss her, and we know that she has got two wonderful boys to keep her very, very busy.

In terms of the government business program, the coalition will be opposing it. As the Leader of the House said, this business program includes three bills and three motions. Most noteworthy – and I have spoken about this in previous sitting weeks – is one of the motions is the budget motion, and roughly speaking this motion on the budget will be acquitted at the end of this week, which means that the chance for members in this place to speak about the budget will conclude. The opportunity provided by the government for members to speak on their own budget will no longer be the case after that motion is dealt with at the end of the week.

And what is so notable about that is that about a third of this chamber has not been given an opportunity to speak. There are lots and lots of members in this place who have not been given an opportunity to speak. To have the government's budget motion being effectively moved on by the government at the end of this week while a third of the members of this place have not had an opportunity to speak on it is something that I do not think anyone in this chamber has ever seen – a government killing its own budget debate. It just goes to show, frankly, how bad the budget was – that a third of the members in this place are being denied that opportunity. I know that there are many members on this side who have not had the chance to yet speak about the budget, and so ending their opportunity to speak about the budget is really, really wrong.

There are a number of other motions on the government business program to be dealt with, one of which of course we support and another which is, frankly, nothing more than a sledge motion. The government is using the government business program to play politics, not deal with legislative changes to this great state. It is using it as an opportunity to try and wedge, in some hollow attempt to dredge up a political issue to try and seek political advantage, and you can see that it does not work. You can see that Victorians have seen through this government's games, which is why we obviously are opposed to the manner with which the government business program has been designed. I hear the Leader of the House sighing across the table. That is why I started with some Christmas cheer, Leader of the House, before getting onto our position on the government business program.

But I do note that there is one motion on the program which will stop members speaking about the budget, and that in principle is wrong; all members should at least have an opportunity to speak about the budget no matter how much of a dud budget it was, and to stop a third of the house is wrong. So the coalition will wholeheartedly be opposing the government business program and the political gamesmanship from the government in using the motion for that purpose.

**Daniela DE MARTINO** (Monbulk) (12:27): In the spirit of Christmas, I too would like to acknowledge the fabulous staff in Parliament, in this place, and echo the comments made by the Manager of Opposition Business in acknowledging the fantastic efforts from the clerks through to all the attendants, to the smiles they greet us with when we come along, to the coffees that they make – it keeps us going, that is for sure, and they are fantastic. I do wish them a wonderful break from the hurly-burly of our attendance when we are here in this place. I extend Christmas wishes to everyone: electorate office staff, ministerial staff and all staff out there who work tirelessly in the background, making sure that the wheels turn for all of us.

It is actually my pleasure to discuss the government business program (GBP). This is actually often a hotly contested speaking spot on this side of the house. I like to put myself down for it. I do not always get a guernsey, because there are quite a few of us who like to get up on this side of the chamber and extol the virtues of the government business program that lies before us for the week ahead. We are pretty keen, and this is the final one for the year. I am quite surprised that it has flown so quickly. It has been quite the year. In fact our government's business across 2024 has seen such important legislation put through this house, including an amendment to the constitution of this state to actually enshrine the SEC, so we have had a ripper of a year. We have got another great week to come, and I

am really looking forward to debating the legislation before us, because we are a serious government, and we do not waste a day. We are always seeking to improve the lives of Victorians through policies being put into action via legislation.

So there are three important bills that we are debating this week, and the Leader of the House went into quite some detail about the Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024; this is quite an important piece of legislation. She spoke very passionately about that, and I have to echo her comments. Hearing the truth is absolutely the only way to be able to move forward and to heal, and that is what this legislation works towards.

I am looking forward to speaking on the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024. It is quite an important one; I think it could be a real game changer. I think there will be some really good debates held here in the chamber. Obviously, as the title of the bill gives away, it is seeking to introduce paramedic practitioners, and this is actually a national first. They do not exist elsewhere. Once again we are pioneering something entirely new and shaking things up a bit to bring in best practice and to basically do what we are all here to do, which is to try and make this a better place for everyone, to leave it better than we found it. I know that that is why I am here, and I know that is why basically we are all here. That is a fantastic reason to actually be in this place, to stand up and have robust debates and discuss the finer details of legislation and hopefully come to as much agreement as we possibly can, where we can.

As I have said before in my GBP contributions, everyone in here brings their own story into this chamber, and they bring their constituents' stories into this chamber. Sometimes the emotions in this chamber can be quite raw, and we work very closely together. It is funny: sometimes I have people commiserate to me that I am an MP. That is their first reaction when I tell them what I do for a living. I ask them why; it is because they think this place is just about negativity. When I tell them how much humanity can actually be displayed in this chamber, they are often surprised. I wish they could see it a little bit more.

We have got a great program ahead of us this week. It is disappointing that the opposition will not be supporting it – disappointing but unsurprising – but that is okay, because we will forge ahead. We will be ensuring that we tackle three pieces of legislation. I have mentioned two. The third is the Justice Legislation Amendment (Committals) Bill 2024. This one is actually close to my heart, because this one deals with trying to streamline our committal proceedings to minimise trauma for victims and witnesses. When one has been involved in a trial as a witness, whatever we can do as a government to make that burden less for witnesses and for victims is a worthy cause indeed. It is not an easy process to go through. Wherever we can allay the difficulties there for them, it is absolutely something that we ought to do and that we are seeking to do. I commend our program to the house.

**Jade BENHAM** (Mildura) (12:32): I too rise today to speak on the government business program. As the member for Brighton pointed out, we are opposed to the government business program this week given that there will be several members in this place that will remain unable to speak on the government's budget. I know on this side of the house particularly the member for Morwell, who has waited most of the year to give his contribution on the budget, is eagerly awaiting his chance to contribute. I understand those on the other side may not want to contribute on this dud budget, which is fair enough. There are also many speakers on this side of the house that already have contributed and some that still wish to contribute on the nuclear motion.

The point is that it is the last sitting week before Christmas, heading into a Christmas where cost of living is going to hit families really hard this year, and I am hearing it from constituents every single day – people coming into my office. There could be some things on the legislative agenda to help alleviate the cost-of-living pressures – the pressures on our rural and regional roads perhaps. There could be some legislative change on the agenda this week from the government so that Victorians have some hope leading into Christmas time, but it looks like that hope will remain – two years ago to the day, in fact, it being 26 November.

I would like to take this opportunity to congratulate the Deputy Leader of the Nationals and member for Lowan on 10 years in this place – her 10-year anniversary. That is an extraordinary contribution. She is a member full of integrity, full of credibility, incredibly smart, and I have enjoyed every minute of being in this place with her. While we are talking about anniversaries, I also congratulate my colleagues to my left the member for Shepparton, the member for Morwell and the member for Euroa on two years in this place, which is perhaps cause for celebration a little bit later on.

However, before we get there, of course it has been noted that there are three pieces of legislation on the government business program this week, including the Justice Legislation Amendment (Committals) Bill 2024. I have been speaking to the member for Malvern about this at length after a ministerial briefing, and hopefully this bill will alleviate some of the reliving of trauma and streamline that process.

There are many members from the Nationals holding up the business program. I think every member of the Nationals will be speaking on a bill, including members of the shadow cabinet, who will also be speaking on bills. So everyone gets a chance to contribute during the last week heading into Christmas.

**Tim Richardson** interjected.

**Jade BENHAM:** That is the MO for the Nationals, isn't it, member for Mordialloc? The Nationals are always holding up their end of the bargain when it comes to the speaking program, and that is what we do here because we are a cohesive team.

The Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024 is a good one, and I know the Minister for Health was present while we had the community health alliance in Parliament talking about the community paramedics program. Our paramedics are such an amazing cohort of people. I was actually out with a couple of my dear friends who are paramedics earlier in the week and had some paramedics come into the office to talk to some graduates wondering about pathways and looking to get a job, get into it. The community paramedics program is just wonderful. I am hoping the minister will commit to keeping funding, along with the paramedic practitioners, the community paramedic program at Sunraysia community health. Travis Coombes is the community paramedic. He does a magnificent job, and he raves about the program, and that continuity of care, that relationship with patients, has been brilliant. But the program gives no hope to Victorians leading into Christmas.

**Dylan WIGHT (Tarneit) (12:37):** It gives me great pleasure this afternoon to rise and speak in support of the government business program. There is absolutely one thing that the member for Mildura and I can agree on, and that is that the Nationals are holding up their end of the bargain when it comes to making contributions in this place. In fact I think that they may be the only ones holding up their end of the bargain in that coalition agreement when it comes to making contributions in this place. There are many, many members of that Liberal party room who I would be surprised to hear have made any contributions in this term, and if they have, those have been few and far between.

This government business program this week is all about making Victoria a better place to live, and it does that by keeping people safe and by improving the lives of some of those people in Victoria that need it most. We are all here, in my opinion – and I said it in my first speech – regardless of which side of the chamber you sit on, to make Victoria a better place. We may from time to time disagree on the best way to do that, but I truly believe that that is the purpose that everybody is here for. I truly believe that that is exactly what this government business program goes to this week, which makes it such an incredible disappointment that the opposition have decided to oppose it. It is a disappointment, but as the member for Monbulk said, it is not a surprise. Week after week, time after time we come in here and the opposition have opposed the government business program.

To go to the content of the program for a moment, the member for Mildura and the member for Brighton spoke about the budget motion and how those opposite would like to make a contribution on

the budget halfway through the fiscal year. I would not mind hearing it, to be frank. They could talk about all the fantastic things included in the budget for Tarneit. They could talk about the brand new Tarneit West station – \$145 million worth of transport infrastructure that is going to allow my community to move from Tarneit into the city or Geelong for work or recreation.

**The SPEAKER:** I remind the member for Tarneit to not anticipate debate.

**Dylan WIGHT:** Of course. Thank you, Speaker. As I said, this government business program is all about helping Victorians that need it most and making Victoria a safer place. The Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024 does exactly that. It introduces an Australian first which is going to help keep Victorians safe and in doing so make Victoria a better place to live.

There is also, very importantly for my community, the Justice Legislation Amendment (Committals) Bill 2024, which will modernise and streamline Victoria's committals process by abolishing duplicative tests and reducing retraumatisation of victims. Justice legislation, as I have spoken about in this place before, is always incredibly important to my community. Going through, doing some of the consultation with some of the stakeholders that I have in Tarneit and Hoppers Crossing, they could not be happier with the suite of reforms that we have made in justice legislation during this term, indeed during this year. We are the first state to raise the age of criminal responsibility from 10 to 12, an incredibly important step.

Then there is the Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024. We know how important that is. We know how incredibly important continuing the reconciliation process with our First Nations people in Victoria is, unlike those opposite, who have shamefully walked away from their commitment to treaty in previous months. I commend the government business program to the house.

**Roma BRITNELL** (South-West Coast) (12:42): Thank you, Speaker. Can I begin by wishing you a merry Christmas. I have not done my Christmas cards, but I will thank you for the one last year and anticipate one this year. Can I pass on my merry Christmas to everyone in the chamber but particularly to the clerks and all the people who work so hard behind the scenes, helping us ensure that a fair and equitable process occurs so people's voices in Victoria can be heard through our contributions, so my sincere thankyou for all you do to support us. I would also like to say merry Christmas to all the constituents of South-West Coast, who support me throughout the year and who I hopefully am representing with a strong voice here in the Parliament on South-West Coast's behalf.

Let us hope we all have a very joyful Christmas and that many visitors come to South-West Coast and enjoy our beautiful coastline, our beautiful countryside. We have everything to offer from the South Australian border through to the Great South West Walk, the Tower Hill area, the beaches – they are just too numerous to mention given what beauty we have to share. But please be mindful of our treacherous roads as you venture out of the city. It is hard to navigate roads that are full of potholes, and I genuinely extend my thoughts to make sure you take heed and travel carefully. I will continue my plight here in the chamber of fighting on behalf of South-West Coast to get those roads addressed.

You might want to come by train. The government have been boasting about the upgrade to VLocitys that we have seen recently on the track. Unfortunately we are not going to see the same amount of seats that we had in the past, so just be mindful that if you are going to use the train, you might be standing for considerable parts of the journey. People are complaining left, right and centre, but do not let those things stand in your way. I will be submitting a parliamentary petition this week and letting the government know that this upgrade that has turned out to be a downgrade is not acceptable. I will continue to give people the opportunity over the summer period to add their voice to a petition, and I will share more of that with the constituents later.

Coming to the government business program, we do have on the program an opportunity, perhaps – we have had it suggested before that these opportunities will happen – for us to speak on the budget,



as one-third of the people in the chamber have not had the opportunity yet to speak on this budget, and this budget was handed down in May. It is actually the last sitting of the parliamentary year, and no opportunity has been given to one-third of the chamber to speak on the budget. I am not surprised, because the budget is such a bad budget. The government is intent on hiding it, as it does many things it does not like. It is secrecy, it is the way it hides things and it is just the way this government operates. But when you have got a state like we have now in Victoria, where we as Victorians are taxed more than any other people in any other state in this nation, it is no wonder that the government is ashamed of the fact that despite all those taxes, a terrible budget has blown the debt out to over \$200 billion in the very near future, with a \$25 million interest bill per day in this state. It is no wonder that the government want to hide that and do not want to debate it.

We also have on the government business program a bill that will improve the skills of some of the ambulance officers. This is a bill that I think will do something, but it will not do a lot to actually improve the health situation. With the government's waste and mismanagement, our health system is in crisis. Rather than building hospitals in South-West Coast, where they were promising us that they would build a hospital to scope, we are now in the midst of redesigning that hospital because the government will not give the extra money required to meet the increased costs of construction. This is an opportunity, though, for us to rethink what the needs are. There should be a helipad for South West Healthcare, so during that redesign phase I urge the government to consider a helipad for South West Healthcare so that ambulance officers' time is not taken up going back and forth between the airport and the hospital, which can take several hours. Their time is better spent looking after patients, so it is an opportunity the government should take up.

**Assembly divided on motion:**

*Ayes (50):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (25):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Wayne Farnham, Sam Groth, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bill Tilley, Bridget Vallence, Kim Wells, Jess Wilson

**Motion agreed to.**

*Members statements*

**Croydon electorate festivals**

**David HODGETT** (Croydon) (12:52): I rise today to acknowledge the hard work of the organisers of the Maroondah Festival, which took place on Sunday 10 November, as well as the organisers of the Kilsyth Festival, which took place on Sunday 24 November. Every year I have the pleasure of putting up a marquee at each of these events, and I really enjoy the interaction with constituents as they come and enjoy the many things to do and see. I am aware of the huge amount of time, effort, organisation and stress that goes into putting these events together on this scale, so I would like to put it on record and say thank you for the hard work and dedication in putting such successful events together. I look forward to attending again in the future.

**Croydon electorate community services**

**David HODGETT** (Croydon) (12:53): I would also like to speak on the upcoming festive season, and although it is easy to get swept up in the magic and joy of Christmas, let us remember that this time of year can cause extreme stress on some members of our community. If you can, please consider either making a financial donation or donating non-perishable items to support services like Hope City Mission, Maroondah Community Assist or Helping Hand Croydon so they can pass them on to the vulnerable members of our community. A small contribution could make a huge difference in another person's life and help make their Christmas just a little less stressful and more joyful.

**Williamstown electorate**

**Melissa HORNE** (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (12:54): Another year has flown past, marking significant work and engagement across Williamstown, Altona, Altona North, Spotswood, Newport, South Kingsville, Brooklyn and Seaholme. We kicked off the year with the opening of the redeveloped Altona Pier thanks to a \$19.11 million investment from the Allan Labor government, and the 300-metre pier now features upgraded lighting and improved accessibility for everyone.

Our schools continue to benefit from major upgrades. St Margaret Mary's in Spotswood and St Mary's Primary School, Altona, will receive massive upgrades, and just next week I will be opening Bayside College's STEM centre. Williamstown High's stage 2 performing arts and study centre was opened earlier this year, and of course Wembley Primary School's new building opening is just around the corner. Additionally, St Mary's repurposed a retro Melbourne tram into a wellbeing and learning area, supported by a \$10,000 West Gate Neighbourhood Fund grant and \$5000 raised by parents and staff.

We have continued to work with our local football clubs to develop the *Hobsons Bay Football Forum Advocacy Document*, and road safety and connectivity in our electorate is also seeing improvements at the Wembley Avenue and Francis Street intersection, where new pedestrian technology will now enhance visibility and safety. This weekend the community gardens in Brooklyn will start planting thanks to a \$250,000 investment by the state. These are just some of the highlights of what we have achieved together in 2024, and I look forward to 2025.

**Ashley Gordon**

**Martin CAMERON** (Morwell) (12:55): It has been nearly a year since Dr Ashley Gordon was tragically killed during a home invasion. Dr Ash, as he was affectionately known, was the apple of Catherine and Glen's eye and beloved brother to Tammy, Kerrie, Brad and Natalie. He was a pillar of the Box Hill community and had earned a reputation as a doctor who truly cared for his patients.

Remarkably, even though Ash had died just 10 weeks earlier and the Gordons were still understandably grieving, their minds had already turned to ensuring his death was not in vain. In April the Gordons asked me to sponsor a petition in Ash's memory, and I was honoured to support their calls for the government to take decisive action to address the youth crime crisis. The Gordons have poured themselves into this petition over the last six months and have done work that is nothing short of incredible. Suffice to say this work has already gone a long way to ensuring no family has to suffer like they have. The government has scrapped plans to raise the age of criminal responsibility to 14. It is now a crime to commit an offence while on bail, and police have been given extra stop-and-search powers in certain contexts. But there is more work to do. The government must increase police stop-and-search powers.

To Catherine, Glen, Natalie and Tammy, who are here today, you have already achieved great change, and I know Ash would be immensely proud. To the Premier and Labor government, we all have a duty of care as members of Parliament.

### **inTouch**

**Belinda WILSON** (Narre Warren North) (12:57): Last week the member for Cranbourne, the member for Narre Warren South and I had the opportunity to visit inTouch, a statewide family violence service that specialises in migrant and refugee communities. It was fantastic to see firsthand the incredible work that inTouch are doing, having already supported over 30,000 women from over 100 countries here in Victoria. During the visit I had the chance to see how they provide advocacy, counselling and resources, empowering individuals and families to promote lasting structural and system change. I applaud inTouch for their tireless advocacy, and I look forward to being involved in more of their work in the future.

### **Transit Soup Kitchen**

**Belinda WILSON** (Narre Warren North) (12:57): Transit Soup Kitchen is a fantastic volunteer-run community service in my electorate that provides meals and groceries for those in need. It was my pleasure to represent the honourable Minister for Carers and Volunteers at the Transit Soup Kitchen and Food Support open day. We celebrated the reopening and refurbishment of the kitchen as well as the tireless commitment that Transit volunteers have shown over the last 15 years. I would like to give my absolute heartfelt thanks to Dot, Lisa and the incredible team at Transit for their dedication to their work in our amazing community.

### **Narre Warren North electorate schools**

**Belinda WILSON** (Narre Warren North) (12:58): The holiday season is upon us, and the grade 4 students from my electorate of Narre Warren North have had a fantastic time designing Christmas-themed artwork cards for me. The artworks are festive, featuring Christmas trees, snowy mountains, summer landscapes, Australian animals and lots of joy. A big thankyou goes out to all the hardworking teachers and the principals.

### **Teacher workforce**

**Brad BATTIN** (Berwick) (12:58): I rise today after receiving a message from one of my local students at one of our schools, who came in and did work experience and wrote a statement for us:

The teacher shortage crisis seems to have no end in sight ... As a year ten student attending a public school in Victoria, I am often faced with attending classes without my planned teacher, making it difficult to learn consistently. I know that many classes from all different schools don't have consistent teachers in the classroom. How are we supposed to learn to be workforce ready?

We don't realize it yet, but when all these kids grow up and leave school, there are going to be some serious issues. Currently, students should learn how to focus and engage in class work, instead they are learning which games haven't been blocked on the school internet.

Students need stability in their lives, regular classroom teachers provide crucial effective learning. The teachers who are currently working in schools are now overworked and have less time for creative lesson planning and are not able to provide individualised attention. We know that our schools are working hard to solve the problems, and we know that our teachers are doing their best to manage our learning. But the lack of teachers and leaning on CRTs so much is affecting the students greatly. For example, my year ten English class has been without a teacher for most of the year, and it's starting to show, with no structure there is constant disturbance in the classroom, with kids yelling and throwing things every lesson.

I worry that due to students in classrooms not getting a proper education, they are getting bored and instead of learning, they are engaging in other things, this could be another reason why we are seeing the increased figures of youth crime.

This is a big issue from Holly down at one of my local schools.

### **Peter Yiannoudes**

**Kat THEOPHANOUS** (Northcote) (13:00): I rise to pay tribute to Peter Yiannoudes, a pioneer, a visionary and an enduring inspiration whose passion for cinema shaped Northcote's soul and left an indelible mark on Melbourne's cultural landscape. Peter's story mirrors the hopes, struggles and

triumphs of so many in our community. His legacy is not just one of art and culture but of resilience and belonging. Born in the village of Vouni, Cyprus, Peter arrived in Melbourne in 1956 carrying not just dreams but an unyielding love for storytelling. In 1958 he founded Cosmopolitan Motion Pictures, becoming Australia's first distributor of Greek films. Through his work Peter brought the beauty and strength of Greek Cypriot life to migrants yearning for connection. At the heart of this vision was Northcote's Westgarth theatre. Under his care it became more than a cinema, it became a sanctuary where stories bridged oceans, offering comfort and reconnecting generations to their roots.

Peter's contributions extended far beyond the silver screen. As president of the Cypriot Community of Melbourne and a leader in numerous organisations, he championed justice, unity and the preservation of Hellenic culture. His tireless advocacy for Cyprus built lasting bridges between Australia and his homeland. For his dedication Peter was awarded the Order of Australia Medal in 2013 – a fitting tribute to a life devoted to community advocacy, leadership and the betterment of others. To his wife Katerina and their children Marilyn, Michalis and Irene, I extend my heartfelt condolences. Peter's light may have dimmed, but his legacy shines brightly in the stories he brought to life and the community he inspired. Vale.

#### **Kew electorate road safety**

**Jess WILSON** (Kew) (13:01): I rise to speak about the issues that many residents of Kew have raised about maintenance and safety on our local roads. Unfortunately potholes are becoming a real safety concern in many locations. We often speak about this in the regional context, but it is very true for metropolitan Melbourne as well. In my electorate, on several points along Doncaster Road in North Balwyn, on Balwyn Road between Whitehorse Road and Mont Albert Road and on Studley Park Road in Kew, potholes are increasingly becoming dangerous for motorists.

Pedestrian crossings can also assist the safety of many on our roads in our community. I have previously made representations to the minister regarding the need for pedestrian crossings on Barkers Road near Methodist Ladies' College on Kew; Willsmere Road near the corner of Earl Street, near the roundabout, where many pedestrians cross every day; and at the route 16 tram terminus at the intersection of Cotham and Glenferrie roads, where the tram terminus is set far back from the actual pedestrian crossing. Residents have also expressed concern about the lack of a safe pedestrian crossing on Mont Albert Road. I ask the minister to look at these pedestrian crossings as a matter of urgency.

I also want to raise the longstanding concerns of residents who live on Yarra Boulevard that need attention, from the noise of speeding motorists to intrusive lighting continuing to impact residents overnight, and I hope there is an opportunity for community consultation on stage 2 of the works very soon. I ask the Minister for Roads and Road Safety to look at these issues as soon as possible.

#### **Parkville train station**

**Josh BULL** (Sunbury) (13:03): Last week I was absolutely delighted to take a number of representatives from local groups into the incredible Parkville station, one of five brand new stations to open as part of the Metro Tunnel project next year. It was terrific to be with representatives from Fire Rescue Victoria, the Country Fire Authority, the Victoria State Emergency Service, seniors groups, schools and neighbourhood houses and more to tour the brand new station. I particularly want to give a shout-out to Meredith Heily, one of the invitees who has been working in the hospital precinct for many years. Meredith has been watching construction on the project from her office window for some time, and she was absolutely thrilled to head down to the station to explore what will be next year and to discuss the way that she and so many others will travel thanks to this state-shaping project.

#### **Jarrold Bell**

**Josh BULL** (Sunbury) (13:04): I also want to take this opportunity to congratulate Jarrod Bell, who has become the mayor of the City of Hume: an outstanding, passionate, dynamic, determined and lifelong Sunbury local; somebody who will always put the community first; somebody who I have known for many years; a local person who has dedicated his time serving our local community not

just in emergency services but as a councillor; and someone who will go on to do many great things. Congratulations, Jarrod. Well done.

### **Leader of the Nationals**

**Danny O'BRIEN** (Gippsland South) (13:04): I rise to acknowledge the decision of my colleagues and thank them very much for placing their faith in me as the new Leader of the Nationals. I have been a member of the Nationals for some 22 years I think it is now, having initially come in to work for the then leader Peter Ryan, who was also my predecessor and who I had great respect for. I am absolutely honoured and stoked to be given the heavy title of being the Leader of the Nationals. It is one that I will wear with great pride.

We have been the voice of rural and regional Victoria for over a hundred years now, and we will continue to be so. Standing up for country Victoria is our *raison d'être*, our reason for being, and we will continue to do that. I acknowledge the work of my predecessor Peter Walsh, his wise counsel and his stable leadership for many years now, for 10 years here, and I look forward to working with my team.

I add that the people of Gippsland South will remain my ongoing priority. I remember Tim Fischer once saying he could not be the Leader of the Nationals if he was not the member for Farrer, and he could not be the Deputy Prime Minister if he was not the Leader of the Nationals. Gippsland South will always be my home and the area that I look after.

### **Frontline workers**

**Luba GRIGOROVITCH** (Kororoit) (13:06): As we approach the end of 2024 I want to take a moment to thank all of our frontline workers. They have worked tirelessly all year and will continue to do so during the festive and holiday period. These dedicated individuals will be sacrificing time with loved ones to ensure that we stay safe. From our healthcare workers, including doctors, nurses, paramedics and allied health professionals who continue to give us exceptional care despite the challenges they have faced over the past few years, to those working in public transport, aviation and emergency services, the commitment of these individuals to serving the community does not go unnoticed. To the cleaners, municipal workers, hospitality staff, retail workers, wharfies and everyone who will be on the front line, we thank you for your hard work and dedication.

Our police officers, our firefighters and our emergency service workers also deserve a special mention. You risk your lives every day to protect our communities, often facing dangerous and unpredictable situations. Whether it is responding to emergencies, keeping the peace or saving lives in hazardous conditions, your courage and selflessness is truly inspiring. As we celebrate the holiday season let us remember to show gratitude to those who are making our celebrations possible. Whether it is a simple thankyou when boarding a train or at the check-out at the supermarket, it goes a long way. To all of our frontline workers, thank you. Your work is essential and we are truly grateful for all of your work that you continue to do.

### **Local government elections**

**Bill TILLEY** (Benambra) (13:07): I wish to extend my congratulations to the newly elected and returned councillors in the Wodonga, Indigo and Towong shires. It is the same for all of us, and probably those that have experience of local government as well, but there is nothing easy about winning a popularity contest, and what lies ahead is even more challenging for all of them. I always offer a bit of advice to them: just be careful what you wish for. We understand and have seen, particularly over the previous 10 years, that the councils and the role of the council have significantly changed under this Labor administration, and not necessarily for the best, but I digress. Once they were all the ratepayers' voice, responsible for checks and balances, but they are now largely just a rubberstamp for the machine. Councillors are often gagged from speaking on important local issues and are unable to talk openly and honestly with staff lest they be accused of bullying. It seems absurd, and so it is, but no more absurd than the lottery of the single ward vote, in particular Wodonga council.

It was one of 30 around the state of Victoria that were moved into this system. Direct representation and greater democracy were the justification for the change, but remember this government also issued a veiled threat to council candidates speaking on contentious issues. Peter Connell was one of the many to write me about the ward structure and said he felt cheated, robbed – *(Time expired)*

#### **Reservoir High School social media round table**

**Nathan LAMBERT** (Preston) (13:09): I rise to thank students and staff at Reservoir High for organising a recent social media round table with the Premier. Students raised a number of concerns about social media, including the ways in which it can facilitate bullying, predatory behaviour, social and peer pressures, abuse through anonymous messages and exposure to problematic content, and the issues of distraction and excessive scrolling. There was a very thoughtful discussion in the room about the way in which younger users could be restricted from some of the riskier aspects of social media, including creating public accounts, messaging strangers and anonymous users, accessing explicit material, and scrolling passively for long periods of time. I would like to thank Charlotte, Rick, Makayla, Indi, Jennifer, Mackenzie, Rosie, Aiden and Leonard for their thoughtful contributions. I know the Premier took them on board.

#### **Springvale Rise Primary School community hub**

**Nathan LAMBERT** (Preston) (13:10): I would also like to thank Debbie Cottier, Cathy, Julie and all the team at the Springvale Rise Primary School community hub for hosting a recent children's round table with their wonderful MP the member for Mulgrave. There was a lot of valuable feedback on how to best support parents with infants, toddlers and preschoolers, and we thank Vanessa, Nicky, Robyn, Shruti and all the participants and translators for their contributions.

#### **Local government elections**

**Nathan LAMBERT** (Preston) (13:10): I would like to congratulate Kristine Olaris and Emily Dimitriadis on being elected mayor and deputy mayor of Darebin last night. We look forward to working with both of them throughout their term.

#### **Reservoir Village**

**Nathan LAMBERT** (Preston) (13:10): Finally, can I encourage any MPs considering their Christmas shopping to head in the direction of Edwardes Street and Reservoir Village, where I understand Belinda Thomas and the team have organised for Santa to be present, along with many great foodstuffs and potential gifts.

#### **Climate change**

**Ellen SANDELL** (Melbourne) (13:11): On the weekend I was so proud to attend the Rising Tide blockade at the world's biggest coal port. This Rising Tide blockade was held at the world's biggest coal port in Newcastle, where thousands of people gathered to resist and say 'No more coal and gas'. I was so proud to be one of the thousands of people who paddled out onto that harbour to resist and say we need no more coal and gas in this climate emergency. It is being described as the largest act of civil disobedience in Australia's history, and I want to pay tribute to the courageous people – the over 100 people – who paddled out into that shipping channel, turned around coal ships and stopped coal being exported from that harbour.

This harbour in Newcastle is the world's biggest coal port, and it sees Australian coal exported and shipped around the world to be burnt to fuel the climate crisis. We headed up there because in Victoria we know the Labor Party is still supporting new gas and fossil fuel projects right here. It was so diverse, this blockade. We had unionists, teachers, doctors, miners, young people and First Nations people. You know who was not there? The Labor and Liberal parties and their coal billionaire backers. They were not there, but people power was. And if our governments will not act on the climate crisis and coal, the people will.

### Broadmeadows electorate education

**Kathleen MATTHEWS-WARD** (Broadmeadows) (13:12): I love hearing the ideas of young people, and recently I had the pleasure of hearing from students from Glenroy College, John Fawkner College, Coburg High and Pascoe Vale Girls at the magnificent STEM Centre of Excellence at the Science Gallery at Melbourne University. The kids had a ball, made new friends and showcased their ideas from the inaugural Merri-bek interschool innovators program, with a focus on clean energy. As one group said, when everyone is working together we all benefit. Never a truer word was spoken.

The program is a great example of the opportunities being offered through the *Merri-bek North Education Plan*. It was great to have the Deputy Premier out to Glenroy College to officially launch the plan and announce \$50,000 in funding, building on the previous \$9.2 million upgrade and the recent works updating the oval. The plan has a focus on excellence, wellbeing and improving subject choice, opportunities and facilities. The strong partnerships with universities are already evident, and the soon-to-be built Broadmeadows tech school will broaden opportunities for skills development in local high-growth industries, such as renewable energy, advanced manufacturing, logistics, robotics and IT.

Schools are sharing both resources and expertise, and having had the pleasure of opening the incredible new \$1.9 million arts and technology centre at Pascoe Vale Girls College with the member for Pascoe Vale, this is fabulous news – first-class facilities that all local kids can benefit from. The new \$14.5 million science and visual arts building and new food technology hub under construction at John Fawkner College will also help deliver on the education plan. I am looking forward to being back at the Melbourne Uni STEM Centre of Excellence with the Deputy Premier next week to celebrate another successful year at John Fawkner College.

### Geelong cycling and pedestrian infrastructure

**Darren CHEESEMAN** (South Barwon) (13:14): Over the last few years the relationship between Geelong's cyclists and pedestrians and the City of Greater Geelong has not been ideal. Unfortunately the City of Greater Geelong has taken the opportunity on a number of occasions to reject funding provided to them to provide better cycling and pedestrian infrastructure for the Geelong community. This has been in contrast to the Labor government, which has taken the opportunity to invest in the infrastructure required for our cyclists and pedestrians in the Greater Geelong area. I was very pleased to see that the new Geelong train line duplication has been completed with accompanying walking and cycling infrastructure to provide a greater opportunity for the southern growth corridor of Geelong – the suburbs of Grovedale, Armstrong Creek and Mount Duneed communities – to be able to access the Geelong cycling network. This has been a massive investment, a massive undertaking, and I would like to take the opportunity to acknowledge and thank the workers who have worked on this infrastructure project over the last few years. I am sure many cyclists and many pedestrians will enjoy this new infrastructure.

### Kingswood Primary School

**Meng Heang TAK** (Clarinda) (13:15): Last week I was delighted to represent the Minister for Education at the Kingswood Primary School gym opening. It has been an amazing journey, and the advocacy of the school community should be commended. Well done to the principal Aaron Cox and the school council president Dhani Chandrasegran. Both have been great advocates for the project, along with the school council and the broader school community. It was also great to see the school captains Aaron and Asher and the vice-captains Tyson and Gisela at the opening and to hear about what these works mean for students.

Kingswood is an amazing local school, and it is an amazing project, with the Victorian government investing more than \$8.2 million to build a competition-grade gym, storage area, toilet facilities, foyer space and learning space which can be shared with our community. I know how important these facilities are. Kingswood has a variety of specialist education programs, including physical education,

music, performing arts and Japanese language classes, and I know this new facility will help Kingswood's brilliant teachers to deliver these great classes.

#### **Clarinda Primary School**

**Meng Heang TAK** (Clarinda) (13:16): Also, congratulations to Clarinda Primary School for celebrating its 125th birthday.

#### **Clarinda electorate students**

**Meng Heang TAK** (Clarinda) (13:16): Finally, as this is the last sitting week of the year, congratulations to all of the Clarinda graduates across all of the schools. They have done an amazing job, especially the year 12 students.

#### **Gendered violence**

**Tim RICHARDSON** (Mordialloc) (13:17): This week marks the 16 Days of Activism Against Gender-based Violence across international communities and across Australia and Victoria. It was really moving to join the Minister for Prevention of Family Violence on Friday and 8500-plus Victorians as we marched against gender-based violence and acknowledged the horrific toll that is taken, with gender-based violence taking the lives of women, girls and children in our community. Some 66 women's lives have been taken and more than a dozen kids have lost their lives at the hands of gender-based violence. We know that the challenges around gender-based violence are complex, but it starts with men and boys. It is not all men, as we hear, but all men and boys can make a difference as upstanders in our community by changing those gender inequities and rigid stereotypes, which we know harm both women and men, and research shows that they are some of the drivers of family violence.

We delivered the 227 recommendations in January 2023, but we know some of the hardest elements of reform are changing cultures and attitudes and those damaging gender-based stereotypes. As the Victorian Parliamentary Secretary for Men's Behaviour Change and working closely with the Minister for Prevention of Family Violence, it is really important that we engage all men and boys across communities and ensure that we are all upstanders in challenging those stereotypes, leading to a safer and more inclusive world for women and girls.

#### **Industrial relations**

**Gary MAAS** (Narre Warren South) (13:18): You would think that the brand and reputational damage that Woolworths is sustaining through its appearances at the ACCC over claims of price gouging during the burden of a cost-of-living crisis would be enough, but no, Woolworths has forced 1500 of its warehouse workers throughout Victoria and New South Wales out on strike not only for a better pay deal but also to be treated with some dignity and respect and not like robots, which is what their framework – the Woolworths productivity system known as the framework – is currently doing.

It was really terrific to go out to the Dandenong South distribution centre, which I know the member for Cranbourne did as well, to speak to workers who actually live in my electorate and to hear what they are going through. Hats off to them and also to those at the liquor DC in Laverton North, the regional DC in Barnawartha and over the border at Erskine Park in New South Wales. I would like to congratulate their union for bringing them all together. Unions know when they see an unsafe productivity system, and they just want their workers treated fairly. We all stand in solidarity with those Woolworths workers.

#### **Geelong electorate events**

**Chris COUZENS** (Geelong) (13:20): The Allan Labor government continues to support major events in our beautiful city of Geelong, delivering economic benefits and lots of fun and entertainment. Let me tell you about some of them.



Over this past weekend we saw thousands of people lining the Geelong waterfront for the much-loved annual Geelong Revival Motoring Festival, watching the classic spring cars, the motor show and the vintage fashion event.

On 7 December the Matildas versus Chinese Taipei will be at Kardinia Park. The Matildas playing in regional Victoria provides an opportunity for fans, particularly girls, to watch their idols live, many for the first time. Soccer is a fast-growing sport in the Geelong region, evidenced by the take-up of the tickets.

In January 2025 we will see the annual Festival of Sails, which is on track for a record-breaking regatta, with more than double the regatta entries compared to last year. It is great to have Nic Douglass, also known as ‘Sailor Girl’, as the 2025 ambassador. Nic will broadcast from the Screen on the Green, a new activation designed to make the festival even more immersive for spectators.

As the 2025 Cadel Evans Great Ocean Road Race gears up, it was great to join Cadel to announce a new ambassador for the race, Paris Olympic gold medallist Grace Brown. Grace will lead the people’s ride of 3000 cyclists of all ages and abilities on the same course as their elite cycling heroes.

### **Emergency services**

**Emma VULIN** (Pakenham) (13:21): As we roll on towards summer and the upcoming holiday season I want to acknowledge the commitment and work of our emergency services volunteers, staff and, importantly, their families. Day in, day out on family occasions at Easter, Christmas and every long weekend they are there on call to keep us safe. This does not include the time spent in training to maintain and develop new skills, the upkeep of equipment, attending evening meetings and weekend briefings, community engagement events – the list goes on and on. We thank you for all that you do.

### **Pakenham electorate charities**

**Emma VULIN** (Pakenham) (13:22): I also want to give a special thankyou to all the charities and their volunteers who have worked so hard this year to support people doing it tough, and more so now in the lead-up to Christmas: the Bless Collective, Paddy’s Kitchen, Bobo and her marvellous volunteers at Have a Little Hope, Sammy’s Community Pantry, Salvos, Vinnies, Red Cross, the Sikh Gurudwaras, Afri-Auz, ADRA, Living & Learning Pakenham, Pakenham Library for being the conduit for so many service providers, WAYSS, Orange Door and Anglicare, and all of our other agencies, essential services and individuals who give tirelessly to support, care for and protect our community 24 hours a day, seven days a year, day in and day out. Your efforts and contributions do not go unnoticed and are greatly appreciated. I wish my community all a very happy Christmas and a happy new year.

**The DEPUTY SPEAKER:** Before I call the minister I just want to acknowledge in the gallery Professor Dr Abdürrahim Dusak, member of the Turkish Grand National Assembly for Şanlıurfa and the rapporteur of the Committee on Muslim Communities and Minorities of the Parliamentary Union of the OIC Member States – welcome, sir – and the Consul General of Türkiye.

### ***Business of the house***

#### **Notices of motion**

**Melissa HORNE** (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (13:23): I advise that the government does not wish to proceed with notices of motion, government business, today and ask that they remain on the notice paper.

*Bills***Justice Legislation Amendment (Committals) Bill 2024***Second reading***Debate resumed on motion of Anthony Carbines:**

That this bill be now read a second time.

**Michael O'BRIEN** (Malvern) (13:23): I rise to speak on the Justice Legislation Amendment (Committals) Bill 2024, which has in some senses been a very long time coming. The genesis of this bill to some extent lay in the Victorian Law Reform Commission report on committals, which was tabled in March of 2020. Here we are 4½ years later. The actual terms of reference given to the VLRC were in October 2018, so in effect we were really six years into this journey before we saw a legislative proposal come before the Parliament.

Committal proceedings have been an important part of Victoria's criminal justice system for many years. In effect a committal proceeding provides an opportunity for the Magistrates' Court to consider whether there is sufficient evidence to allow an indictable offence – that is, a serious charge – to go to trial in a higher court, being the County Court or the District Court.

In the words of the VLRC, on page 15 – or actually page xv, because I think they distinguish between the Roman numerals at the start and the Arabic numerals at the end. Perhaps it is easier if I just read paragraphs 13 and 14, which say:

Currently, magistrates must consider the evidence to determine if it is of sufficient weight to support a conviction for an indictable offence (the test for committal or committal determination).

While the rationale for applying a committal test is sound – to provide independent scrutiny of an indictable prosecution – requiring it in all indictable stream matters is unnecessary; therefore the test should be abolished.

The lower courts should, however, be empowered to discharge the accused on application by the defence, on the grounds that there is no reasonable prospect of conviction.

That is from the executive summary of the VLRC's report on committals, tabled in March 2020. I will come back to that because this bill before the Parliament enacts some of the VLRC's reforms but not others. I do not believe that the government has given an adequate explanation to this house or indeed to the people of Victoria as to why only some of the recommendations of the VLRC have been adopted in this bill.

I have consulted widely, as you would expect, in relation to this bill. Perhaps I should just briefly go through what its purposes are. The purpose of the bill is to amend the Criminal Procedure Act 2009 to reform the process for committal proceedings, including by removing the test for committal, extending the prohibition on cross-examination to other proceedings, strengthening the test for granting leave to cross-examine and providing for early committal for trial in the Supreme Court, and to make other miscellaneous amendments. That is essentially the main thrust of what this bill seeks to do.

What the government is proposing in this bill instead is that rather than going to the Magistrates' Court to determine whether a matter has sufficient evidence to warrant it going forward to the County Court for trial, effectively the Magistrates' Court would purely act in a form of case management. The Magistrates' Court would hear some evidence. In most cases cross-examination of prosecution witnesses would not be permitted. The Magistrates' Court would not have to make a decision on whether a matter should proceed to trial. I say this with no disrespect, and I do not think the government means any disrespect, but it would diminish the powers of the Magistrates' Court because it would be limited to effectively a case management type of role – to prepare a case for trial in the County Court rather than actually making a judicial decision as to whether a matter should proceed to trial.

In relation to Supreme Court matters, and the original jurisdiction of the Supreme Court would be really related to matters such as murder and manslaughter, the government is effectively proposing that those matters would go straight to the Supreme Court and that a judicial registrar of the Supreme

Court would undertake the case management aspects of a matter before it was set down for a trial before a Supreme Court judge and jury.

There are very different views in the community as to whether committal proceedings and the current committal test serve a proper purpose or not. I know the Criminal Bar Association of Victoria put out a statement on 30 October 2024, and I know this is a statement with which Victorian Bar also agrees. It refers to the introduction of this bill back in October. It says:

This week, the Victorian Government introduced a Bill into Parliament that is designed to abolish committal hearings. The CBA strongly opposes these reforms and supports the retention of committal hearings and particularly having the ability to cross-examine witnesses.

A committal hearing has traditionally served an important role within the criminal justice system and continues to do so.

The committal test – to determine whether there is evidence of sufficient weight to support a conviction for the offence charged – is a fundamental safeguard in our justice system and ensures that charges where a finding of guilt at trial is highly unlikely or impossible do not proceed to the trial Court. This saves alleged victims, witnesses and accused from unnecessarily undergoing the trial process.

The strength of any prosecution case only becomes apparent once witnesses are required to face cross-examination. It is at that crucial point that deficiencies in the evidence become apparent.

The statement goes on, but in the interests of time I will leave it at that. The Law Institute of Victoria has also expressed concern. They wrote to me on 8 November 2024 regarding this bill, saying:

The LIV does not support the changes proposed to the committals process. In particular, it is strongly opposed to the proposed removal of the committals test and the proposed change to the purpose of committal proceedings. The LIV submits that the proposed amendments risk undermining the benefits delivered by the current committals process, particularly by significantly undermining the capacity of the process to result in the early resolution of matters pre-trial and by failing to address the real causes of delay (i.e., inadequate disclosure practices, inadequate legal aid funding, and inadequate court resources to enable courts to hear matters sooner). They also risk undermining the fundamental rights of accused persons, relevantly the right to a fair trial, as protected at common law and by section 25 of the *Charter of Rights and Responsibilities Act 2006* ... The LIV is also concerned about the proposed limitation of the Magistrates Court's power to dismiss matters pre-trial.

Again, in the interests of brevity I will leave that there at this point. I should also note that I contacted Liberty Victoria, formerly the Victorian Council for Civil Liberties, and sought their view on the bill, and they wrote to me on 4 November this year noting that:

Liberty Victoria **opposes** the Justice Legislation Amendment (Committals) Bill 2024 (Vic) ... which would, amongst other things, abolish the power of Magistrates to discharge matters at Committal, prohibit committal hearings for certain matters, and make it much more difficult for an accused person to be granted leave to cross-examine witnesses at committal.

Liberty Victoria strongly supports the retention of committal hearings as a fundamental safeguard of our justice system.

Committal hearings have long served as a critically important part of the protections afforded in Victoria to persons accused of serious crimes. The current system holds significant value in ensuring adequate disclosure, promoting the early resolution of cases, minimising the impact on vulnerable witnesses and ultimately easing pressure on the criminal justice system.

This is, I suppose, the conundrum that we face in considering this bill. Legal stakeholders – notably, the Criminal Bar Association, the Victorian Bar and the Law Institute of Victoria – are all very opposed to this bill because they believe, number one, it will not lead to the streamlining or speeding up of criminal trial processes; secondly, they believe it could be unfair to an accused; and thirdly, they believe that it may actually lead to more matters proceeding to trial that would otherwise not proceed to trial where the committals test is in place.

Against that, the government and the law reform commission believe that there are many inefficiencies with the current committals system. The government would say that a committals process requires a lot of double handling of evidence and that requiring the Crown to effectively present its case at

committal when these matters would all be tested in a trial is an unnecessary step. The government and the VLRC would question, given the ability of the Director of Public Prosecutions to not ignore a failure to commit a matter to trial by a magistrate but override that through a direct indictment or a direct presentment, what the purpose of a committal process is in that circumstance. There are sensible arguments on both sides in relation to these proposed reforms, so it has been quite a process for me to consult, to wade through it all and to try and determine whether the government has got it right or not.

The government seeks to make it less traumatic for complainants in criminal matters by significantly restricting the ability of defendants to cross-examine them at a committals hearing. So the test for examination is going to be significantly hardened and the variety of matters to which the general prohibition on examining witnesses applies will be extended. There is no question that the government is going to make it much, much harder for a defendant, or a defence counsel more likely, to cross-examine a complainant in a committal process. I should be clear: the government is not proposing the abolition of committals per se. There would still be something called a committal hearing, but it would not lead in the end to a magistrate making a decision applying the committals test. Effectively it would still act as a form of case management and as an opportunity for the Crown to disclose its evidence to the defence. Those restrictions have raised the concerns of many in the legal community because they are not sure that it would be fair to the defendant. This is where these issues can be quite vexed from time to time.

I was reading some material that was provided by Sexual Assault Services Victoria. They are very strongly supportive of this bill. In this piece they were quite critical of a barrister who had expressed concern about this bill, suggesting in effect that concerns about restrictions on cross-examining complainants came from a place of sexism or came from a place of misogyny, suggesting that if you question a complainant, you are implicitly saying that victims should not be believed. I have great respect for SASV, but I disagree with them fundamentally.

In a criminal justice system it is the power of the state against one individual. The power of the entire state against one individual – that is what a criminal justice proceeding is. We cannot go in there with the assumption that every defendant is guilty; in fact the law specifically says they are presumed innocent unless proven guilty. Nor should we go in there with the implication that any complainant is lying, but we cannot also assume that every complainant is telling the truth. That is the purpose of a trial. It is the purpose of a trial to test what is true, and not just to test what is true but to test whether the evidence reaches the bar necessary under criminal law beyond a reasonable doubt to sustain a conviction. Given the very serious consequences that are imposed on people who commit crimes – or should be imposed on people who commit crimes – in this state, I do not accept and I do not agree with the idea that any restriction on examining a complainant or cross-examining a complainant should automatically be supported, because otherwise we are suggesting that complainants cannot be believed. That is not what is about. I think the legitimate concerns that have been raised by a number of organisations and respected legal stakeholders are about trying to ensure fundamental fairness in the system, and that fairness requires that everybody is tested. Those giving evidence on behalf of the Crown must be tested, because otherwise what is the point of a trial? If we just assume that every complainant is truthful and honest in every way, what is the point of a trial? There must be fair testing of the evidence.

This Parliament has put in place changes to laws to make that fairer. We do not want to see complainants being badgered, being bullied, being harassed or having irrelevant matters about their past dragged up to try and discredit them in the eyes of a jury or indeed a committal magistrate. Those changes were welcome, and they are important. It is important that judges apply those laws in courts to protect complainants from being badgered, bullied, harassed and belittled by belligerent counsel. I absolutely support that. This is not about saying complainants do not deserve protection. They absolutely do, but there must also be a fair testing of all evidence, otherwise what is the point of a trial? If we just assume that everybody on one side of an equation can be believed and nobody on the other side can be believed, we can do away with trials entirely. That is not what this system is based on. It

is based on testing everyone's evidence to ascertain the truth and if the evidence reaches the bar required to sustain a conviction. That is what we need to do.

While I have great respect for SASV and understand their support for the bill, I do take issue with them attacking legal figures who have questioned whether further restrictions on cross-examination of complainants can be justified. We need to understand that everyone needs to have their views tested. Finding the truth is ultimately what the trial process is about.

Coming back to the part of the VLRC report that I quoted from before, at paragraph 14 the VLRC did recommend the abolition of the committal test, which this bill seeks to do. But the VLRC did go on to say:

The lower courts should, however, be empowered to discharge the accused on application by the defence, on the grounds that there is no reasonable prospect of conviction.

If I can use mixed metaphors here and delve into constitutional law, it suggests to me that what the VLRC is saying in that recommendation is that while the committals test should be abolished, there should effectively be a reserve power. There should effectively be a red lever that a magistrate can pull on application of the defence where a case is clearly doomed to fail. There should remain that reserve power for a magistrate to be able to make that decision – in the words of the VLRC:

... to discharge the accused on application by the defence, on the grounds that there is no reasonable prospect of conviction.

I asked the government in a briefing why that aspect of the VLRC's recommendations were not being supported. I am paraphrasing and I am trying to be fair, but the response really was, 'Well, that would have simply re-established committals as is.' I do not think that is what the VLRC was envisaging, and I think it is probably unfair to the VLRC to some extent to suggest that that recommendation would simply lead to a committals test by another name. I think it is concerning because sometimes there may be times in which the DPP or the Office of Public Prosecutions would be under considerable pressure – public pressure, political pressure. They have to make decisions independently, but let us not kid ourselves that there is not pressure out there on every independent decision-maker in the justice process. I think the idea that there should not be a 'break glass in case of emergency' capacity for a magistrate to discharge a defendant where clearly the evidence that has come through a committal makes it impossible to secure a conviction. I am very concerned the government has not really properly explained why that recommendation has not been put in place.

It is probably as timely as any other time to move a reasoned amendment to this bill, so I move:

That all the words after 'That' be omitted and replaced with the words 'this house refuses to read this bill a second time until the government:

- (a) explains why it has rejected the Victorian Law Reform Commission recommendation to empower the Magistrates' and Children's courts to discharge the accused on a relevant indictable charge or charges if satisfied that there is no reasonable prospect of conviction; and
- (b) commits to reviewing the implementation of the bill to identify and remedy any demonstrable unfairness to defendants that may be occasioned.'

I will take you through the two limbs of that reasoned amendment that I have just moved. The first is very clearly seeking a proper explanation from the government as to why a very clear recommendation of the Victorian Law Reform Commission is not being adopted in this bill. The VLRC made its recommendations about abolishing the committals test in conjunction with the recommendation that a Magistrates' or Children's Court still has the power to discharge a defendant if it is satisfied there is no reasonable prospect of conviction. It does seem to me that the government is trying to cherry-pick the VLRC's recommendations here. They are quite happy to take the recommendation to abolish the committals test, but they have turned their back on the equally sound recommendation to provide that emergency power – that reserve power or that 'break glass' power, if you want to term it that – to prevent a matter going forward where clearly there is no reasonable prospect of conviction.

When we consider the recent tragic event that took place in Daylesford some time ago when a driver lost control of his car and went into, I think, the beer garden of a hotel and a number of people were tragically killed, that is an example of how the committals process works. Obviously, the DPP was very concerned by what happened. They believed there were grounds for a trial, but at the committal the evidence came out about the defendant's medical conditions and the magistrate made a decision that the matter should not be committed to trial because it was clear in the magistrate's view that the medical condition of the defendant would by definition lead to reasonable doubt in the minds of a properly instructed jury and that could not sustain a conviction. The family and friends of the people who were tragically killed I have no doubt were distraught at what they saw as the fact of justice not having been done, and no doubt there would have been a lot of pressure on the DPP to make sure that the matter went to trial. But that was an example of how a magistrate was able to make a decision that a matter should just not go forward because clearly the evidence was not sufficient or the evidence raised a reasonable doubt which could not sustain a conviction. Under the government's model now, that would not happen; that matter would have gone to trial. Would a properly instructed jury have still come to the same view as the magistrate? I do not know; you would hope so. But we have had instances in Victoria where properly instructed juries have found people guilty of offences which ultimately the higher court decided 7-0 there was no proper basis for. So juries, God love them, do not always get it right.

Imagine a parallel universe where this reform was already in place. When the Daylesford tragedy occurred it would not have gone to a committal proceeding; it would have gone to a trial. A lot of witnesses would have had to give evidence, more so perhaps than would have had to do in the Magistrates' Court, and that would not have led to any reduction in resources. It would have taken more time, more money and more grief for everybody involved. So that is the sort of example where I think it is harder to justify the reforms. But for every example of that you could point to perhaps 99 examples where parties to a criminal proceeding have gone through additional grief and aggravation and trauma and time and delay for having gone through the committal proceedings.

I say all this because I have to say I normally read these bills, I consult on them, I have the bill briefing and I am pretty clear in my own mind as to the way to go, but with this one I have really been in two minds, and that is to some extent what is reflected in the reasoned amendment which I have moved. I am concerned that the government has broken faith, if you like, with that Victorian Law Reform Commission recommendation, and I think the onus is very much on the government to properly explain to this house why it has done that and perhaps to reconsider whether that is the right way to proceed with this bill. But secondly, I do accept and share some of the concerns of the bar, the criminal bar, and the law institute about the potential for this bill to lead to some unfairness to defendants. Given we do have a situation and a system in which the might of the prosecution and the Crown are arranged against one individual defendant, we must always have a mind for the fairness of the system to that individual, with all the resources of the state stacked against them. That is why I think it is important that the government commits to reviewing the implementation of the bill to identify and remedy any demonstrable unfairness to defendants that may be occasioned.

This is a bill which to some extent does mirror reforms which have occurred in other states. I would concede that the sky does not seem to have fallen in in other states where there have been changes to committals there, but I would equally note that in New South Wales there has been a lot of public controversy over recent months involving the New South Wales District Court and judges of the New South Wales District Court – our County Court equivalent – and the New South Wales Director of Public Prosecutions. There have been judges raising concerns that the DPP has been running trials on certain matters in the New South Wales District Court which the evidence does not support. Judges have publicly expressed or queried whether this was some sort of political or other decision that was informed or whether the policy was properly informed by the interests of justice. I know that the DPP has pushed back very strongly against that and has actually made complaints to the New South Wales Judicial Commission against judges who have expressed those sorts of views and concerns, and I think some of those complaints have been upheld to an extent. I put that on the record not having a dog in

the fight, as it were, not knowing who is right and who is wrong, but I do note that the prospect of having less judicial scrutiny of criminal matters in the lower courts could lead to concerns that unmeritorious matters will go to trial. If that happens, obviously there is a great risk of further delay, costing of further resources and causing a lot of trauma to defendants, complainants and witnesses.

This is a bill which, certainly at this point, we will not be opposing on this side of the house. We will not be opposing it, but we have moved the reasoned amendment because we do not think that the government has quite got it right. We do think that the government has an obligation to explain why it has cherry-picked the VLRC's recommendations in relation to committals, and we do think that the government needs to commit to proper review of the implementation of this bill to ensure that if it does appear that defendants are being subject to demonstrable unfairness as a consequence of these changes, that can be remedied very, very quickly. The interests of justice are something that affect every one of us. We have all got an interest in making sure the system is fair to all. The system must be as fair to defendants as it is to complainants, and that should be the nature of the justice system here.

I am usually fairly confident, having read a bill, done my consultation and done my bill briefing, to say this is the way to go, this is the recommendation. This is one that I have spent quite considerable time on because I am not sure that the government has got it right, but I think that reforming committals can deliver some positives to the justice system. On that basis we are prepared to not oppose the bill at this point, but we do think the government has some questions to answer. Those questions are set out in the two limbs of the reasoned amendment which I have put before the house.

I thank all those organisations which have spent a lot of time in providing me with their views: the Law Institute of Victoria, the Victorian Bar, the Criminal Bar Association, Liberty Victoria and Sexual Assault Services Victoria. This is a very important issue. It could lead to some positives; it could lead to unfairness. The weight is really on the government to make sure that it gets this right, not just in passing the bill but in observing its implementation, and if it has got it wrong, get in there and fix it quickly, because the interests of justice require it.

**Sarah CONNOLLY** (Laverton) (13:53): It is not often that I hear those opposite talk about fairness in this state, so it is a pleasure to rise to speak on this bill after the member for Malvern's contribution. I too rise to speak on the Justice Legislation Amendment (Committals) Bill 2024. What we know is that this bill aims to make our court system a lot more efficient by streamlining our committal hearing processes so that cases can be resolved earlier.

Before I make my brief contribution this afternoon, before we go to question time, I will give a big shout-out and also, do I dare say, in the countdown to Christmas, merry Christmas and a happy new year to all of the incredible legal minds working hard to support folks, particularly in Melbourne's west, when it comes to the criminal justice system. I have to say one of the highlights for me this year was going ahead and being there at the official opening and launch of the new offices in the western suburbs for Westjustice and also for Victoria Legal Aid in the heart of Sunshine. It is very important that those lawyers who are protecting some of our most vulnerable Victorians have a workplace that is fit to work in and one that they very much deserve – really nice digs there in Sunshine, I have to say.

This is another justice bill that I am more than happy to speak on, because it shows just how our government, our Allan Labor government, is committed to making our justice system fairer for all Victorians – something that those on this side of the house take very seriously. What this bill does in particular is it deals with the committal hearing stage. This is usually the first and earliest stage of a criminal proceeding in our court system. It is a really important one, where a judge or usually a magistrate has to weigh in and, importantly, consider whether there is sufficient evidence to warrant a full trial for the offence. This is a really important step in determining which cases come to court. It is also responsible for throwing out poor cases that have little or no evidence to support a conviction.

What we are actually trying to do with this bill is not replace or remove these types of hearings in their entirety but make them easier to manage and, importantly, make them more efficient and streamlined

so that cases can progress through our courts in a more timely manner and that cases with poor evidence that are unlikely to be successful are thrown out a whole lot quicker. These changes stem from a 2020 report by the Victorian Law Reform Commission, which made a total of 51 recommendations to reform pre-trial procedures to be more effective. Whilst this bill does not implement all of them at once, these are the changes that we can make now with the existing resources that we do have.

What the bill aims to achieve is replacing the test for committal with a new, modern case management process. Currently, a committal hearing involves a magistrate reviewing the evidence presented to them and considering whether what is being presented is of sufficient weight to support a conviction for an indictable offence. This is the test that, importantly, determines whether there will in fact be a trial, and what the bill does is remove it. This was, importantly, a key recommendation from the Victorian Law Reform Commission, and its removal will allow for magistrates to prioritise case management so that disclosures can be made and the main legal issues that are in dispute can be better identified. It is really important to recognise that this test has been changed and removed over time in other jurisdictions, as the member for Malvern pointed out, including New South Wales, Tasmania and Western Australia. There is actually no time-honoured tradition or legal concept for the court to uphold by modifying or removing this test. In fact the committal hearing actually arose from a time before we had independent police and independent prosecutors, something that is a reality today. I have to say that when I read that, when reading about this bill, I did not quite realise it, and it is something that perhaps from time to time we do take for granted. It is really interesting to be reminded of that.

When we look at the statistics for committal hearings, only about 1 to 2 per cent of cases are discharged at the committal stage, and what this means is that at the moment these hearings are not working as effectively as they could be. What we are seeing is that they are duplicating the process. They are adding time into the resolution of a dispute and causing witnesses and parties additional stress and, sadly, additional trauma associated with the case, not to mention costing courts resources that could be better spent on resolving other cases.

This also reflects the fact that our prosecution system has also evolved since this was first introduced, and today the independent Office of Public Prosecutions have their own systems, importantly, in place for assessing cases that come before them to determine if they believe a case is viable before proceeding to trial with it. The criteria they use is already set out in the directors policy and is readily available online. In other words, the Office of Public Prosecutions are already doing the job that a committal hearing seeks to do, and in extreme cases the Director of Public Prosecutions can even override the decision of a magistrate who determines that a case does not pass the committal test. It is clear that what we have got with the system –

**The DEPUTY SPEAKER:** Order! The time has come for me to interrupt business for question time. The member will have the call when the matter returns to the house.

**Business interrupted under sessional orders.**

*Questions without notice and ministers statements*

**Road maintenance**

**Danny O'BRIEN** (Gippsland South) (14:01): My question is to the Premier. PAEC was told last week there are 487 kilometres of road across the state with reduced speed limits due to the poor state of the road. Will the entire 487 kilometres be fixed and the speed limit returned to its previous level by the end of the summer maintenance program?

**Jacinta ALLAN** (Bendigo East – Premier) (14:02): I thank the newly minted Leader of the National Party for his question. I pay tribute to the former Leader of the National Party and thank him



for his service to the community, and I am sure the Deputy Leader of the National Party is pleased to be in full service of her leader at the table. I was asked a question –

**Emma Kealy** interjected.

**Jacinta ALLAN:** I am sure you are, member for Lowan. The Leader of the National Party asked a question about road maintenance funding and the work on the summer maintenance blitz, and the reason why the Leader of the National Party can ask this question is of course because we are investing \$967 million in this maintenance blitz, an investment that is more than double the average spend that was invested by a previous National–Liberal government. When they were not slashing funding to roads, they were not spending anywhere near the levels of investment that we are spending on regional roads. There are a range of roads –

**Danny O’Brien:** On a point of order, Speaker, on the question of relevance, I ask you to bring the Premier back to answering the question about: will these roads be fixed?

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

**The SPEAKER:** The Premier was being relevant to the question, but I do ask the Premier to give consideration to the question.

**Jacinta ALLAN:** I was asked about the summer maintenance blitz and the \$964 million that we are investing in that summer maintenance blitz, and I know the Leader of the National Party does not want to hear me talk about how that is more than double the average investment that a previous Nationals government spent on road maintenance. One of the challenges with this summer’s road maintenance program is that, alongside the \$964 million that we are investing, there has also been significant damage –

*Members interjecting.*

**Jacinta ALLAN:** As someone who travels all the time on these regional roads, as someone whose electorate was badly flooded on not one occasion in the last two years but in at least two significant flooding events, I have seen that there has been extensive damage. I would advise the Leader of the National Party as he takes on this new role to perhaps get well briefed on how the road maintenance program works, because of course you can only get in there and do that work when it is not raining so you can ensure that that work is done appropriately. That is why we have a summer maintenance blitz. That is why this work is being concentrated over the summer, and we are getting on and upgrading those roads.

*Members interjecting.*

**The SPEAKER:** Order! I remind the Leader of the Nationals that I can hear him at the table now.

**Danny O’Brien (Gippsland South) (14:05):** Apparently the Premier cannot, Speaker, because she does not answer the questions.

**The SPEAKER:** Order! Through the Chair.

**Danny O’Brien:** I did say it through the Chair. The Department of Transport and Planning reported some 1200 Victorians had submitted claims for compensation due to damage to their cars from substandard road surfaces. During a cost-of-living crisis, how many Victorians received compensation?

**Jacinta ALLAN (Bendigo East – Premier) (14:06):** Of course, as the Leader of the National Party would know from his many years serving on the Public Accounts and Estimates Committee, the insurance processes are well laid out. I am advised that they are well laid out in terms of the motorists having to go through their insurance provider in order to work through those claims, so that question is best placed for those insurance companies. We are getting on and investing \$964 million in road

maintenance over this summer maintenance blitz. This is a big investment. It recognises that many regional roads were badly affected by flooding events that affected something like 63 out of the 79 local government areas across the state, which is why we have made this significant and important investment.

**The SPEAKER:** Before I call the ministers statement, I remind members that it is disrespectful to members on their feet to continually interject. Members will be removed from the chamber without warning.

**Ministers statements: Guru Nanak Lake**

**Jacinta ALLAN** (Bendigo East – Premier) (14:07): Diversity is one of Victoria’s great strengths – every family who found work here, every migrant who started a business here, every proud, strong migrant who sacrificed so much to help build the great state we have today. This is a contribution that is worth celebrating, worth recognising and absolutely something to be proud about. Over the next few years thousands of places will need to be named across the state – roads, government buildings, parks, lakes – and that is why my government has a policy to name more of these places to reflect the community they are in.

Earlier this month we gave a local lake a new name – a name that honours the most important religious leader for our Sikh community. Guru Nanak Lake is a fitting symbol of the enormous contribution Victoria’s Sikh community have made to our state. Consider this contribution during the pandemic, fires and floods: Sikh volunteers turned up in their vans, providing free food to everyone in need, no matter who they were, no matter where they came from.

Sadly, there were some that were so offended by this new name they organised a rally – a rally that had only one outcome: to stoke the flames of division and hate. And we know who turned up, neo-Nazis, because when you divide communities you create a void and extremists rush to fill it.

We on this side of the house stand with the Sikh community. We recognise the Sikh community. We named Guru Nanak Lake in honour of the Sikh community. The question for the Leader of the Opposition is: does he stand with that community or stand with neo-Nazis, who drive division and hate?

*Members interjecting.*

**The SPEAKER:** I will not tolerate this level of interjection and noise in the chamber.

**Bail laws**

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:10): My question is to the Premier. Following a home invasion, Dr Ash Gordon, a 33-year-old doctor, was brutally stabbed to death by two teens, one of whom was on bail at that time. His grieving family are in the gallery today. Ash is one of many victims of the government’s decision to weaken bail laws. When will the Premier reverse Labor’s disastrous policy to weaken bail laws?

**Jacinta ALLAN** (Bendigo East – Premier) (14:10): In answering the Leader of the Opposition’s question can I acknowledge the family of Dr Ash Gordon who are in attendance today and extend my condolences to the family. It was a terrible and tragic loss for that family. They are understandably grieving, and during that period of grieving I want to acknowledge the number of occasions and meetings that they have had where they have engaged with the Attorney-General on questions around how we can strengthen bail and how we can strengthen knife laws in this state. I want to thank them for, during that period of time, being part of those discussions in their moments of deep distress and grief.

That is why today in the Parliament we have introduced new powers for Victoria Police to get more knives off the streets and give police more powers to search people with knives. This is in response to

listening to families like the Gordon family but also listening to the advice of Victoria Police about what additional –

**John Pesutto:** On a point of order, Speaker, on relevance, can you draw the Premier back to bail?

**The SPEAKER:** The Premier was being relevant to the question that was asked, but I do ask the Premier to be mindful of the question.

**Jacinta ALLAN:** I was going to absolutely come to the question of bail, but I was also addressing something that I know has been an important issue that has been raised by the family with the Attorney-General and I also believe the Minister for Police. Those laws today that we have introduced have been in response to those discussions and the request from Victoria Police. On the issue of bail, this year, in response to the government putting a package of stronger youth justice reforms, the Parliament has passed that package that includes stronger bail provisions – bail provisions that the opposition opposed during the passage of that bill in the Parliament.

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:13): Having regard to the Premier’s comments just then that supposedly stronger bail laws have been introduced, a 14-year-old accused of a three-day crime spree was recently bailed for the 50th time. A Victoria Police officer who opposed bail told a Children’s Court that:

Anyone who keeps doing this should not be on the streets ...

Why is the Premier unable to keep Victorians safe?

**Jacinta ALLAN** (Bendigo East – Premier) (14:13): In answering the Leader of the Opposition’s question, we have moved to give Victoria Police additional powers through the passage of the Youth Justice Act that I referred to. That includes stronger bail provisions that are applied by the courts – stronger bail provisions that I again remind the Leader of the Opposition he and his party opposed.

#### **Ministers statements: treaty**

**Natalie HUTCHINS** (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (14:14): I rise to update the house of the state’s path to treaty. Last Thursday in the Darebin Parklands on Wurundjeri land, with the sun beaming down, the Treaty Authority – the independent umpire set up with bipartisan support – authorised treaty negotiations to begin in this state. This was witnessed by all of Victoria’s traditional owner groups, who came together to write a new chapter in Victoria’s history – a chapter that ensures that First Peoples are listened to on matters that affect them, that embeds and celebrates First Peoples culture and that makes tangible changes to improving social and economic inequalities. The First Peoples’ Assembly of Victoria and the state are now officially negotiating parties to this agreement. We are committed to negotiating this country’s first treaty in good faith and with transparency.

I know we can all agree on the importance of making sure Aboriginal Victorians can make decisions about matters that affect their lives for this generation and those to come. Treaty is an opportunity to walk side by side towards a better future – to close gaps on incarceration, out-of-home care, health, employment and life expectancy outcomes. If all of us in this house really want all Aboriginal children to grow up to have the same chance to be with their family, to graduate from university, to get a job and to be healthy, as all Victorians deserve, then treaty is the way forward, just as the Australian Productivity Commission has said. I reiterate my offer to everyone in the house: my door is open to you to be briefed on the power of treaty and how it can be used to close the gap and to make sure our state is better for all Victorians.

#### **Economic policy**

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:16): My question is to the Premier. On Friday the Auditor-General found that Victoria’s gross debt will reach \$268 billion due to the Allan Labor government’s mismanagement. This poses, according to the Auditor, ‘a significant risk to future

prosperity and economic stability'. Under the Premier's watch, by how much is Victoria's gross debt growing per day?

**Jacinta ALLAN** (Bendigo East – Premier) (14:16): In thanking the Leader of the Opposition for his question, he refers to a report that was released last Friday by the Auditor-General, a report that went into detail about the state's financial position. Of course the Auditor-General signs off on the budget that is produced every single year. This year's budget included our fiscal strategy, which shows that we are forecast to continue to support a strong economy where we are creating more jobs than any other state and supporting services here in Victoria.

**John Pesutto**: On a point of order, Speaker, on relevance, we just want a straight answer: how much is gross debt growing a day in Victoria?

**The SPEAKER**: The Premier was being relevant and has concluded her answer.

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:17): The Victorian Auditor-General found that:

Prolonged operating losses and ongoing fiscal cash deficits are not financially sustainable, largely because they lead to higher debt levels than otherwise and indicate underlying structural risks.

When will these fiscal cash deficits be turned around?

**Jacinta ALLAN** (Bendigo East – Premier) (14:18): In terms of the fiscal strategy that the Leader of the Opposition referred to, of course that is outlined in the budget.

**John Pesutto**: On a point of order, Speaker, the Premier seems to have misunderstood the question. It is not about fiscal strategy, it is about the fiscal cash deficit. There is a difference.

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

**Jacinta ALLAN**: I am delighted to remind the Leader of the Opposition that step 2 of our fiscal strategy, which of course was in the budget papers, which were signed off by the Auditor-General, demonstrated that we are delivering a net operating cash surplus of \$2.6 billion. Before the Leader of the Opposition gets to his usual excitable self over there, I remind the house of this point: there is one side of the house that is focused on supporting jobs and frontline services and another that wants to bring about an American-style debt cap that only results in an American-style public health system.

*Members interjecting.*

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

**Member for Laverton withdrew from chamber.**

**James Newbury**: On a point of order, Speaker, this is a very basic question of economics, and the Premier is debating the question.

**The SPEAKER**: The Premier has concluded her answer.

### **Ministers statements: gendered violence**

**Vicki WARD** (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (14:20): In 1858 Boon Wurrung woman Louisa Briggs returned to traditional lands after she and other Aboriginal women were stolen by male sealers decades earlier. These women were used as domestic workers, as sex slaves and as sealers. This story is one of the first recorded of gender-based violence in our state. Last Friday I walked with a record 8500 Victorians in Respect Victoria's Walk Against Family Violence. We marked the start of the 16 Days of Activism Against Gender-based Violence campaign. Here and around the world voices are saying 'Enough'. Worldwide a woman is murdered every 10 minutes. I acknowledge the hundreds of thousands of victim-survivors and their families who

live and work among us and with us. I acknowledge the incredible family violence workforce, which has increased fivefold since 2014.

Violence has a ripple effect. Its harm spreads across communities. It costs the Victorian economy more than \$8.3 billion a year across business, government and families. Government has a leadership role to play, and we are leading Australia in the work we have done and continue to do. Community has a role too. We must bring about change together.

Victoria are being leaders. We have invested over \$4 billion in family violence work. This includes the leadership shown by our Premier in announcing the strengthening women's family safety package earlier this year. In 2018 we started building the Orange Door network, which has provided its service to over half a million victim-survivors. We have built better systems that hold perpetrators in view, we have strengthened risk assessments and we are doing more. We are funding a groundbreaking community saturation model pilot for prevention in Ballarat driven by the primary prevention agency we recreated, Respect Victoria. We are strengthening and expanding Respectful Relationships, and the Premier has appointed the member for Mordialloc as the first ever Parliamentary Secretary for Men's Behaviour Change. We will keep doing this work not just over 16 days but every day.

#### Probate fees

**Michael O'BRIEN** (Malvern) (14:22): My question is to the Premier. The Allan Labor government claims that people who cannot afford its increased up-front probate fees can rely on 'legal fee loans, family law loans, credit cards and payments of superannuation'. Why is the Premier encouraging grieving Victorians to raid their super, take out a loan or max out their credit cards to pay her government's new taxes?

**Jacinta ALLAN** (Bendigo East – Premier) (14:23): In answering the member for Malvern's question, of course the member for Malvern neglected to refer to the fact that we have abolished probate fees for small estates. We are keeping medium-sized estate fees cheaper than New South Wales and South Australia, and for the small number of larger estates that are more complex, they are set at that higher rate. I am sure the member for Malvern will share that information with those who are raising these matters with him.

**Michael O'BRIEN** (Malvern) (14:23): As part of the government's probate fee increase consultation, it was proposed that the family home 'should be excluded from the value of the estate to avoid high fees'. The government considered this issue but decided not to act. Why did the Allan Labor government decide to not exclude the family home from its new probate fee system?

**Jacinta ALLAN** (Bendigo East – Premier) (14:24): I have answered this question on previous occasions. We went through a policy process, and we have come up as a result with a system where the probate fees have been abolished for many small estates and are set at a lower rate for medium-sized estates compared to New South Wales and South Australia, and for those larger estates the most an estate will pay in probate fees is 0.24 per cent of an estate's value, making sure that it is set at a rate that is fair to work through the court system, given the complexity of those larger estates.

#### Ministers statements: education

**Ben CARROLL** (Niddrie – Minister for Education, Minister for Medical Research) (14:24): The single most important public investment in our future is in education. Regardless of your postcode, education is the great equaliser and key to our prosperity. Having a strong and cohesive society and respecting and supporting one another all begins with education. That is why the Allan Labor government is committed to providing safe and inclusive learning environments for all Victorian students.

It is also why, as we just heard from the Minister for Prevention of Family Violence, last Friday began the 16 days of activism. On this side of the chamber we were all just recently in Queen's Hall with the Parliamentary Secretary for Men's Behaviour Change to mark the important reform that has happened

under the Allan Labor government when it comes to the prevention of family violence. We heard about the Orange Door initiative and the Ballarat saturation initiative, and another important initiative that came out of the Royal Commission into Family Violence is –

**David Southwick** interjected.

**Ben CARROLL:** I do not tape people, mate.

**The SPEAKER:** Order! Through the Chair, Minister.

**Ben CARROLL:** It all starts with education and respectful relationships. We know when Rosie Batty attended this chamber she spoke about respectful relationships. Respectful relationships begin with education and the curriculum.

We also know why it is so important to study languages other than English. We know that building the Education State is about building the multicultural state. That is why, with the member for Tarneit, we recently had a great meeting with members of the Sikh community from Melbourne's western suburbs. It is why our government is building three beacon schools in the north, west and east to make sure we have all languages taught in our schools, with a particular focus on Punjabi and Hindi. I congratulate the member for Tarneit for his work. From Bentleigh to Berwick, we stand with our Sikh community. We will never be associated with an event that has neo-Nazis. We will continue to stand with the Sikh community.

#### Economic policy

**Brad ROWSWELL** (Sandringham) (14:27): My question is to the Premier. Compared to all other Australian states, Victoria's gross household disposable income per capita has fallen from second in the year 2000 to fifth today, with prominent independent economist Saul Eslake saying:

It ought to be embarrassing for Victorians that it now has lower per capita income than Tasmania ...

Why has Victoria's household disposable income fallen under the Premier's watch?

**Jacinta ALLAN** (Bendigo East – Premier) (14:28): I was asked a question by the leadership aspirant from Sandringham about the comparative strength of Victoria to other states. I am delighted to share with the member for Sandringham that Victoria is creating more jobs than any other state in the nation. On top of that, we are attracting more businesses –

**James Newbury:** On a point of order, Speaker, on relevance, this basic economic question was specifically about disposable income. It was a very basic question, and I would have thought the limbo Premier could answer it.

**The SPEAKER:** Order! I ask the Manager of Opposition Business to be succinct with his points of order. The Premier was being relevant, but I do remind the Premier about the specific question.

**Jacinta ALLAN:** I was asked about the Victorian economy, and I am giving some information on the Victorian economy.

*Members interjecting.*

**Jacinta ALLAN:** The Leader of the Opposition is a bit grumpy today. Did he get his latest invoice from his lawyer in the mail? Has he received the latest invoice?

**James Newbury:** On a point of order, Speaker, the Premier is defying your ruling.

**The SPEAKER:** The member for Brighton is aware that I cannot compel the Premier how to answer a question. I ask the Premier to come back to the question.

**Jacinta ALLAN:** Again, I was asked about the Victorian economy, an economy that is creating more jobs than any other state, that is attracting more business investment than any other state and that is building and completing more homes than any other state. We have a strong economy, as

demonstrated by Deloitte Access Economics, who say that we are amongst the strongest growing economies –

**Brad Rowswell:** On a point of order, Speaker, the Premier is debating the question.

**Mary-Anne Thomas:** On the point of order, Speaker, there is no point of order. The Premier is not debating the question; she is addressing the question. She is taking the opportunity to outline the very many reports that indicate what a strong economy we have here in Victorian, one that grows jobs. I ask that you rule the point of order out of order.

**The SPEAKER:** Order! I remind the Leader of the House to raise points of order succinctly. I do ask the Premier to come back to the question.

**Jacinta ALLAN:** Of course we are firmly on this side of the house focused on households. That is why this week households are receiving their \$400 school saving bonus. It is why we are serving tens of millions of breakfast club meals to kids right across the state. It is why we are supporting families with free kinder so our littlest of learners can go to kinder and not miss out on their lifetime of learning. We know those opposite do not support households in the way we do; that is just a fact.

**John Pesutto** interjected.

**Jacinta ALLAN:** And the Leader of the Opposition has just confirmed that that is a fact. He has just interjected to say that that is a fact.

**James Newbury:** On a point of order, Speaker, the Premier is repeatedly defying your ruling.

**The SPEAKER:** I cannot compel the Premier how to answer a question. The Premier will come back to the question.

**Jacinta ALLAN:** Of course being focused on households means being focused on jobs, because with every job that is created, behind every job is a worker and behind every worker is a family who relies on that pay packet going home to their family every single week. Whether they are on our government infrastructure program, which those opposite want to cut, those are the jobs, those are the workers, those are the Victorian households that those opposite would punish with their debt ceiling. We will support households with real cost-of-living relief and building for the future to ensure that we continue to have the homes and the renewable energy and the infrastructure our growing city and state need.

**Brad ROWSWELL (Sandringham) (14:33):** The Victorian average increase in gross household disposable income per capita in the past financial year was \$1498 lower than all other Australian states. Why are Victorian households going backwards relative to other states under this financially incompetent Premier?

**Jacinta ALLAN (Bendigo East – Premier) (14:34):** We know households would go backwards under a Liberal policy that would introduce a debt ceiling that only results in cutting frontline services, bringing about an American-style public health system.

*Members interjecting.*

**Jacinta ALLAN:** You got the right train today, mate? I need to give you a train lesson.

**Matthew Guy** interjected.

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

**Matthew Guy** interjected.

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

**Matthew Guy** interjected.

**The SPEAKER:** Make that an hour and a half.

**Member for Bulleen withdrew from chamber.**

**Brad Rowswell:** On a point of order, Speaker, again the Premier is debating the question.

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

**Jacinta ALLAN:** As I was saying, we are focused on supporting households with real, meaningful cost-of-living relief that is focused on them. Of course no amount –

*Members interjecting.*

**Jacinta ALLAN:** No amount of uncontrollable interjections from those opposite, particularly the Leader of the Opposition, is going to deny the fact that we are firmly focused on supporting households, providing real cost-of-living relief. Four hundred dollars is going to make a meaningful difference to those families to help them buy a uniform and to support them with getting ready for school next year, a particularly important support at this busy time of the year.

**Ministers statements: community safety**

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (14:36): I rise today to reaffirm our commitment and the Parliament’s commitment to better protecting all Victorians from the serious harms of vilification and hate conduct. Vilification has no place in our community, and it serves only to undermine social cohesion and the benefits that inclusion, multiculturalism and diversity bring to Victoria, something of which all of us are so very proud. We know that Victoria’s diversity is one of our great assets, and we know that each Victorian has the right to feel safe.

Earlier today the Premier and the Attorney-General made announcements of the government’s intention to reform the anti-vilification legislation, a culmination of over three years hard work. The Attorney in the other place has embarked on one of the most transparent and open bill development processes to date – consultation over some 18 months. There are no surprises in the government’s policy position released today. These reforms are one part of wider initiatives being taken across government to address and prevent vilification, hate crimes and violence.

I would like to take the opportunity to thank Victoria Police for the significant role they play in keeping our diverse community safe. The priority and safer communities division of Victoria Police works hand in hand with community leaders across Victoria to understand their needs and support them. An example of this is Operation Park, which has been established by the Chief Commissioner of Police to coordinate the policy and police response to increased reporting of vilification and intimidation that we have seen in relation to the conflict in the Middle East, including increased police patrols at schools, places of worship and important cultural institutions. I know the member for Caulfield and the member for Box Hill know this only too well. As we head into the festive season and the summer break Victoria Police will be at work ensuring Victorians have a safe and happy holiday.

While some opposite are too busy hanging in parks with neo-Nazis and stoking division, we will get on with the business of uniting Victorians.

*Members interjecting.*

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

**Member for Berwick withdrew from chamber.**

**James Newbury:** On a point of order, Speaker, the minister is clearly misusing the ministers statement to attack the opposition.

**The SPEAKER:** Minister, come back to your ministers statement.



**Anthony CARBINES:** Victoria Police, the Allan government and most members of this chamber stand with all Victorians for the purpose of unity.

*Constituency questions*

**Nepean electorate**

**Sam GROTH** (Nepean) (14:39): (920) My question is for the Minister for Police. As the summer months are quickly approaching, the southern Mornington Peninsula will experience a major influx of visitors and short-term residents. This will put significant pressure on our local amenity and our emergency services, especially our local police. Traffic management, public safety and other police functions are frequently in higher demand over the busy holiday period, and it is important that locals and visitors are kept safe. I personally want to take this opportunity to recognise the great work that Victoria Police does and the dedication shown by officers to keep our community safe and secure. My question to the minister is: how many additional police will be allocated to the southern peninsula over the summer period to ensure my community have all of the services they need?

**Pakenham electorate**

**Emma VULIN** (Pakenham) (14:40): (921) My question is for the Minister for Health Infrastructure. When will the internal demolition works be completed on the existing structure of the new Pakenham community hospital? It is currently fenced and screened off for demolition and construction purposes. There has been significant activity at the site. Several constituents have commented on the progress of the Pakenham community hospital build in anticipation of the range of important everyday health services it will bring to my area. The Allan Labor government have been proactive in the investment of building community hospitals in growth areas like Pakenham. This project will take the pressure off nearby major hospitals, enabling more people to manage their health needs closer to home. I look forward to the minister's answer on the progress of this build.

**Ovens Valley electorate**

**Tim McCURDY** (Ovens Valley) (14:41): (922) My question is to the Minister for Roads and Road Safety on behalf of Karen Barber, who is the CEO of King Valley tourism in the beautiful Ovens Valley. The King Valley Tourism Association is seeking signage on Snow Road to indicate where the King Valley is. Many tourists heading from Melbourne to Bright and beyond are getting confused as to exactly where the King Valley winegrowing area is because there is not an actual town on a map. I ask the minister's office for assistance in understanding the process for the tourism signs, permission to erect and location and cost-sharing agreements.

**The SPEAKER:** Member for Ovens Valley, you have time to ask a question. You need a question.

**Tim McCURDY:** Well, I did. I asked the minister for assistance to get these signs erected – where to get them erected.

**The SPEAKER:** That is an action. 'When will the minister provide' –

**Tim McCURDY:** When will the minister provide some assistance? Does that please the Speaker?

**The SPEAKER:** Lucky you had time.

**Narre Warren South electorate**

**Gary MAAS** (Narre Warren South) (14:42): (923) My constituency question is for the Minister for Community Sport and concerns the cricket net upgrade at KM Reedy Reserve. Minister, how will the cricket net upgrade benefit my community in Narre Warren South? The Allan Labor government contributed \$100,000 from the 2022 community cricket program towards the upgraded nets, and the investment complements the City of Casey's funding to ensure that the nets are now finished. Our local sporting groups bring so many together. It is fantastic to see the cricket club and the wider

community utilising those new facilities as we head into the summer cricket season. I am also keen to attend the official opening soon. I look forward to sharing the minister's response with my community.

#### **Narracan electorate**

**Wayne FARNHAM** (Narracan) (14:42): (924) My question is to the Minister for Police, and I ask: when is the minister going to take action addressing policing issues in the Narracan electorate? My community has reported some serious increases in crime, and unfortunately the community of Narracan has very limited policing. We need the 24-hour station in Drouin that does not look like it will be delivered anytime soon. Trafalgar has limited resources, and the town of Rawson looks like it has lost or will lose its single-man police station. I have had increasing reports of crime across the week, and it could be that coming into Christmas there is a bit of a crime spree going on. But unfortunately my community is suffering because of the lack of resources. I look forward to talking to the minister about these issues.

#### **Cranbourne electorate**

**Pauline RICHARDS** (Cranbourne) (14:43): (925) My constituency question is to the Minister for Health. My question is: what are the themes that are emerging from the women's pain inquiry? I was pleased over time to participate in forums, including with the hardworking member for Bass – and the Premier attended this really important forum – and then with the hardworking members for Narre Warren South and Narre Warren North, known in the vernacular as the 'Narres', with the Minister for Health. I also acknowledge the extraordinary work of the member for Northcote in this area. I very much look forward to understanding the outcomes.

#### **Rowville electorate**

**Kim WELLS** (Rowville) (14:44): (926) My question is to the Minister for Roads and Road Safety. When will the government fix the potholes in the electorate of Rowville? During this Parliament the minister has repeatedly said that the roads in Rowville are continually monitored for unsafe road conditions and potholes. I am unsure who is looking at these unsafe road conditions, but they are clearly not doing a better job than the hundreds of constituents who regularly send in photos of the potholes that are littering the Rowville electorate's local roads. Wellington, Lysterfield, Napoleon, Ferntree Gully, High Street and Stud roads and Burwood Highway are all included in this list. Maybe the minister will take a break over the Christmas and New Year period to drive through my electorate of Rowville to see for herself the terrible conditions that our roads are in.

#### **Glen Waverley electorate**

**John MULLAHY** (Glen Waverley) (14:45): (927) My constituency question is directed to the Minister for Education. How many families in the Glen Waverley district will benefit from the school saving bonus? The Allan Labor government understands that cost-of-living pressures are impacting Victorians across the state. We also know that this is especially the case for many families who have additional expenses that arise from their children's schooling. That is why we are stepping in to provide the support that Victorians need to ensure that children are given the best possible opportunities to participate and learn at school. The school saving bonus will provide a one-off \$400 payment to help cover the costs of necessary purchases such as uniforms and textbooks. We also know, however, that it is things like excursions and incursions, sporting events and camps which cause the most financial distress for everyone. Whilst non-compulsory, for a student to miss out is ostracising, lonely and sometimes humiliating. Every Victorian family with their kids in a public school will receive this bonus, giving families meaningful support as they plan their budgets after Christmas and new year for the 2025 school year.

#### **Warrandyte electorate**

**Nicole WERNER** (Warrandyte) (14:46): (928) My question is to the Treasurer, and my question is: when will the Treasurer review the crippling and burdensome land tax increases that are hurting

my community? I have this issue raised with me constantly in my electorate from retirees who have dutifully paid taxes and worked hard their whole professional lives to humble mum-and-dad investors who have sacrificed and done their best to get ahead to aspirational migrant families. I have even had constituents note increases in their land tax bills of 200 per cent to 275 per cent, paying more than \$35,000 a year just in land tax. Locals have told me that they have been forced to sell their homes or businesses because they can no longer afford them. It is no surprise that the *Herald Sun* has reported that thousands of Victorians are refusing to pay their spiralling land tax bills. We know that this is only going to get worse as Labor hikes up taxes more and more as this government continues to smash aspiration in Victoria.

#### **Pascoe Vale electorate**

**Anthony CIANFLONE** (Pascoe Vale) (14:47): (929) My constituency question is for the Minister for Health. How will the Victorian Labor government's landmark women's pain inquiry help support better health and wellbeing outcomes for women? My community of Merri-bek is home to over 171,000 residents, 51.3 per cent of which are women. That is why as a local member, a husband and a father of two young daughters I am committed to doing everything I can to help support better health outcomes for local women and girls. That was why I was delighted to welcome the outcomes of the women's pain inquiry survey recently, which received responses from over 13,000 women and health workers; highlighted the impact painful conditions like endometriosis, pelvic pain, period pain, perimenopause, menopause and migraines have on the lives of women and girls; and highlighted the experiences that many women see when they access health care, including sexism, misogyny and feeling ignored and dismissed by clinicians, who far too regularly attribute their pain to psychological or personality factors. I was pleased through my local community to help support the inquiry survey, including through Christina Jones, an intern from Melbourne University who completed a local women's health report for her internship and completed a survey of local women. I am proud to be part of a government progressing this work.

**Bridget Vallence:** On a point of order, Speaker, a number of questions and adjournment matters still remain outstanding for my community: adjournment 863 to the Minister for Roads and Road Safety on a local Lilydale road; questions on notice to the Minister for Economic Growth – there are four of these – 1753, 1756, 1757 and 1758; and question on notice for the Treasurer 1759. There are 13 items outstanding for the Minister for Jobs and Industry: adjournment matter 833 and questions on notice 1621, 1622, 1623, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767 and 1768. And there are four matters outstanding for the Minister for Skills and TAFE in the other place: questions on notice 1769, 1770, 1357 and 1358. I would appreciate responses for my constituents.

**The SPEAKER:** Could the member for Evelyn please give her list to the clerks for their attention.

#### ***Rulings from the Chair***

#### **Constituency questions**

**The SPEAKER** (14:49): I have reviewed the constituency questions from the last sitting day of the last sitting week. The member for Ringwood asked two questions, and I rule his constituency question out of order.

#### ***Bills***

#### **Justice Legislation Amendment (Committals) Bill 2024**

#### ***Second reading***

**Debate resumed.**

**David SOUTHWICK** (Caulfield) (14:50): I rise to make some comments on the Justice Legislation Amendment (Committals) Bill 2024. In 2018 the Victorian government issued a reference to the Victorian Law Reform Commission to review and report on Victoria's committal system. We

have heard from our Shadow Attorney-General the member for Malvern about some of the processes and the need for doing this. One of the overwhelming issues that there has been in our court system is this huge backlog. The management of our courts is certainly in a mess, similar to many other issues that we are seeing in our state, particularly after 10 years of the Allan Labor government. It is a classic case of justice being denied or delayed in many instances and being delayed because of the backlogs in our court system. The Allan Labor government has had many, many years to try and fix that backlog. It largely could be fixed by investing more into our court system, but we are seeing that not happen – quite the opposite – and largely a lot of investment taken out of the court system and our justice system, and ultimately the backlog that we are now experiencing.

The Allan Labor government is seeking to abolish committal hearings following the Victorian Law Reform Commission report that, as I said, was done in 2018. The change is being opposed by a number of people, including Liberty Victoria, the Victorian Bar and the Law Institute of Victoria. Some of the issues that these bodies had with some of the changes include, as the Victorian Bar said:

The committal test – to determine whether there is evidence of sufficient weight to support a conviction for the offence charged – is a fundamental safeguard in our justice system.

So we need to ensure that we do get it right, and the precommittal effectively helps to do that. This will be important, to ensure that there is that safeguard mechanism. It went on:

It ensures that where a finding of guilt at trial is highly unlikely or impossible, charges do not proceed to the trial Court. This saves alleged victims, witnesses and accused from unnecessarily undergoing the trial process.

It is a kind of precleaning process to be able to go through and test the veracity of the evidence prior to going to full trial and putting people through an undue process of trauma, cost and obviously more delays.

Some of the pros of the changes: as I said, it may speed up the trial process and avoid some of the double handling through the committal process followed by a trial dealing with the same kind of evidence. It is likely to lessen the prospect of a complainant being cross-examined twice – once in committal and again during the trial. Again, particularly when people have been traumatised, to have to relive that trauma is certainly something that you want to try and avoid if you can. Especially on our side of the house we often talk about putting victims first and victims' families first, and that is certainly one of the things that we want to safeguard to help those that are experiencing that trauma as victims of crime. It may reduce the resourcing requirements, which could also assist in reducing the judicial backlog.

But some of the problems with these changes, according to the Victorian Bar, include lawyers worried that a case will be less likely to be resolved prior to a trial unless this model has the prospect of a plea deal – reduced in the absence of a proper test of the prosecution's evidence of committal, which may see more matters go to trial than otherwise. So what it is trying to avoid invariably may do the opposite. And there is the question of fairness to the accused when there are more barriers being placed in the testing of evidence and prosecution witnesses at the committal and where the committal results in a decision not to go to trial. After the recent Daylesford driving deaths, fairness for victims would be at least having a judicial decision to explain it rather than the DPP simply deciding not to continue based on the weakness of the case. It is effectively putting, again, more of the powers in the hands of the DPP and not allowing the proper judicial process to take its course. So pardon the pun, but the jury is out according to the Victorian Bar when it comes to some of these changes.

Victoria is suffering, as I mentioned, a huge, chronic court backlog because of the government's mismanagement, and there are lots of examples of that. The Productivity Commission's *Report on Government Services* examined every Australian jurisdiction's court backlog for 2022–23 and confirmed a whole range of issues in terms of blowouts of waiting times et cetera.

The Magistrates' Court criminal case wait times of more than 12 months are worse than any other mainland state at 18.2 per cent. For people waiting more than 12 months, we are the largest of any

other mainland state at 18.2 per cent. The Magistrates' Court civil case wait times of more than 12 months are the worst of any state at 36 per cent – 36.2 per cent in terms of wait times. That is huge in terms of those numbers. The County Court criminal case wait times of more than 12 months are the second worst of any state at 26.6 per cent. The Supreme Court criminal case wait times of more than 12 months are worse than any mainland state at 28.5 per cent. The cost of finalisation of Supreme Court criminal cases is the highest in the country at \$63,139 per case. The cost of finalisation of Supreme Court civil cases is the highest of any state at \$11,636 per case. Our costs are blowing out, times are blowing out, and certainly there has not been the real emphasis to be able to get those down and to manage that. Ultimately Victorians are paying the price for this in not only a cost which all Victorians bear but also an inadequate service, more delays and all the associated problems that go with a court system that is certainly broken.

Meanwhile we have \$272 million in courts in Wyndham, which was a big fanfare announcement. That complex will not open until 2026 because the Allan Labor government has run out of money and cannot afford to staff it. Again we see the government is really quick to cut a ribbon on a building and say, 'Look at this. We have got all these fantastic courts in Wyndham. Let's go,' but unfortunately, when push comes to shove, you cannot fund the staff to run the courts. It is no use having the buildings if you cannot run the staff, and that is why you have a broken system.

This government cannot add up and are certainly very, very basic when it comes to understanding financial responsibility. They are financially reckless. The Allan Labor government, led by Premier Allan, is absolutely financially reckless, and this is a prime example of that. You cannot announce a court system without staffing it and having that accounted for and properly managed. It is little wonder why we have record debt and why our state is going backwards, simply because this government cannot add up. Hopefully over the summer period we might be able to lend the Premier a calculator and a couple of maths books and see how we can get that fixed, because at the moment the state is going backwards under this government.

Ultimately I do support the Shadow Attorney-General's, the member for Malvern's, perfectly reasoned amendment, which includes that this house declines to read the bill a second time until, firstly, the government explains why it has rejected the Victorian Law Reform Commission's recommendation to empower the Magistrates' and Children's Courts to discharge the accused on a relevant indictable charge or charges if satisfied that there is no reasonable prospect of conviction – pretty self-explanatory. Why would you proceed if the evidence is pretty clear that there is no chance of a conviction? It is just more delays, more cost and more mismanagement. Secondly, important in any new legislation, the government commits to reviewing the implementation of the bill to identify and remedy any demonstrable unfairness to defendants that may be occasioned. That is really important. We have got to get this right. As I said, there are a number of people in the legal fraternity that have issues with this bill. This is quite a big change. We need to ensure that there is fairness when it comes to justice, and in order to ensure these changes do not have unintended consequences that take away that fairness for everybody and every Victorian, this needs to be reviewed. That is why I support the reasoned amendment moved by the member for Malvern.

**Josh BULL** (Sunbury) (14:59): I am pleased to have the opportunity this afternoon to make a contribution on the Justice Legislation Amendment (Committals) Bill 2024 and acknowledge the work that has been done by the Victorian Law Reform Commission (VLRC) in bringing about what are an important set of changes to the house and therefore to the state. I also acknowledge, just before I go to some of the specifics within the legislation before the house this afternoon, the work that is done by all of those within the justice system and the important role of course the courts play and, from a local perspective, some of the work that is being done by organisations, some of which were mentioned earlier in previous contributions – Westjustice and Northern Community Legal Centre (CLC) particularly in my community. They are doing important work, making sure that those within our community who seek and need representation have access to such representation. They go through what are in many instances quite complicated processes but are incredibly well supported.

When it comes to some of those complications within various processes and within the system, Acting Speaker Tak, I am sure that you know and understand and acknowledge this, and members in contributions this afternoon have spoken about this already. This is where the work of the VLRC goes to ensuring that we have a strong, robust and fair system, which is of course very important for not just the system itself but, most importantly, the needs of the community.

This piece of legislation forms what is a broader suite or set of work that has come before the house over the journey. The privilege that we have had to be in government of course goes to some of the work that has been done by way of the report that has been previously mentioned – an important report that looks at processes, efficiencies and, critically, minimising the trauma that can be inflicted during some of these processes, and of course that has been mentioned by others this afternoon. As I mentioned, this bill forms a broader narrative, a larger suite of reforms, that go to both fairness and protection of victims and witnesses. It makes improvements to the system. Making sure, as I mentioned earlier, that we are taking on board that advice for those that are within what is a very complex system – very dynamic, of course – is very important. We know and understand this by way of history, and this has been mentioned earlier.

The committals process was developed before we had independent police prosecution and was also designed to filter out some of those matters that should not be pursued to trial. We know that the 51 reform recommendations that were made by the VLRC were, as I mentioned earlier, the basis of what was contained in the report. The bill before us this afternoon focuses on the reforms that will streamline the processes by maximising our use of existing resources. Specifically – I will just rattle these off – the bill will abolish the test for committal; require committal case conferences in most matters to ensure appropriate disclosure, enabling the accused to know the case against them; support narrowing and early resolution of issues; and promote trial readiness. It will ensure the accused's right to a fair trial by clarifying the need to disclose material that undermines the prosecution case or supports the defence case; reducing duplicative cross-examination by strengthening the test; prohibiting the cross-examination of witnesses and victims in sexual offences, family violence and stalking matters at the committal stage; allowing children and people with cognitive impairments to give prerecorded evidence; fast-tracking the most serious matters to the Supreme Court for management and a faster resolution; and finally, enabling the appropriate use of audiovisual appearances for persons in custody and allowing certain officers and investigations to witness statements.

As I mentioned earlier, what is at the heart of a fair, proper and appropriate system is of course people. We on this side of the house, and I hope all members in their reflections and their contributions on this piece of legislation, know that the work that has been done does need to put those that are affected, often in very complex, very dynamic situations, at the forefront of those reforms. What is really important is of course to acknowledge that the work that has been done to get to this stage is on the basis of what has been some very comprehensive work that has been done thus far. We know and understand, though, that that work is ongoing; it certainly is not a matter of closed book, closed case. This is to ensure that we are bringing in these reforms on the back of what has been some very significant and important work and making sure that the careful changes that are introduced to modernise the committals process preserve the important benefits that our committals process can provide whilst minimising the duplication and ensuring that we are able to speed up the resolution of a number of matters and importantly – critically – to protect victims and witnesses from the trauma of repeated cross-examination.

This goes to some of the points made earlier about making sure that both within the justice system and right across all portfolios of government we are working with those experts. I mentioned Westjustice and Northern CLC before, and I will head towards the conclusion of my contribution this afternoon by acknowledging the work that has been done by those agencies and by so many others that I have not mentioned that do extraordinary work within our community and of course make sure that for those that are harmed, often by serious crime but also by less serious crime within the community, the system is as responsive as it can be and does not put those that have been harmed back in harm's way.

It is always important, as I mentioned earlier, to carefully consider the findings and the recommendations that have been made. When a number of these reports are put together, taking the important recommendations, as we have done in this instance, and also making sure that we are working right across the entire justice system and working with both government agencies and non-government agencies and listening to local communities is of course something that is incredibly important.

There are a range of changes that are contained within this bill before the house this afternoon that go to a number of important pieces of legislation and the work that has been done thus far. I do want to acknowledge that work because that is something that is very important for the government and we know and understand the complexities, the challenges and the dynamic nature that exist within our justice system. All members of Parliament I am sure work with local communities and work with those that have been affected, and I want to again send my best wishes and say thank you to all of those people that do extraordinary work. Making sure that we are listening to and working with local communities and taking the important work that has been done by the commission to bring about what is a series of important changes to the committals process is indeed something that, as a local member and a member of this Allan Labor government, is very important. With those comments I commend the bill to the house.

**Martin CAMERON** (Morwell) (15:09): I rise today to talk on the Justice Legislation Amendment (Committals) Bill 2024, and firstly I would like to thank the member for Malvern for his lead in guiding us through what the changes mean and how long the processes have been going on for. A little bit of background, going back to 2018 the Victorian government issued a reference to the Victorian Law Reform Commission to review and report on Victoria's committal system. The commission was asked to recommend any legislative, procedural or administrative changes to Victoria's committal procedure which could reduce trauma experienced by victims and witnesses – to protect them and short-circuit some of the processes that they need to go through – improve efficiency in the criminal justice system and ensure fair trial rights as they go through. The VLRC reported that each year approximately 3000 criminal cases go through, some from committal proceedings. Around 30 per cent of these resolve in the Magistrates' Court, around 60 per cent are committed to the County Court, and around half of these go to trial. The other half are sentenced following a plea of guilty in the Magistrates' Court; a further 4 per cent are tried and sentenced in the Supreme Court. We can see the process there and how the reforms here are trying to streamline that a little bit more.

In March 2020 a report was tabled in Parliament. The report made 51 recommendations, including the test for committal, which involves a magistrate assessing if the evidence is of sufficient weight to support a conviction for an indictable offence. That is always important, whether that process should be abolished to streamline it a bit. In place of an order for committal, the mechanism for transfer of indictable charges from the lower court should be an order of the Magistrates' or Children's Court that the accused appear for either plea or sentencing in a higher court on a date to be determined.

The court process, as was explained by the member for Malvern, has been a long process. I note that we do not oppose the bill, but the member for Malvern, rightly so I think, has proposed a reasoned amendment. The reasoned amendment goes along the lines that this house declines to read the bill a second time until the government explains why it has rejected the VLRC recommendation to empower the magistrates of the Children's Court to discharge the accused on relevant indictable charges if satisfied that there is no reasonable prospect of a conviction, which makes sense, and commits to reviewing the implementation of the bill to identify and remedy any demonstrable unfairness to defendants that may be occasioned. I think the reasoned amendment that the member has put forward makes sense. As I said, we are supporting what the government has put forward, but we think it could go a little bit further to make sure that we do get it right the first time.

Talking of the court system, today, as people would have seen, from my seat we had the Gordon family come in for the first time to the chamber. The Gordon family lost their son in January, and the court system let them down because the perpetrator of the offence which cost their son his life was out on

bail. It beggars belief that in this day and age this can happen, especially if you are out on bail on multiple occasions, which seems to have been the case. We look right around the state, especially in my seat in the Latrobe Valley – and I do not think it matters what seat you are in – and hear the stories of people that may be going through a court process currently or have been through the process that have had people break into their cars or their houses who have been tracked down by the police and charged and put through the court system. But the court system has failed the people, not the perpetrator; it has failed the people that the crime has been committed against. So I think any changes that we can make to actually swing the justice system and the law back in our favour, where it should lie, is a good thing.

The Gordon family had the opportunity today to talk to the Attorney-General and the Minister for Police and also the Shadow Attorney-General and Shadow Minister for Police to put their case forward. What they have been through no other family should have to go through: losing a son in his early 30s, who was a doctor in Box Hill, because there were some perpetrators that broke in and stole his stuff. Ash, as he would, was flying the flag to get his stuff back, and to have his life ended on the street in those circumstances is an indictment on our justice system. It really is an indictment as we move through at this time. It is something that continues to happen today.

Many a time since I have been here in the last two years we have actually put bills up to strengthen our bail laws which have been defeated by the government of the day. Then down the track the government has brought in laws or a bill that will tighten some of the laws, but they do not go far enough. Our responsibility in this chamber is to every person – it does not matter whether they are male or female, what race they are or what religion they follow. We have got the police making the arrests, and we need to give them more search powers, not powers to be able to search people when they know hours out where that location is going to be. Getting realistic, we can actually have processes put in place that if someone of suspicion is walking down the street, we want to make sure that the people around them are safe. Police should have the powers to pull them up and search them, because most of the time these days, unfortunately, a person that would get searched on the street is probably carrying a weapon, and that is an indictment of the way we live at the moment. We need to make sure that whatever we do, and especially with our courts, the police are out there arresting people to the full letter of the law that we have at that moment. But it is sometimes like a revolving door when they get to court. By the time the police get back to their car, that individual, whether they be young, middle-aged or older, is back out on the street. That is just wrong, because we need to make sure while we are standing here in this chamber that we are protecting our communities right throughout Victoria. I think you have only got to talk to a person on the street – you do not need to know them – and ask them what their biggest fears are, and it will be safety on the street, people breaking into their house and knowing who that person is walking towards you on the street.

As I said, we do not oppose this bill, but I think the government need to take into consideration the reasoned amendment put forward by the member for Malvern. Our job is to make the people of Victoria safe, and we need to make the hard calls.

**Nina TAYLOR** (Albert Park) (15:20): I am very pleased to speak to the Justice Legislation Amendment (Committals) Bill 2024. I am pleased that the opposition have agreed to support the bill, save for the rather obstructive element of a reasoned amendment, which certainly can significantly block – and that is its purpose – the progression of a bill. On that note, I would like to speak to some of the elements that were raised by the Shadow Attorney-General and seek to acquit some of the concerns in that regard.

Firstly, I would say I do concur with the Shadow Attorney-General in characterising committals reform as being complex and far from straightforward. We are absolutely on the same page with that, and that is why certainly as a government we have been very prudent in calibrating this bill to maximise the benefits, reducing duplication and saving parties and courts time and effort and shielding vulnerable victims and witnesses from unnecessary trauma, while making sure – and I think this is a



fairly critical element in terms of the reasoned amendment and the elements it is going to – that appropriate safeguards are in place to ensure a fair trial.

We carefully considered the merits of adding a discharge test but decided not to, because it would erode the efficiencies gained from abolishing the committals test in terms of saving parties and the court from litigating the same issues in the Magistrates' Court and again in the trial court. Importantly, the proposed committal case conferences process will provide an opportunity – here is an important safeguard and an important caveat – for parties to discuss the case, evidence and outstanding issues. In the kind of situation the member for Malvern has described, where there is clearly no case to answer, the DPP would be able to discontinue matters. I hope that that goes some way – I would like it to go all the way, actually – to acquitting some of the concerns raised pertaining to the particular reasoned amendment before the Parliament. Even if this does not occur – to further extend that point – once the prosecution has made its case in the trial court, the defence can make a no-case-to-answer submission. If the trial court agrees, they would be able to discharge the matter at that stage. So there you can see that ensuring fairness is of the utmost importance, particularly in this very delicate context, when we are talking about reforming the committals process.

If I go a little further on that premise or concept, which is a very fundamental tenet of a justice system – that is, making sure that we support the fairest possible outcomes in all situations – in relation to the second limb of the reasoned amendment, if the member for Malvern has any examples of demonstrable unfairness that may stem from this legislation, we would certainly be very happy to take that into account. I say that with the greatest respect for the arguments put forward by the Shadow Attorney-General in the chamber. But we have carefully considered competing interests in the criminal justice system and have concluded the benefits that this bill will deliver are proportional and appropriate, and adequate safeguards will remain in place to ensure a fair trial. These I think are really important elements when we are discussing the reasoned amendment that has been put forward.

Further to the point of the test for discharge and the Victorian Law Reform Commission recommendation, the proposed discharge test would require a magistrate on application by the accused to assess if there is a reasonable prospect of conviction. The VLRC highlighted the risk that discharge applications may be made routinely – thinking about what we are trying to ameliorate with the committals reform here and that risk – and would require cultural change in the legal profession. I do not want to in any way suggest that cultural change in the legal profession is not an element that can be manifested and that it would not happen, but at the same time, maybe the legal profession is not always – you know, you cannot guarantee such cultural change in the time it might take for that to be manifested. And when we are thinking about the fundamental tenets of the reforms that we are seeking to bring about with this committal reform bill, we can see that tenuous point there and the risk that could prevail.

Further, if we are thinking about the fact that legal stakeholders were consulted on the introduction of a discharge test, as with other elements of the bill, their views were mixed – fair enough. Nobody is resiling from the fact that there are different points of view with regard to the discharge test. Stakeholders, though, and I just want to put this before the Parliament, noted concerns with such a proposal. The VLRC test is complex and will involve hearing substantial evidence. What are we trying to do here in terms of creating a more efficient process, reducing costs and also mitigating the risk of retraumatising victims through processes? Considering all the evidence, the reliability and credibility of the evidence continue to be duplicative and may lead to administrative burdens and delays. It may lead to routine applications and delay in the committal stream. And you can see already where this is headed, and you can see that it is running – I will put forward and I will contend – contrary to the purpose for which the reforms are being brought about.

Consideration of credibility et cetera of witnesses may lead to increased cross-examination at the committal hearing. There is overlap between a discharge test and the criteria applied by the DPP for commencing proceedings. Also, although an accused may be committed on all charges, the DPP does not necessarily proceed with all charges in the trial court. It proposes a higher threshold than the no-

case submission at trial. A stronger case management model is a better way – I just want to emphasise this point, so forgive my theatrics on that point, but this is a very serious matter – of getting parties to assess cases thoroughly at an early stage. And isn't that what we are trying to achieve here? Other Australian jurisdictions that have abolished the test for committal do not have a discharge test.

I hope by putting those matters before the Parliament you can see how carefully and how prudently the contingencies have been assessed in proceeding with the current reforms. If we look at the current committal process, it looks a lot like a mini version of a trial: the prosecution lays out the case against the accused, parties are able to examine and cross-examine witnesses and the magistrate undertakes a lot of the same work that will be then completed in court if the matter proceeds to trial. This duplication is obviously a cost for the justice system but also for parties that have to go through the process. When we are looking at the imperative for change in this context, you can see what the driving forces are.

It is also very important to note that the vast majority of matters are committed to be heard. A Victorian Law Reform Commission study found that only 1 to 2 per cent of matters have any charges filtered out through the process, and often an accused person faces multiple charges. I think it is really important to factor that evidence in when we are discussing the nuanced elements of this bill and the proposed reforms.

Why is there this low knockout rate? Well, because we have an independent Office of Public Prosecutions which carefully applies a series of criteria to determine whether charges should be laid. This criteria is set out in the director's policy, which is available online, and includes considering the strength of evidence, whether there are reasonable prospects of securing a conviction and whether pursuing the charges is in the public interest. Even in a situation where a magistrate considers that the bar for committing a matter to trial is not met, this can be overridden by the Director of Public Prosecutions, who can directly indict a matter for trial in a higher court.

It has been already stated in the chamber that the bill is about streamlining to maximise benefits while minimising inefficiency. With the evolution of our criminal justice system over time, there are key benefits that we can see here. I am running out of time, so I am going to say on this premise I will commend this bill to the house. I did not quite allow enough time for that final little note.

**Jess WILSON** (Kew) (15:30): I too rise to address the Justice Legislation Amendment (Committals) Bill 2024 before us today, and from the outset can I acknowledge the contribution of my colleague the Shadow Attorney-General, the member for Malvern, earlier in this place, thank him for the detailed work he has done on the bill before us today and endorse wholeheartedly the comprehensive remarks he made earlier today in relation to the justice legislation we are debating in the chamber this afternoon.

I note that this bill has its origins back in 2018, some years ago now, in reference to the Victorian Law Reform Commission's review of and report on Victoria's committals system. The commission was asked to recommend any legislative, procedural or administrative changes to Victoria's committal procedure which could reduce trauma experienced by victims and witnesses, improve efficiency in the criminal justice system and ensure fair trial rights. The VLRC came back in 2020 and made 51 recommendations around committal proceeding reform. I note that in that report the VLRC noted that each year approximately 3000 criminal cases go through some form of committal proceeding. Around 30 per cent of these resolve in the Magistrates' Court and around 60 per cent are committed to the County Court, around half of which are for trial and the other half for sentencing following a plea of guilty in the Magistrates' Court, and a further 4 per cent are tried or sentenced in the Supreme Court.

Following that finding the VLRC came back and made those 51 recommendations. There has been a view for some time now within the legal fraternity – and I note that this is not unanimously held, but nonetheless – that committal hearings can lead in some instances to a double-handling of evidence in criminal proceedings. There is also a view that reform to the committal procedure and the limitation

on the use of cross-examination may help make the criminal justice process less distressing or traumatic for witnesses and victims, and I note that the bill before us today does go to addressing and potentially reducing the traumatic impact of cross-examination on witnesses and victims of crime. As has been raised today, several other jurisdictions in Australia have moved to reform and streamline their own committal processes in similar ways. In that context I note specifically that this bill does remove the test for committal, extends the prohibition on cross-examination to other proceedings and strengthens the test for granting leave to cross-examine.

As the member for Malvern spoke to at some length, there are views from the Victorian Bar Council and the Criminal Bar Association that oppose key amendments in the bill before us today, including the removal of the test for committal and the extension of the prohibition on cross-examination. They assert that the committal process is a fundamental safeguard in our justice system and ensures that charges where a finding of guilt at trial is highly unlikely or impossible do not proceed to the trial court. This saves alleged victims, witnesses and accused from unnecessarily undergoing the trial process. Regarding the changes to the rules governing cross-examination, they argue that the strength of any prosecution case only becomes apparent once witnesses are required to face cross-examination. It is at that crucial point that deficiencies in the evidence become apparent. Given these concerns expressed by key members of the legal fraternity, I do suggest that the government seriously consider the member for Malvern's reasoned amendment and commit to reviewing the implementation of the bill to identify and remedy any demonstrable unfairness to defendants that may arise as a result of the changes contained within this bill.

I note the member for Malvern spoke about the VLRC report and the fact that with the bill before us today the government does appear to have cherry-picked from the recommendations in that we are looking at removing the test for committal. But the review also recommended that the Criminal Procedure Act 2009 should be amended to provide that the accused may apply to the Magistrates' or Children's courts for an order that the accused be discharged and empower the Magistrates' and Children's courts to discharge the accused on the relevant indictable charge if satisfied that there is no reasonable prospect of conviction.

That recommendation, a very important safeguard that was included in the VLRC's report, is not included in this bill, so I do support the member for Malvern's reasoned amendment that goes to addressing that very issue to explain why it has rejected the Victorian Law Reform Commission's recommendation to empower the Magistrates' and the Children's courts to discharge the accused on a relevant indictable charge or charges if satisfied there is no reasonable prospect of conviction. That does provide a safeguard to the complete removal of committals as this bill prescribes.

The member for Malvern's reasoned amendment is especially prescient given the government's track record when it comes to criminal law reform. Let us not forget that at a time when alleged offender incidents by 10- to 17-year-olds increased – between June 2022 and June 2024 – and youth crime was at its highest in a decade the Labor government pushed ahead with their plans to actually weaken Victoria's bail laws. At a time when we have seen youth crime spike by 20 per cent, we have seen criminal incidents in Victoria increase by more than 10 per cent. But the youth crime figure is at 20 per cent, and we saw this government in March this year weaken Victoria's bail laws.

I have spoken about these issues at length in this place, and that is because I have local shop owners in the electorate of Kew that have been held at knifepoint too many times. I have residents in the electorate of Kew that have had their homes broken into at night, when their children were asleep, and who are afraid to be in their own homes. I have had local small businesses with their shopfronts smashed in – they have had their fronts rammed by trucks and ATMs stolen. It is unacceptable that this government continues to see youth crime in this state rise and rise and rise and their answer to it is to weaken Victoria's bail laws and pretend there is not a problem with youth crime in this state.

I have met with many local residents in the electorate of Kew. In fact not a day goes by when someone does not contact me about the issue of the rising crime rates. When we look at the City of Boroondara,

shop theft is up 31 per cent and aggravated robbery is up 65 per cent. As I said, every week I hear about residential break-ins and thefts. This is not surprising given that residential aggravated burglary is up 23 per cent in our area. Just recently I met with a group of very concerned local residents in the area of North Balwyn. Now, North Balwyn is a beautiful part of Melbourne. Unfortunately, though, it sits very high on the leaderboard in terms of the number of aggravated break-ins for a suburb in Victoria. It is completely unacceptable that Victorians do not feel safe in their own homes because this government fails to actually put in place laws that prevent crimes and prevent offenders from reoffending. If you speak to the local police, who work so hard in our local communities with a lack of resources, they will say that they will arrest an offender overnight and by morning they have been bailed – they have been bailed again after they have been arrested, time and time again. The pendulum has swung too far towards protecting the perpetrator and not protecting the victim, and this Labor government refuses to even acknowledge there is a problem, let alone do anything about the problem.

I have to acknowledge the incredible work of Boroondara police, particularly Inspector Sandy McIver and her team at Boroondara police station. They have a very tough job, and at the moment they do have a lack of resources and a lack of support from this government. I will be joining them on Thursday morning as they take 30 minutes out of their day to send a message to the government that they do need more support. They deserve a government that is going to come to the table and actually negotiate and sit down with them and understand their concerns and make sure that they are being heard. At the moment that is simply not happening. We have a government that has found itself, by its own incompetence over 10 years, in financial ruin and now cannot afford to actually pay our frontline workers what they deserve to be paid every single day when they are out protecting our community.

I return to the bill and how it deals with our criminal justice proceedings. I thank the member for Malvern for his reasoned amendment. The coalition will not be opposing the bill before us today, but we do encourage a review to make sure we actually get this right.

**Bronwyn HALFPENNY** (Thomastown) (15:40): I also rise to make a contribution on the Justice Legislation Amendment (Committals) Bill 2024, and I beg to differ with the previous speaker. This amendment that we are looking at here in terms of committal procedure is in fact something that is about further protecting victims of crime and in this case in particular victim-survivors of family violence. So this piece of legislation is very important, and it is about looking at supporting those that are victims of crime as opposed to the perpetrators of it.

This legislation has come about really as it has been seen that there is a need to make some changes to the committal process. Originally, the intent of committal hearings and procedures was really to test the merits of a case to determine whether or not that case ought to go to trial. In a sense it was a mini trial, a sort of lower hurdle to cross, and then it would be determined by a magistrate as to whether that case then continued on to the full trial and there was enough evidence in order to at least believe that it had merit to get a conviction. Since the introduction of committal hearings there has been a lot of change in terms of the way police and the prosecutor's office operates, and now it really is seen that this is a bit of a duplicative process. It is just going over the same thing, so it is really a trial before the trial rather than a short, defined event in which to determine the merits of a case. I think I read somewhere that the Victorian Law Reform Commission actually advised or provided a report that talks about how only 1 to 2 per cent of matters that go to committal hearing do not proceed to the next stage of trial, so it is a very small number where that does not happen.

While we are still going to have the committal hearings, this is about ensuring that the process is a little bit different and that there is not the same duplicative work done. While it is still necessary in some cases, this reform would ensure that it is done in a better way. It would still ensure that the accused have rights and the right to a fair trial, but also, going through the legislation, it talks about strengthening protections for victims and witnesses by prohibiting cross-examination at committal stage of any witness in sexual offences, family violence and stalking cases and also amending the test for granting leave to cross-examine witnesses in all other cases and extending special hearings to certain complainants in family violence cases.

The state Labor government's Royal Commission into Family Violence and the acceptance and implementation of all recommendations really did demonstrate some of the ways that the justice system does not support and assist those victim-survivors and is used and manipulated by perpetrators of that family violence and other sexual violence. In my mind the really important aspect of this amendment is to give better protections to those victims and victim-survivors.

I have had a number of women coming to see me as their member of Parliament to talk about some of their experiences and the terrible things that happened, and one of them is really the way that perpetrators – in these cases men, husbands, ex-husbands – have manipulated the legal system in order to make it difficult, make it hard and further upset and distress families. A recent example was when a woman had orders and prosecutions and all sorts of things against her former partner yet went off to take her children overseas for a trip to see family, only to get to the airport and be told that her partner had taken out an order to stop those children leaving the country.

Of course she forfeited the cost of her flights and was feeling very upset, distressed and embarrassed. She was unable to go ahead with that family trip when she had done nothing wrong, but she was made to feel as if she had done something wrong. She had to explain to her family overseas, who did not quite understand how it all works and why such a thing could happen. These are the things that it is great to get up here in this Parliament to talk about along with the changes that we are making in order to make things better for people rather than worse.

In the test that applies in the Magistrates' Court for committal processes, when considering whether the evidence is of sufficient weight to support a conviction for an indictable offence, there is quite a low bar because the intention is to exclude only the weakest cases. Currently the committal process is really just a mini version of a trial – the prosecution lays out the whole case against the accused, the parties are able to examine and cross-examine witnesses and so on – and then the magistrate undertakes a lot of the same work that is completed by the court if the matter proceeds. This duplication is a cost to the justice system both in time and money, and it really also costs the parties that have to go through these long and extended processes.

It is important to note that the vast majority of matters are committed to be heard. The Victorian Law Reform Commission, as I said earlier, found that only 1 to 2 per cent of any charges are filtered out through the process, and often the accused person faces multiple charges. This is the reason why we think there needs to be some changes to the committal proceedings in order to stop this sort of thing from happening. The bill will abolish the test for committal for indictable cases and strengthen case management in the Magistrates' Court, preserving the core functions of the committal proceedings, and it will also allow for early committal in cases that are before the Supreme Court, so some of the most serious of crimes.

The bill will also amend the Evidence (Miscellaneous Provisions) Act 1958, and this will allow for the default use of audiovisual links to conduct committal hearings and make consequential and technical amendments. These are changes that on one hand are strengthening and supporting our laws in terms of supporting victims of crime, but they are also adapting to the new technologies and new ways of working. This was all sped up during, dare we say it, the COVID period when there was more audiovisual conferencing and much better work done to really ensure that these sorts of systems would work and were as authentic and worked as well as in-person interviews and so on. This is particularly important for victims, particularly children and others where it is not the best thing to have them in the court with the accused in person when it can be done in a much safer way and in a way that is much more supportive of them and what they need rather than treating all cases the same, all victim-survivors the same and all offences the same.

Most of these changes are common sense and based on needs that have arisen, trying to reduce waste, make the court process more efficient, and of course we would all like to see these processes speed up. Some of the tweaks around the committal hearing process in this legislation are about doing this.

I think this is legislation that should be supported. It is yet another step in supporting particularly those that have been victim-survivors of family violence and other terrible sexual crimes.

**Jade BENHAM** (Mildura) (15:49): I am pleased to rise today to speak on the Justice Legislation Amendment (Committals) Bill 2024. As some of the speakers before me have pointed out, it is a step in the right direction, but as the Shadow Attorney-General the member for Malvern has also stated, there are some things that could direct us in a stronger direction. I am very, very passionate in this space, and I have spent a bit of time in briefings and debriefings and discussions with the Shadow Attorney-General this week. I do appreciate the time that the member for Malvern takes in cases like these. Like I said, it is a step in the right direction, but with the reasoned amendment that the member for Malvern has moved, it could certainly be stronger. One of my mantras is: if you are going to do something, do it right the first time. Let us save time and money and try to get things as right as we can the first time. There is no silver bullet here, but this will certainly help to streamline the process in terms of safeguards and protection for victims of and witnesses for indictable offences like family violence, sexual violence and stalking. And maybe one day we will be able to add coercive control to that list of offences, when that becomes an offence in Victoria, because that is also something that I am very, very passionate about.

While we are on the subject, I think it is an opportune time to pay tribute to the Mildura Rural City Council, who the Friday after last sitting week held their walk against family violence. That is an event in Mildura that starts in the Langtree Mall, and then we walk down as a group to the Powerhouse precinct down on the beautiful Mildura riverfront. I especially want to pay tribute to Kim O'Reilly, who was the speaker. She is a force of nature. She is a victim-survivor of a horrific incident of intimate partner violence. She is still recovering, but she is a force of nature, and the tribute that she conducted at Mildura Rural City Council's walk against family violence was really powerful. I did actually invite Kim here today to be part of the event in Queen's Hall, but given that she does so much work and advocacy in this space, she could not be here because she was supporting some other victim-survivors. So I did really want to take a moment to pay tribute to her today.

One other thing I want to point out is when talking about family violence and sexual offences, the term I hear – not often, thankfully, but consistently – is 'low-risk offenders'. Now, the question in my mind, again, given my experience in the matter, is: is there such a thing as a low-risk offender, or is it someone at the beginning? I think that is another term to be discussed. Again, there is no silver bullet here, but again in my experience, a low-risk offender is an offender nevertheless. I wanted to get that on the record.

But getting back to the bill, this bill obviously comes about after the Victorian government issued the Victorian Law Reform Commission a reference to review and report on the committal system, which brings us to today's bill. We have heard other members in this place today speak about some of the statistics. Approximately 3000 criminal cases go through some form of committal in the courts every single year. Around 30 per cent of those resolve in the Magistrates' Court and around 60 per cent are committed to the County Court – half of these for trial, the other half for sentencing following a guilty plea in the Magistrates' Court – and a further 4 per cent are tried or sentenced in the Supreme Court.

If you have not been to Mildura, this may be hard to imagine. I learned this last weekend. I thought there was a tunnel system just under the justice and police precinct; but apparently those tunnel systems run right throughout the whole town. I am not even joking. I got to have a look in a historic building last week and there are tunnels that run in and out of there. But the tunnel system around the justice precinct is there for obvious reasons – for safety reasons and all that kind of stuff. Talking to our Victoria Police members who are continually frustrated with the weakened bail laws in this state, they call it a very visible wash and repeat. It is like a washing machine spin cycle, where they come in through the police station, they might be held or whatever, they go through the court system or they go see a bail justice. I have a bail justice who is a friend of mine, and it is the same thing. Everyone that is involved and working in this space is so frustrated by the very visible – sometimes it is underground, but it is still very visible – wash and repeat cycle. The bail laws are not there to keep

those low-risk offenders – and again what is a low-risk offender when we are talking about violence of any kind? It is a ridiculous term. It is a continual frustration.

I also want to thank our Victoria Police members, and I have been speaking to those in Mildura. I know there is rolling industrial action for police right around the state at the moment. I have offered my support. If it gets up to tropical northern Victoria, I am more than happy to go and stand with them, because it is those frontline workers like our nurses and like our Victoria Police that should be the priority of this government, a government that cannot manage money, and now because of that financial mismanagement they cannot afford to pay our frontline workers and our most essential workers. They have not even come to the table to negotiate. That is having your priorities in the wrong place. I have reached out to some of our police members.

In fact I got pulled up the other day – not for anything, just for a random breath test and police check. It was a great opportunity – mind you, it was 11 o'clock at night. Coming home from an event in Mildura across outback New South Wales and back into Victoria, they pulled me up for a random check and got chatting about things. Although they did not want to give too much away, the size, the heaviness, the melancholy in their voice and the frustration at their employer, who will not even come to the table to negotiate a better pay deal for them, was very, very evident in their voices and in their conversations. Luckily, it was under the cover of darkness and they could have those conversations, because I do not know if you have ever been to Robinvale where I got pulled up, but there is not a lot of traffic around at 11 o'clock at night, which is probably why they pulled me over even though I was not doing anything wrong. Let me get that on the record: I was not doing anything wrong; I had my children in the car.

As we finish up, I have referred to the member for Malvern and Shadow Attorney-General's reasoned amendment, and this is what we think could strengthen this bill. The reasoned amendment is:

That all the words after 'That' be omitted and replaced with the words 'this house refuses to read this bill a second time until the government:

- (a) explains why it has rejected the Victorian Law Reform Commission recommendation to empower the Magistrates' and Children's courts to discharge the accused on a relevant indictable charge or charges if satisfied that there is no reasonable prospect of conviction; and
- (b) commits to reviewing the implementation of the bill to identify and remedy any demonstrable unfairness to defendants that may be occasioned.'

Again, we are not opposed to this bill. We are supportive of any measures that might help to strengthen legislation in this area, which is terribly weak at the moment, but it could be stronger. I strongly encourage the government to support the member for Malvern's reasoned amendment, and that may get us to where we need to be.

**Eden FOSTER** (Mulgrave) (15:59): I rise today to speak in support of the Justice Legislation Amendment (Committals) Bill 2024. This bill represents a significant step forward in modernising our criminal justice system, ensuring it is both efficient and fair while also protecting the rights of victims and witnesses. At its core this bill is about preventing trauma while also improving efficiencies within the justice system. This law seeks to minimise trauma for victims and witnesses in cases that relate to a sexual offence, a family violence offence or stalking. This bill seeks to remove the need for victims and witnesses to give evidence at committal hearings, reducing trauma for victims from repeatedly being cross-examined and removing duplicate court proceedings. The changes are based on recommendations from the Victorian Law Reform Commission (VLRC) in its 2020 committal support and have taken a balanced position based on input from all stakeholders, including both defence and prosecutor stakeholders.

It is important to note that the nature and purposes of committal proceedings have changed over time, and it is appropriate that the law reflects this. The way committal proceedings are currently legislated is from a time before independent police forces and prosecution agencies, when magistrates had the role of reviewing evidence by private prosecutions. This does not reflect the current prosecution

system for cases that relate to a sexual offence, a family violence offence or stalking. Committal proceedings are now more focused on narrowing issues in dispute or achieving a resolution of charges, allowing the accused to better understand the prosecution case and making them more prepared for trial in the event it is not resolved with a plea.

Currently complainants and witnesses can be cross-examined multiple times, which can include before the trial and during the committal hearing as well as at trial. Cross-examination, particularly for victims of traumatic cases, is one of the most challenging parts of the court process. As a clinical psychologist I have seen firsthand the devastating impact that trauma can have on individuals. Victims of crime often experience significant psychological distress, and the process of repeatedly recounting their experiences can exacerbate this trauma. It is important that we put protections in place for witnesses and victims to make court a less traumatic and more accessible place. The impacts that cross-examinations can have are many, and they include impacts on physical health; we know stress and anxiety associated with cross-examination can lead to physical health issues. It also includes social support. Victims may feel isolated or unsupported, especially if their credibility is questioned during cross-examination. This in turn can strain relationships between friends and family. And of course withdrawal from prosecution: the fear and anxiety associated with cross-examination can lead many victims to withdraw their support for prosecution, which can impact the pursuit of justice. On a personal note, I have seen in my previous work as a school psychologist a number of young people who have decided not to pursue cases and not to go ahead with reporting sexual offences because of this fear of cross-examination and the retraumatising aspect of it. This bill will prohibit cross-examination of victims before trial for these cases, in recognition of the particular difficulties of providing evidence during family violence, sexual offence or stalking cases. This will bring cross-examination protections in line with current protections for complainants who are a person who is cognitively impaired or a child who has experienced sexual offences.

In 2020 the VLRC published its report on improving Victoria's committal system. The VLRC identified a number of inefficiencies with the current system and in response made 51 recommendations for reform. A number of these recommendations are included in this legislation, such as abolishing the test for committal, explaining the meaning of relevance for the purposes of an informant's disclosure obligations and expanding the prohibition on pre-trial cross-examination in certain family violence matters.

The Allan Labor government has made sure to consult with a variety of legal stakeholders who hold a diverse range of views. This bill will also commence after a longer than usual time period to ensure that key stakeholders like the courts have the time they need to prepare for the implementation of these reforms.

The removal of the need for victims to provide evidence at committal will increase efficiency and minimise duplicate court proceedings. Victims of family violence, sexual offence and stalking cases will not have to spend as much time within courts as we are replacing the committal process with a new and improved case management process. While significant time is required for committal hearings, there is already a low threshold for committing a matter, and most of those who are accused are committed by the magistrate. This is why the new case management system will emphasise identifying issues and finding steps for resolution at an earlier stage, as suggested by the Victorian Law Reform Commission.

Another aspect of these reforms will surround the use of audiovisual links. Committal hearings for adults will now allow for those adults who are in custody to use an audiovisual link to appear at committals. This will reduce court delays, as it will minimise tardiness surrounding appearing in court, as well as minimise the number of staff and resources needed to monitor and transfer the accused. These reforms will also mean the nature of committals will be far shorter, removing the need for the accused to appear physically during a courtroom trial and rather focusing on the procedure itself. Through removing the resource-heavy and often duplicate court procedures and changing audiovisual



link rules, the burden will be lessened on courts, with less staff resources being needed to be put towards committal hearings.

This bill will also ensure that in cases of homicide there will be mandatory early committal for adults. Committal hearings will be bypassed and the cases will be fast-tracked to the Supreme Court. This is based on a successful pilot which has resulted in earlier resolution of cases, again creating a more efficient system than the previous committal system.

Another key element of this bill is the changes around the use of prerecorded video in family violence cases to bring them in line with sexual offence cases. For child victims and witnesses and those with cognitive impairments, the use of prerecorded video will be committed in family violence cases. This will directly reduce the amount of stress and pressure experienced by children and those with cognitive impairments during lengthy hearings and the need to repeat traumatising testimony in a very intimidating environment.

The Allan Labor government is undertaking a number of different law reform activities, and I would like to highlight another very important part of the Allan Labor government's law reform changes. Just last week the Allan Labor government further supported those who are victims of crime – like we are with this bill today – through making it easier to access financial assistance through the new financial assistance scheme. This scheme will be replacing the Victims of Crime Assistance Tribunal (VOCAT), which was the previous court-based tribunal established to acknowledge and provide financial assistance to victims of crime.

We recognise the effects that court can have and the at times retraumatising elements that it can have on victims of crime themselves. This is why we are making it possible to have trauma recognised outside of court through the new financial assistance scheme, reducing the number of times a victim may have to attend court or face perpetrators. Whilst not a part of this legislation, the changes to VOCAT show the Allan Labor government's commitment to the victims of crime, as well as our commitment to efficiency through moving the process away from the courts and our commitment to reducing trauma for victims by minimising the financial burdens and potential family infighting and reducing court confrontations.

The most important part of this bill is reducing unnecessary trauma for complainants and witnesses. If we find that we can do more, we will do more. It is very important that we strengthen protection for those who are vulnerable and who need it and that we continue to reduce the backlog in the courts, which is why this bill is so vital. On day 2 of the 16 Days of Activism Against Gender-based Violence, I see this bill as fitting in supporting victims of crime, and I commend this bill to the house.

**Wayne FARNHAM** (Narracan) (16:09): I am pleased to rise today to talk on the Justice Legislation Amendment (Committals) Bill 2024. I will give a shout-out to the Shadow Attorney-General and member for Malvern for the extensive work that he has done on this bill, the extensive consultation that he has done on this bill and his contribution today. The purpose of the bill is to amend the Criminal Procedure Act 2009 to reform the process for committal proceedings, including by removing the test for committal, extending the prohibition on cross-examinations to other proceedings, strengthening the test for granting leave to cross-examine and providing for early committal for trial in the Supreme Court, and to make other miscellaneous amendments.

Right from the outset I will say we do not oppose this bill one bit. The member for Malvern has put forward a reasoned amendment, which I will get to a bit later, but my gut feeling is any bill that can expediate criminal proceedings is a good bill and any bill that puts victims number one and less trauma on victims is a good bill. I think it is incumbent on everyone in this chamber, when we are debating bills or producing laws or anything around that, to always remember that the victims are the most important people in all of this. Everyone deserves a fair trial, I understand that, but we cannot forget about the victims. The trauma that it puts on victims if they have to go through, let us call them, repeat trials – they have to go through a committal and then they have got to go to trial – can be really, really

mentally devastating for them. This bill streamlines that process and makes it more efficient, and that is a good thing, because too many times we hear, especially around sexual assaults and those types of heinous crimes, that they have to sit through the committal hearing and then it goes to trial and then they have to sit through it again. It would be absolutely heartbreaking to have to sit through that constantly and hear the same things over and over again, so any bill that actually, as I said, makes this more efficient we should support.

The member for Malvern did put forward a reasoned amendment. The member for Malvern, being the Shadow Attorney-General, does not put forward things out of malice or spite or even try to pretend to be the smartest person in the room. The member for Malvern has done this because he sees the benefit in the bill – that is why he took a ‘not opposed’ position – and he is doing this to strengthen the bill so we can get it right the first time and so we do not have to come back into this chamber maybe with amendments in maybe two years time. I think the government should listen to it, and I will read it out again. I know it has been read out quite a few times today, but I will read it out again to reinforce the message:

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

- (a) explains why it has rejected the Victorian Law Reform Commission recommendation to empower the Magistrates’ and Children’s courts to discharge the accused on a relevant indictable charge or charges if satisfied that there is no reasonable prospect of conviction; and
- (b) commits to reviewing the implementation of the bill to identify and remedy any demonstrable unfairness to defendants that may be occasioned.’

As I said, the member for Malvern does not do this out of spite or malice; he does this seeing the benefit of the bill but also seeing how we can add something to this to make it a better bill. I think when we come to the divisions at the end of this week it would be nice – I might be in a utopian society here – if the government actually supported it. It would be quite a different thing to happen. But they need to consider it, because it has been done for a good purpose.

When we are talking about trauma and victims of crime, we cannot go past talking about bail and bail reform. It has been brought up in this chamber today that back in March the government weakened the bail laws in this state, and that has had a devastating effect on communities around Victoria – not just Narracan; it will be every community in this chamber. I am not going to name all 88 seats, but it has had a devastating effect around the state.

We heard in question time today about a young offender that has offended 50 times. He has been released on bail and has gone out and done it again and done it again and done it again. The police must be so frustrated to turn around and keep arresting the same person 50 times, and it has become a revolving door for him. He does not care; he just reoffends. There is nothing there stopping him doing this anymore. The point was probably missed a little bit in question time today, but I am going to reinforce it: if he has had 50 offences, he has probably had more than 50 victims. So as we are in this bill, why aren’t we putting the victims first when it comes to bail reform? Why aren’t we doing that? I think this is what the government got wrong when they weakened the bail laws in March.

Even in my electorate crime has gone up 14.8 per cent. We heard earlier from the member for Kew that youth crime has gone up 20 per cent. These are statistics that Victorians are getting worried about. Victorians are very concerned about the crime in our community. Even the machetes are still out there. I heard this story today, and it is so disturbing, about a man who was in his house and had I think nine kids – quite a lot of kids – break in. They held a machete to his throat, and he had his one-year-old in the bedroom with him. They held a machete to his throat. Why are machetes on our streets? Unless you live in Far North Queensland and are bashing through a jungle, you do not need a machete. I have been in building my whole life; I have not even seen landscapers use a machete in Victoria. There is no need for them. We do not need them in our society at all. They should be banned, they should be destroyed and they should not be able to be sold in this state for any reason. There is just no valid reason. No-one can say to me here that anyone needs a machete.

A member interjected.

**Wayne FARNHAM:** It is a controlled weapon, but there is a difference – there is a big difference. They should be prohibited. We do not need them, and if any policeman sees a machete, I hope they take them off people straightaway and I hope they get melted down into something useful.

This is where the government is failing on youth crime. We are failing on youth crime and we are failing on bail laws, and Victorians are scared. Even my electorate officer the other day came back from Melbourne to find her car broken into, and nothing has been done about it. The police are sick and tired of arresting people, putting them into court and seeing them just released straightaway. It is a problem. It is a problem in this state and in my electorate, where I have very limited police resources. You might have heard my constituency question today. You have got Warragul and Drouin, which are the fastest growing areas in Australia over the last decade. Drouin does not have a 24-hour police station. It needs it. I have the community of Rawson up in the very top end of my electorate. Their single-man station is now closed, so it would take at least an hour to get there if there is an incident, which is problematic for that community. I have got the community of Trafalgar, which, again, has limited police resources. Not only do we need to fix up the policing resources, we also need to fix up their wage structure, hence why they are having stop-work meetings for the first time in 25 years.

But this is where the government needs to look. We do not oppose this bill. As I said, there is a reasoned amendment from the member from Malvern, the Shadow Attorney-General. But the government has to strengthen the bail laws in this state so every community in Victoria can start to feel safe again – because they do not feel safe. This government have failed Victorians with bail reform, but at least they are trying to fix this.

**Dylan WIGHT** (Tarneit) (16:19): It gives me great pleasure this afternoon to rise and make a contribution on the Justice Legislation Amendment (Committals) Bill 2024. I would just like to go to the first part of the member for Narracan's contribution before it trailed right off into the abyss. The member for Narracan spoke about the importance of putting victims first, and that is exactly what this piece of legislation goes to. It is to help reduce the emotional trauma experienced by victims and by survivors. I think everybody in this place, irrespective of what party they belong to, would love to see the complete eradication of domestic violence here in Victoria. I think every single one of us would, despite our differences on a whole bunch of issues. But to be frank, domestic violence, family violence, is as much of an issue in our community today as it has ever been. We have done a lot here in Victoria, but we know that there is still so much more to do. By debating this legislation in this chamber today and moving it through, fingers crossed, towards the end of the week, we continue the significant work that we have done in this space since coming to government 10 years ago.

This legislation is about modernising a part of our justice system that has caused significant amounts of pain and significant amounts of trauma for victims over the journey. It is about building a system that will better serve victims, that will better serve witnesses and that will also better serve the broader community. Its core goal, as I said, is to reduce the trauma experienced by those victims and the trauma experienced by those witnesses and to maintain a balance between justice and fairness. The reforms also address longstanding inefficiencies and bring the system into line with modern expectations.

As has been explained by many of the previous contributions, the most significant part of this bill is the prohibition of cross-examinations during committal hearings for victims of family violence, sexual violence and stalking. I have some level of experience with this through a female friend that I went to high school with who, unfortunately, was a victim and went through this process, but we know that too often this process and how it has been conducted has caused significant amounts of trauma. Having to relive, through both the committal process and the trial, what has been probably the worst experience in your life when you have already had to relive it through the process of the person being charged and everything that goes with that and then to face cross-examination is an incredibly difficult thing for any ordinary human being to go through, regardless of the issue. But to have to relive that on multiple occasions, speaking about, as I said, probably the most horrible and traumatic experience of

your life, is just not good enough, and it is not up to current community standards. So the fact that we are changing this is a significant reform.

If you go through the criminal justice system for an issue such as this, as a victim or a survivor, it is always going to be a bad experience. But if that experience is made worse because the system that you are trusting to bring to justice somebody or multiple people who have perpetrated family violence or sexual offences fails you or that system leads you to having significant trauma or PTSD – all of those things – then you are going to be far less likely to or, dare I say, you are just not going to re-present to that system if this is an ongoing problem or if something of this nature were to happen to you again. That is something that we must avoid here in Victoria.

As I said earlier in my contribution, ensuring that victims only testify once is prioritising their emotional wellbeing, which should be an absolute priority throughout any of these processes. It is the justice system; it is a priority to bring somebody to justice. There are obviously principles around presumption of innocence et cetera. Making sure that people are brought to justice is absolutely one priority, but the emotional wellbeing of the victim should be a significant priority as well. That is what this legislation seeks to do: prioritise that emotional wellbeing first and foremost and, as the member for Narracan said, put victims first.

I should not conclude my contribution without mentioning my local area of Wyndham. I will say it, and I have before, Wyndham unfortunately is well over-represented in stats relating to family and domestic violence. It is an issue in my community. It has been an issue in my community for some time, and I am hoping it is an issue in my community that can be made far better and that my community is far less represented within those stats. But what we do have in Wyndham and the west more broadly is an amazing network of providers and support agencies. It is a support network that can help when people fall victim to domestic violence. For me it is essential to highlight the crucial role that some of those services play. Those services – GenWest, Westjustice and of course Orange Door in Werribee – provide amazing services to local women that have been victims of domestic violence. I do not think it would be right for me to leave this chamber and to finish this contribution without mentioning the fantastic work that they do. The organisations offer vital assistance to individuals experiencing family violence. They provide safe spaces, counselling and of course support services.

I will reiterate again: this piece of legislation is about putting victims first. It is about prioritising the emotional wellbeing of people that have gone through the most traumatic experience of their life. It is a fantastic piece of legislation. I know it means a lot to my community, and I commend it to the house.

**Kim O'KEEFFE** (Shepparton) (16:29): I rise to make a contribution to the Justice Legislation Amendment (Committals) Bill 2024. The purpose of this bill is to reform the process for committal proceedings and for other purposes. The bill seeks to improve criminal procedural laws to enhance efficiencies, reduce delays and protect victims and witnesses, reducing trauma and strengthening protections.

In my former career I predominantly worked with women every single day of the week, and as you can imagine, I heard many, many stories of domestic violence, of crime and of trauma when women had to go and face the court. One of my closest friends had an incident where she was sexually assaulted on a train just heading home from the city, and the will for her to want to speak up was paramount. She felt violated, she felt traumatised, but she also felt very, very scared. Should she go to the police or should she just sit back and say that was yesterday and tomorrow is another day? It played on her mind; what if that had been her daughter or her niece, where this guy had put his hands on her and she had just walked away? So she went straight to the police and she did a report. It was interesting; she actually took a photo of this guy because they moved from a train onto a bus and he sat in front of her. The vision of her coming off the train when she had been assaulted – she got off the train in Seymour, and you change from a train to a bus when you get to Seymour. When she walked out, the vision they had was of a petrified woman who had been assaulted. You could tell by her body

language. You could tell by the way she was moving and the way she was looking to see where her perpetrator was. As I said, by the time she got to Shepparton she took a photo. He sat in front of her. She took a photo of him, and she messaged one of her other friends to say, 'This guy literally has just put his hands on me in the train and sexually assaulted me.' They went to the police and she made a report, and the process began.

What was really interesting was that they ended up finding out who this fellow was. He was a local lad that worked in a local business. To begin with he denied it, but there were a lot of things that she did very cleverly. She texted her sister, she texted her friends, she had photos, so it was very real, what had happened. Then of course the perpetrator changed his position. Initially he said he did not do it, and then he said she was asking for it – can you imagine? A woman in her 50s, this guy was in his 20s, and suddenly you are turned on and you are told that this person asked for that to happen. She was sort of toing and froing about it and thinking, 'Should I just leave it? Do I have to go through this court case and defend myself, defend that I'm a decent woman and that I did not do anything wrong?' So she did. She decided she would follow through with this.

It was very interesting because, as you can imagine, none of us want to be put in that position, and none of us should be. It is very rare, actually, although not so rare as perhaps we think. When I look at my network of friends, particularly my closest friends, this friend is the only person we have ever experienced something like this with so closely. We were rallying around her because we wanted to really stand up for her and help her through the process because she was going to be interrogated and accused of being an awful woman who was asking for it. Do you know what happened the night before the court case? He pleaded guilty because there was so much evidence against him. It is probably just one example of it being terrifying to stand up, and a lot of women do not stand up. For her it was her integrity that was in question. Fortunately there was enough evidence to prove that he did do the crime, and she followed through with it.

Did it end there? No. She became petrified about travelling on public transport, and she hated the fact that her confidence and her fear became very real, and it continued for quite a number of years. It was about three years ago that this happened, and it is only probably in recent times that she perhaps has become, as she would say, back to her normal. For a couple of years, as I said, she would look over her shoulder and she would be very, very nervous. This is the type of incident where, when people have to come to the courts and stand up for what has happened to them, they need to be supported. This bill will do that. It will really help victims and witnesses through a process that is, hopefully, more simplified. It will do so by also streamlining committal processes while preserving the core functions of the existing committal system to achieve early and appropriate resolution of cases. In her case fortunately it did not drag out too long, but it was still about four months before it got to court. You can imagine four months of thinking: how are you going to stand up in front of people and defend your integrity and defend that what happened to you was not right? We need to ensure fair trial rights by introducing mechanisms that encourage early and appropriate resolution of cases and reduce inefficiencies caused by duplicated court procedures.

Specifically, the bill will amend the Criminal Procedure Act 2009 to remove the test for committal, extend the prohibition on cross-examination to other proceedings and strengthen the test for granting leave to cross-examine and will provide for early committal for trial in the Supreme Court. Several of the amendments in this bill follow the Victorian Law Reform Commission's 2020 committals report. The VLRC tabled its report in the 59th Parliament in September 2020, which made 51 recommendations, including the test for committal to be abolished and cross-examination and case management amendments. As the lead speaker, the member for Malvern, raised during his contribution, this bill only really cherry-picks just some of the recommendations.

On 24 October 2018 the Victorian Law Reform Commission was asked to review the state's committal system and pre-trial procedures. Committals are the process in which a magistrate decides whether the evidence is strong enough to support a person accused of a serious crime for trial in a higher court. As most indictable criminal cases start in the lower courts, they progress through the committal stream

until either the accused is committed by order of the Magistrates' or Children's court for trial or sentence in a higher court, the matter is solved summarily or the prosecution is discontinued. The Criminal Procedure Act 2009 sets out the role of the lower courts in managing indictable cases, which includes ensuring a fair trial through a disclosure of evidence and cross-examination of witnesses, narrowing the issues in contention and determining how the accused proposes to plead.

In the VLRC's report in 2020 it was documented that the current committal system filters indictable cases, with roughly a third of all indictable stream cases resolving in the lower courts and another third committed to the higher courts following a plea of guilt. Whilst cross-examination can be stressful, as I have pointed out, delays and failures by the prosecution to communicate what is happening in a case were described as a frequent problem by victims and witnesses involved. Over time in the state justice system's history committal hearings have served an important role within the criminal justice system and will continue to do so into the future.

Section 97 of the act sets out the purpose of a committal proceeding, and recommendation 3 of the VLRC's report calls for it to be abolished. Paragraph (b) of section 97 refers to the Magistrates' Court determining whether there is evidence of sufficient weight to support a conviction for an offence charged. Other jurisdictions across the country have made changes to their committal procedures in recent decades, including New South Wales, Tasmania and Western Australia. No single committal system is the same, and Victoria's context presents unique challenges. Following recommendations made by the Victorian Law Reform Commission, the bill will abolish the committal test, allowing magistrates to focus more on active case management in the committal stage.

While we are talking about legislation and talking about changes in crime and legislation, I think it is really important that we also acknowledge the police, who deal with these issues every single day. Last Friday I joined my local police, who did a walkout and stood out the front of the Shepparton police station, taking industrial action calling for a fair and decent wage and increased and improved conditions. It was noted that this was the first time the Shepparton police have ever stopped work for industrial action. Acting Inspector Dean Williams, who has spent 34 years in the force, said working conditions were not enticing new recruits into a policing career and police are under pressure to make up shortfalls in shifts. He said that they sign up for good pay and good conditions, that they deserve better and that members have moved off to Queensland to take incentives that police have been offered, and he said many younger recruits have quickly moved on to different careers when conditions in the force have not lived up to their expectations.

I think it is really important that we know we need to do better. We need to support our police officers. We need to help victims of crime, and we need to make sure the process as we move through the courts is simplified. There is still so much more that needs to be done, and the Labor Allan government are failing to manage crime. Finally, we are not opposing the bill, but we do need to get it right. In the short time I have left, I do support the member for Malvern's reasoned amendment.

**Paul MERCURIO** (Hastings) (16:39): I rise to give my support to and contribution on the Justice Legislation Amendment (Committals) Bill 2024, which seeks to reform and modernise the committals process in Victoria's criminal justice system by amending the Criminal Procedure Act 2009 and also amending the Evidence (Miscellaneous Provisions) Act 1958. I might just say that there have been some really terrific contributions in the chamber today, and I would like to thank everyone for their well thought out and reasoned debates – mostly.

This bill is about addressing a process that, while created with a legitimate purpose many years ago, has today become outdated and unnecessarily burdensome. Its impacts weigh heavily on victims, witnesses and the resources of courts. We are here to ensure that our justice system reflects the realities of the 21st century, upholding fairness while prioritising the protection and wellbeing of those impacted by crime, especially victims of family violence and sexual abuse.

Last sitting week the member for Sandringham and I co-hosted the National Survivors Day event. It was a very special day, but the member and I spoke about this idea that in some way by holding a National Survivors Day we were somehow celebrating it, and we felt slightly weird about that. I spoke on the day to all the survivors there, and I said to them that my wife was sexually abused from the age of six to the age of 12 and I celebrate every day that she survives that. She is my hero. At the same time, I said to everyone at that event that I celebrate the fact that they survive and celebrate the fact that they are heroes. They are heroes because they have stood up and told their story and continue to stand up and tell their story. They continue to share their story, their pain, their anger, their shame and their betrayal, but they bravely do that so that we can have a better society.

After that event I posted on Facebook, and I had quite a few friends that got back to me and said how brave I was and how brave my wife Andrea was for talking about her story. They said they were victims of rape as a child and that after that post they had decided to go ahead and press charges against the perpetrator, which is fantastic. But it caused my wife a lot of distress because for years and years and years she has wanted to press charges. I was thinking about this yesterday actually in my office, and I thought my wife wants justice, but she is not prepared to go through the justice system, which means it is broken. I guess that is what this bill is meant to be fixing. You may wonder why my wife and I have not sought to press charges against her father. There was a lot of work that she had to do, an enormous amount of work that she had to do to survive – an enormous amount of work that she still does every day so that she can survive. It has cost a lot of money, and it has taken a lot of time. As I said, her abuse was from the age of six to 12. She is 64. There is not a day that my wife does not have a memory. There is not a day that she does not have to deal with what happened. There is not a day that it does not affect our children.

After this event and after our friend told us that she had been raped and she was going to press charges, my wife – I think I was back here – got on the internet. She looked up the numbers, and she got the phone number to go ahead and press charges against her father. Then she thought to herself that she is far more important and her health and wellbeing are far more important than justice. Although she still wants justice, undoing all the work that she has spent a lifetime doing so that she can be a wonderful friend, a wonderful mother, a wonderful wife and a wonderful grandmother, was not worth going through the justice system. I like the story that the member for Shepparton told, where the person who had assaulted her friend at the end of the day turned around and pleaded guilty. I mean, jeez, that would be a lovely outcome for us, but we are not really going to push and try and make that happen.

This bill is important. I hope it will save people having to go back and relive the experiences that have destroyed them. Obviously at the event on National Survivors' Day we spoke of people that are no longer here, who have committed suicide because the pain and the anguish of their experience was too much to bear. Why would anyone want to go through the justice system and have to relive that?

This changes the committal process. The committal process is four parts: it is a filing hearing, it is a committal mention, it is a committal hearing and then a trial. Who really wants to spend that much time sitting in their pain when they have been sitting in it their whole life? My wife does not. I do not want her to. I do not want to lose her to the justice system – we have already lost, to some extent, to the experience, but we have gained because we have done the work to survive. To all those people that are sexual abuse victims, I celebrate the fact that you have survived. I celebrate your bravery, and I do not blame you if you do not want to go through the justice system. We have all seen on the 6 o'clock news women going through the system and being utterly destroyed. It is disgraceful and it is disgusting, and we should be doing better.

There are a lot of good things in this bill which I could talk about. That is what I am here for, but I want to assure people like my wife and like my friend who is going to go through the system and take her rapist to court – she is an incredibly brave woman. She has had a very, very difficult life, and she is a hero for standing up and having the guts to confront not just her perpetrator but the justice system and how it works and how it continually seems to fail women. I know a lot of men will come to me at

times and say the justice system does not support them and it is skewed to women. We will work on that. Let us work on that; there is a lot of work we can do for our community.

I might just throw away all those words that I was going to say. For people in my community there is a lot of support in the community. We have Western Port Community Support, which does a lot of wonderful work for people who are victims of sexual abuse or violence or are homeless or are having trouble with family – please go and see them. Thanks to the royal commission we have Orange Doors throughout our communities. We have one in Hastings; they do amazing work. I have been down to see them and talk with them, and if you are having any issues, if you have any struggles, please pick up the phone. If you do want to work into the justice system, then I encourage you to do so, but get the help that you need.

I love how the member for Tarneit said that this bill is about supporting victims, and in the bill there is talk about supporting perpetrators, and I know there has got to be a balance, but having a lived experience, there is not much balance, so I am very glad that we are thinking about this with this bill. I understand it is unopposed, yet there is a reasoned amendment which is sort of opposing the bill. To my wife, thank you for being so brave. I commend the bill to the house.

**Steve McGHIE** (Melton) (16:49): I should start by saying how difficult it is to contribute after that unbelievable contribution from the member for Hastings, and I thank him for it. It is because of members like the member for Hastings that passing bills in this chamber and this Parliament will make it better for not only him and his wife but for his constituents and for Victorians right across this state, and I cannot commend him enough on his efforts and his contribution. It was just amazing, so thank you to the member for Hastings.

I also want to thank the Attorney-General in the other place, Minister Symes, for bringing this bill forward. And to all of her staff that worked on this bill, thank you for all of your efforts. It is an important bill. It is truly reformative work. I am very pleased to be part of the team that is making the system more efficient, fair and sensitive to the needs of the victims, and we just heard that in the member for Hastings's contribution. Of course it is not just for victims but for witnesses who have to give evidence in committal hearings and in other hearings and experience the trauma that goes with that. I do not know if anyone has been directly involved in a committal hearing, but I have. It was a sexual offence case. I have got to say it was traumatic for everyone that was involved; they are very difficult matters to deal with.

I should start by saying that I am pleased the opposition are not opposing this bill. I do not see the need to accept the reasoned amendment from the member for Malvern, because I think in dealing with that amendment we are just delaying the passage of this bill in this house, and I just do not think that that is what any of us want to do. I think with the opposition not opposing it, they do not wish to delay it either. I think we should just get on and have the debate, and at the end of the week we will vote on it.

I think it was the member for Laverton that raised it earlier – I want to commend all the legal minds around our state and in particular our community legal aid services. I want to give a shout-out to the legal aid services that work in the Brimbank–Melton area: Comm Unity Plus, who do a fantastic job for our constituents, and also Westjustice, who support people in the western suburbs with not only legal support but other supports and engagement with Orange Door. Orange Door have been mentioned many times, but there are many agencies that support the people in need in regard to these types of situations.

We have mentioned family violence a lot. It is one of the biggest issues. I think 40 per cent of police work is around family violence situations. We have to change our ways. We have to change our culture. We have to start that at younger ages, and right through the system we have to change the way that we rear our kids and allow our kids to do things during the course of their growing up into young males and young men and then adult men thinking that they can get away with family violence and violence in general. We have to change our culture.



The role of committal processes is something that affects our justice system, but it might not be well known to many, particularly those who have never had reason to encounter this system before. Before we had independent police or prosecutors, way back then, there needed to be a way to make sure that cases had enough evidence to go to trial, and that is how the committal processes began – as a check to make sure that only cases with some merit moved forward and that there was some basis to take them to a higher court. It was intended to filter out cases that may not have been fit for a broader trial or a greater trial. The job of the magistrate in a committal hearing was to decide whether the evidence was strong enough to support a possible conviction for a serious crime. The bar for this decision was set pretty low, just enough to weed out only the weakest cases.

You will find that at committal hearings most sexual offence cases are referred on to the higher court because, I think you will find, magistrates, in regard to the evidence that they hear in a committal hearing, think that the matter generally should go before a jury to allow the jury to decide on the basis of the evidence that they have heard. That is my understanding and experience around sexual offence cases – that a lot of them are referred on to the higher courts to allow jurors to deal with them.

If we fast-forward to today and the committal process and the way that it has evolved, it is something like a mini trial. The prosecution presents their case, the witnesses can be questioned and cross-examined and the magistrate does a lot of the same work that happens later in the case when it goes to the higher courts. That in itself shows that we are duplicating the giving of the evidence by the victim and witnesses, which is very traumatic, subject to whatever the case may be. It is very traumatic and we just duplicate it. It is lengthy, it is resource intensive and, as I said, it retraumatizes victims and witnesses if we have to put them through a couple of trials, one being the committal and then one being the bigger trial at a later date. And of course it can delay the outcome for victims because of the committal process and then going on to the higher court or the bigger trial.

Again, to refer to the contribution by the member for Hastings, people are traumatised enough. It changes their life, it changes their family's lives. He contributed in that way in regard to his wife's situation. She did not want to proceed with a court case or a committal hearing and did not want the offender charged because of the trauma that was involved. People that have been offended against like that live with it every day. There is no perfect outcome unfortunately.

We have heard previously in the debate that the 2020 Victorian Law Reform Commission report revealed that the discharge rate at the committal stage is very low – it is only about 1 or 2 per cent. I made reference before that most sexual offences cases would be referred on to a higher court to deal with those matters. Of course the Office of Public Prosecutions has a rigorous process for ensuring prosecutions are viable, appropriate and in the public interest. One major reason for the low rate of cases being dismissed during committal is the existence of the independent OPP. This office carefully assesses each case using a criteria that is outlined in the director's policy, which is publicly available online. The criteria evaluated includes the strength of the evidence, the likelihood of securing a conviction and whether pursuing charges aligns with the public interest, and again cost factors must come into that. The OPP would review a matter that may be sent for trial on the cost of that and whether there would be greater potential of a conviction. Even if a magistrate decides a case does not meet the threshold for trial, the Director of Public Prosecutions has the authority to override that and directly indict the case to be heard in a higher court. That may not happen very often, but that certainly can happen.

In all, 51 recommendations were made in the Victorian Law Reform Commission report. The bill addresses inefficiencies and ensures a justice system that truly serves its purpose. Again, that is why this bill is so important in regard to supporting the victims, making it a fairer system, reducing duplication, reducing cost, hopefully hearing cases in the higher courts more quickly and hopefully having better outcomes so that people have less trauma. This is a very important bill, and I commend this bill to the house.

**Katie HALL** (Footscray) (16:59): I am pleased to make a contribution on the Justice Legislation Amendment (Committals) Bill 2024. I would like to begin by echoing the comments from the member for Melton with respect to the very brave and moving contribution from the member for Hastings. He is one of those good humans, and I know that would have been a really challenging thing. We are all thinking of him, his wife and his family.

Committals are something of a relic within our justice system. Developed before we had independent prosecutors, the need for this process has since diminished. The Victorian Law Reform Commission found that only in around 1 per cent of cases were any charges at all knocked out by the committal process.

This process requires extensive resourcing, often duplicating practices that occur during trial. Not only does this clog up our courts and drain the resources of our justice system, but the process, as we have heard throughout today, can also expose victims to unnecessary retraumatisation. This bill seeks to address these issues through several mechanisms that will ultimately strengthen our system and ensure that victims of crime can seek justice without fear of unnecessary trauma and angst.

First and foremost, the bill abolishes the test for committal. The test applied by magistrates requires them to consider whether the evidence is sufficient to support a conviction for an indictable offence. Currently the committals process resembles a condensed version of a trial. The prosecution sets out the case against the accused and parties are able to examine and cross-examine witnesses, and the magistrate then undertakes a lot of the same work that would be then completed in court in order to determine if a case should move to trial. Efficiency is a big part of the reasoning behind these reforms. Repeating the work of lawyers and magistrates is costly for all involved, particularly when the Office of Public Prosecutions already undertakes a process to determine whether a case is viable.

Our independent Office of Public Prosecutions, which did not exist when the committal system was introduced, carefully applies a series of criteria to determine whether charges should be laid. I saw their work firsthand when I worked for Victoria Police as an unsworn public servant, and I saw the enormous amount of detailed work. I saw sometimes the frustration of police when they felt like they did not have enough evidence for a case to stack up in court and get through that committals process.

The criteria are set out in the director's policy, which is available online and includes considering the strength of evidence, whether there are reasonable prospects of securing a conviction and whether pursuing the charges is in the public interest. Even in a situation where a magistrate considers that the bar for committing a matter for trial is not met, this can be overridden by the Director of Public Prosecutions, who can directly indict a matter for trial in a higher court. With the evolution of our criminal justice system it does not make sense for all the indictable criminal matters to require duplicative cost and time and to repeatedly retraumatise victims and witnesses through a process that sees only between 1 and 2 per cent of matters disallowed.

This brings me to what I believe is the most important aspect of the bill: prohibiting cross-examination of witnesses and victims in sexual offences, family violence and stalking matters at the committal stage. Currently most victims and witnesses in criminal trials can be cross-examined multiple times on the same evidence, first at the committal hearing, then in a higher court during trial and sometimes even before trial. Cross-examination is one of the most challenging parts of the criminal trial process, and having to go through this several times would be significantly retraumatising. It is already very challenging for victims of sexual offences, family violence and stalking to come forward, and the prospect of having to repeatedly tell and defend their story and their experience is a significant deterrent to engaging with the criminal justice system.

This bill is about protecting victims and witnesses in sexual offence, family violence and stalking matters from that unnecessary pain and trauma, and I hope that these changes will help make our justice system more accessible for victims of these crimes. These protections already exist for children and those with cognitive impairment, who are already shielded from giving evidence twice in sexual

offence matters. We are expanding this protection to cover all sexual offence, family violence and stalking matters.

Access to our justice system is crucial to its efficacy and integrity. Public prosecutors and defenders at their introduction were monumental in how they transformed access to the justice system. These systems, alongside society, evolve over time. Part of this evolution is recognising the strain that our systems can take on victim-survivors of family and gendered violence. As our understanding of mental health and wellbeing grows and evolves, so should our approach to administering justice. Systems that deter victims from seeking help through fear of retraumatisation or not being believed prevent these systems from acting in the interests of victims and society at large. This bill moves to modernise our justice system – not only saving time and money but most importantly granting further protections to victims.

This bill comes at a time when we mark 16 Days of Activism Against Gender-based Violence, recognising that there is so much work to be done in this space. Systematic and institutional changes like those in this bill are at the core of how we will address gender-based violence as well as how our systems of justice respond to victim-survivors. Changes like these demonstrate our government's commitment to creating change in this and for many other sectors seeking to make Victoria a safer and fairer place for everyone.

I would like to acknowledge the work of some local organisations in my electorate of Footscray. McAuley social services led by the wonderful Jocelyn Bignold provides accommodation for women who are victims of the most horrific family violence, and together with Westjustice, our local community legal service, they partner to support women through court processes but also through the very important process of securing financial independence. Often these women are victims of shocking coercive control. We have McAuley and Westjustice in Footscray as well as the incredible GenWest working across the western suburbs to support victims and also to tackle gender-based violence. We are fortunate to have them, although I wish we did not need to have them. I feel like in Melbourne's western suburbs we have some very serious issues with family and gender-based violence, as we do across Victoria, but we are well supported by the Orange Door, McAuley, Westjustice and GenWest. I commend this bill to the house.

**Alison MARCHANT** (Bellarine) (17:09): It is a pleasure to rise to speak on the Justice Legislation Amendment (Committals) Bill 2024. I am not a trained lawyer or a lawyer in a career and I do not have a direct experience to bring to this debate of being in a courtroom, but here in this chamber we are lawmakers, and it is a role that carries that profound responsibility in shaping the legal frameworks of our state. It is our duty in this place to ensure that the laws that we do create are not only just and equitable but also modern and fit for purpose in the world that we live in today.

Our justice system is there to maintain that social order. It upholds the rule of law. It delivers justice in a fair and impartial manner. It provides a mechanism to settle conflicts, whether they be criminal, civil or a family law matter. It is a system that recognises the rights and needs of victims of crime and provides them with access to justice. But here is an important part I think I would like to note: people do not choose to be a victim of crime. Victims of crime experience unimaginable trauma. It has a profound impact on their lives. A report by the victims of crime commissioner entitled *Silenced and Sidelined* found that criminal proceedings can add trauma to the victims that have already experienced some trauma through the crime. While our system is reliant on victims reporting and also giving evidence, many victims who talked for that report shared their experiences that they felt powerless in a system that was meant to help them. I think that is the real crux of the reason why we are here today debating this bill. This government takes this very seriously and is making these changes today to modernise that committals process, and it is centred around protecting the victim from the trauma of repeat cross-examination.

Victoria's committal process is part of our court system, which decides if a serious criminal case should go to trial in a higher court such as a County or Supreme court. However, in practice there is

some duplication in that system, which can be lengthy and resource-intensive and expose victims and witnesses to an unnecessary level of retraumatisation. A 2020 Victorian Law Reform Commission report identified several issues with the committal proceedings and did make some recommendations, and the bill today is about making a careful and considered change to modernise the committals process. Importantly, as I have stated, it is there to better protect victims and witnesses from that trauma of repeat cross-examination. In that 2020 Victorian Law Reform Commission report a primary concern raised was around stress and trauma caused to victims and witnesses during pre-trial processes, including cross-examinations. The report advocated restricting the pre-trial cross-examination for vulnerable witnesses such as children, particularly with family violence cases. I just would like to quote our Attorney-General, who recently did some media around this bill and publicly stated – I thought it was sort of pertinent to talk to this – that:

Survivors of sexual offences, stalking and family violence deserve justice, not further trauma. These reforms will ease the burden of repeated testimony, helping them move through court proceedings and get on with their lives.

That is why it is really critical today that we take steps towards a justice that has dignity and compassion for victims and witnesses of sexual offences, family violence and stalking.

Imagine for a moment the courage it takes for someone to stand up, to come forward and to share their story of suffering and survival, yet under our current system that bravery is met with the gruelling reality that victims are forced to relive their trauma not once but maybe twice or sometimes even more. They must endure that cross-examination at the committal stage and again at trial or even sometimes before a trial begins. I would imagine that cross-examination can be one of the most harrowing parts of our criminal justice process. For many the repeated questioning is not just challenging but retraumatising and can take fragments of hope from a victim and make them question whether they will see justice. Research also highlights this. Research shows that cross-examination in sexual assault cases can have a significant deterrent effect on victims reporting offences to authorities. The Victorian Law Reform Commission found that the adversarial nature of cross-examination, which does often retraumatise victims, can lead to many avoiding engaging with the justice system entirely. Victims describe cross-examination as an invasive, distressing process that amplifies that feeling of shame and fear. It discourages them from pursuing legal action or even reporting the crime in the first place.

Additionally, repeat questioning at various stages of the legal process can contribute to what is called a second victimisation, making the experience of seeking justice just as painful as the crime itself. Studies and survivors consulted – and they were cited by the Victorian Law Reform Commission – affirmed that these barriers do exacerbate already high levels of under-reporting of sexual offences, as victims can fear humiliation and the emotional toll of confronting such proceedings. That is what we are doing today; we are standing up for those individuals. By prohibiting cross-examination at the committal stages for cases involving sexual offences, family violence and stalking we are saying loud and clear that your courage will not be punished. This reform is not revolutionary, it is common sense. We have already shielded children and individuals with cognitive impairments in sexual offence cases from being forced to testify multiple times. We currently have a scheme to put in place supports for sexual offence complainants to allow them to give prerecorded video evidence, and this has been a successful change. We now extend this option to victims and witnesses who are children or who do have cognitive impairments in family violence matters.

I just want to finish on and be pretty clear that justice and fairness still remain at the heart of this change. The accused will still have the opportunity to apply for limited pre-trial cross-examinations of witnesses other than the complainant of the trial court, and this will ensure a fair trial while sparing victims and witnesses that unnecessary pain that I have outlined. As our criminal justice system evolves, committal proceedings offer several advantages. They allow disputes and issues to be narrowed, provide opportunities for early resolution of cases and ensure that the accused has access to the evidence against them through proper disclosure. However, requiring all indictable criminal

matters to undergo this process is neither efficient nor justifiable, and it results in unnecessary duplication, as I have spoken about.

Our laws must reflect a modern and contemporary society. They must serve to protect the vulnerable, deliver justice efficiently and promote the values of fairness and dignity that underpin our democracy. When the laws lag behind the needs of the people, they risk becoming obstacles to justice rather than instruments of it. This bill aims to strike a balance between improving criminal justice efficiencies and reducing the trauma for victims and witnesses while ensuring a fair trial of the accused person. This government will also carefully monitor the effectiveness of these changes and will consider further reforms if needed.

I would also like to acknowledge and speak a little bit about the work of our local Orange Door service that is on the Bellarine. The Orange Door on the Bellarine has only been operating for about a year now. They are unfortunately very busy, and I wish that we did not need them. But they do incredible work in our community, supporting families and vulnerable people. They are working very closely with other support agencies and police, GPs, health services and allied health, and they are doing an incredible job in supporting those families who need that help. I thank them every day for their work. It is really important work they are doing, and I have no doubt in saying this: they are saving lives. It is an initiative that I am very proud to see, in a local sense, on the Bellarine. I am really thankful for their work. I thank the Attorney-General for the work on this bill as well, and I commend the bill to the house.

**Natalie HUTCHINS** (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (17:19): I move:

That the debate be now adjourned.

**Motion agreed to and debate adjourned.**

**Ordered that debate be adjourned until later this day.**

### *Committees*

#### **Parliamentary committees**

##### *Membership*

**The ACTING SPEAKER (Paul Mercurio)** (17:19): The Speaker has received the resignation of Peter Walsh from the Standing Orders Committee and the Privileges Committee effective from today.

### *Motions*

#### **Budget papers 2024–25**

**Debate resumed on motion of Steve Dimopoulos:**

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

**Sam GROTH** (Nepean) (17:20): I will blow the dust off my budget notes here. It has been 203 days since Labor delivered the budget. I had to go through quickly, as I raced off and heard we were going to move to the budget take-note motion today, to check that my budget notes were actually still relevant – it has been so long since the Treasurer delivered his budget back in May – and I tell you what, they certainly are not. When you look at reports last week about our future debt and where we may be landing, back in May when the budget was delivered, state debt was predicted to get up around \$188 billion, with \$20 million a day in interest payments. What have we read this week? \$228 billion by 2028 and rising every single day. We heard the Premier in question time talking about the current fiscal state of the budget of Victoria and talking about how they are going to deliver a surplus on the budget. I am not sure she is fully taking into consideration exactly where the state is at the moment and that growing level of debt. Major project blowouts – it is just an absolute mess here in Victoria 200-odd days since the budget was delivered.

I am going to touch briefly on a few local projects that continue to not be funded under the Allan Labor government here in Victoria, and I am going to start with one I speak about regularly in this place, and that is Rosebud Hospital. I really do want to say, first of all, before I talk about the need for the new hospital, I was actually in there on Saturday night with one of my twin boys. Unfortunately, he was under the weather, dealing with a little bit of vomiting, and the staff as always were absolutely incredible. But it is very, very hard, as many of the members in this chamber would know, if they go into their local hospital. Rosebud is a small hospital. They do know what job I have got, and every single one of the nurses in there raised the need for an upgrade to that facility. Of course before the last election – unfortunately we ended up on this side of the chamber – we did make a commitment to rebuilding Rosebud Hospital, one that continues to not be matched by those on the other side of the chamber. Every single time I hear from the Minister for Health in a letter, she sends me the stock-standard letter that we all get from ministers on the other side. A constituent says, ‘We need Rosebud Hospital. We need an upgrade. I spent time in there. I spent too long in the emergency room. The facilities weren’t up to standard, weren’t up to scratch.’ The letter comes back from the Minister for Health: ‘We’re investing in Frankston.’ Fantastic. Do you know how long it takes to drive from Rosebud Hospital to Frankston Hospital in no traffic? Let us not forget, when everybody is down over the summer and the peninsula is chockers, it takes 40 minutes to get from Rosebud to Frankston. You tell me where else in metropolitan Melbourne you have to drive 40 minutes to get appropriate health care.

**Bridget Vallence** interjected.

**Sam GROTH:** The member for Evelyn in the Yarra Ranges has the same experience. But constituents on the Mornington Peninsula are one of the oldest demographics in the state. They need quality health care close to home and the facilities to be able to deliver it. The nurses, the doctors, everyone there – all the staff do an incredible job with the facility that they have got, but they need that money committed to the hospital so that they can deliver the best possible health care that they can.

The other issue that continues to be a problem – and I am sure many members in this chamber will sit in traffic here over the next few months – is the Jetty Road overpass. We saw a previous federal coalition government deliver \$75 million for that upgrade that was never used by the Labor government here in Victoria. They just handed that money back to the feds and did not put it to work. It is one of the most dangerous intersections in all of my electorate by far. When you come off the end of Mornington Peninsula Freeway, you hit the double roundabouts there. There is an accident there every other day – multiple accidents every single week. They have put a pedestrian crossing in. It is one of the most ridiculous things.

**Kim Wells** interjected.

**Sam GROTH:** They do bank up, member for Rowville. It needs investment. Again, we made that commitment. It still remains unfunded in the latest budget under this government. We need to make sure that we are seeing the infrastructure delivered on the peninsula. At the moment the government seems to be signing us up to contract after contract on the Suburban Rail Loop, and while that continues to happen and all the money keeps getting invested into that one basket, people on the peninsula will continue to be neglected when it comes to the infrastructure that they need. They are neglected when it comes to Jetty Road, and they are neglected when it comes to the maintenance of the roads. If you do drive on any of the VicRoads roads down in my electorate, whether it is Point Nepean Road or Frankston-Flinders Road out on the other side, from Acting Speaker Mercurio’s electorate through to mine, that road is absolutely abysmal. And if you are going from east to west, one side to the other, Boneo Road is the other major one. You cannot drive 50 metres without having to swerve to avoid a pothole. It is dangerous. We write weekly to the Minister for Roads and Road Safety about Boneo Road. It is in an absolute state of disrepair.

## MOTIONS

Tuesday 26 November 2024

Legislative Assembly

4737

We hear about the summer maintenance budget and everything that is going on – well, I can guarantee you, with traffic banked up over the summer, there will be very little summer maintenance going on in the electorate of Nepean. And if it is, I tell you what, you could not pick a worse time to do it than when the population of my electorate swells by over 100,000 people. Tell me how you are going to resurface roads when there is one way in and one way out in peak periods. I tell you what, though, in gridlock it is hard to damage your car – you are not hitting those potholes at speed, so maybe, just maybe, the community will get through the summer unscathed with this government's lack of road maintenance.

We still need to see sound barriers delivered on the Mornington Peninsula Freeway. It is not always in gridlock; quite often the cars are going down there, especially in non-peak times, at that 100-kilometre-an-hour speed limit. I continue to get residents who write to me in regard to the sound barriers. They have had VicRoads out, who have measured the decibel limit. It has been professionally vetted and it exceeds the threshold of a healthy level by VicRoads standards, and many people are reporting to me about their mental health and their lack of sleep. They have consistently measured it at over 60 decibels, and we just really need to see at some point those sound barriers go up. Unfortunately, what I would say to those people that live on the Mornington Peninsula Freeway whose properties back onto it, at the moment with the current state of the budget as it is – \$228 billion by 2028 – I would not be holding your breath, because if you want that project to be delivered, you need a government that can handle the budget and manage the finances, and at the moment we know that Labor cannot manage money. All you have to do is look at the current state of the budget.

More broadly when you look at the state – and I will touch briefly on my shadow portfolio in the tourism sector – we saw huge cuts to the budget when it came to the tourism sector. On Thursday night we went to Victorian Tourism Awards. The Minister for Tourism, Sport and Major Events was there and spruiked what a great job the sector does and how much they put themselves on the line and deliver experiences for those people that visit from inside Victoria or who come to Victoria from overseas or interstate, and I agree they do an amazing job. These are people who put themselves on the line every day. But when you get a cut of over 60 per cent in tourism and major events funding in the last budget, you just wonder how those people can keep working hard every single day to keep their businesses open and to create local jobs – they employ locals, they boost the local economy; they do an amazing job – to keep being able to promote themselves more broadly to visitors from New South Wales, Queensland, Western Australia and from other states or from overseas to come here when the government has absolutely smashed the destination marketing budget.

Within three days of the budget and the destination marketing budget being cut from \$32.5 million a year to \$32.5 million for four years, with \$6 million in the budget this year, we saw the Down Under Summit cancelled. That is a big trade show that is put on in the US. In the Public Accounts and Estimates Committee last week we could not get an exact number of the current employees at Visit Victoria, but we know in the last year and since the budget there have been 30 full-time equivalent jobs lost at Visit Victoria, who do the job of promoting tourism, securing major events and working with the business events community. We are seeing job cuts in this area. We are seeing cuts to destination marketing. How does the state continue to promote itself when this budget continues to put all its money into contracts for major projects that continue to run over budget? There is a whole list of them that this government loves to stand up and talk about, the things they have done, but they never, ever mention how much money they have run over by. Well, I think Victorian people are getting quite sick of it, and I think that it is those small business operators, those tourism operators who have to run to a budget, who have to work week in, week out to understand how much they are bringing in, how much they are putting out – they are the ones that are starting to suffer because they cannot get the marketing they need from Visit Victoria, who no longer have the staff they need or the budget to promote the state.

We have seen year to date around 400,000 less visitors compared to pre COVID. We have seen other states who are getting back to those levels far quicker, who are making record investment. When you

look at New South Wales and Queensland, who are our two biggest competitors, both of them are making record investments. We have seen Western Australia in their most recent budget make record investment into the tourism and major events space. We saw Queensland spend more on a campaign for three months with *Bluey* than we are going to spend in four years on destination marketing. We have got the Australian Open and we have got the Grand Prix. Tell me one event that this government has acquired since it came to power in 2014 – one event that you have acquired, just one. Give me one. I would love to hear one that you have acquired since 2014. Not a single event has been acquired by this government. They hang their hat on a calendar that was handed to them when they came to power, and all they have done is waste money, rip it up and go into debt. Go and acquire something before you spruik your credentials when it comes to supporting an industry that you are absolutely ripping the guts out of at the moment.

This government has no idea when it comes to managing money. They have no idea when it comes to managing tourism. They have no idea when it comes to helping the people of Nepean. I do hope, as we head to two years since the election and two years to the next one, that the Victorian public take note of just how incompetent the Allan Labor government is when it comes to managing money.

**Paul HAMER** (Box Hill) (17:31): I thought the member for Nepean was on a roll. I thought he would go the full distance, but that is all right. I am very happy to speak on the budget. I know it has taken a little bit of time to try and fit everyone in who has been wanting to speak amongst the busy legislative program that we have had in 2024, but there is no time like the present to talk about the budget and what it has meant for Box Hill through 2024.

I just want to start by making some general observations about the budget and the state of the economy and the state of Victoria, because for those at home who were listening to the member for Nepean, he was not really doing the sales pitch. Particularly for somebody who we know has had some experience in tourism promotion on the small screen, I would have hoped that there was a little bit more promotion that he could give for this great state, because Victoria does have the strongest employment growth in all of the states, in both absolute and percentage terms. Almost 885,000 jobs have been created since we were elected, and we have also added 100,000 more businesses since June 2020. If you think about that time, that was just after the pandemic hit, and since that time 100,000 extra businesses are in Victoria, which is the largest percentage growth of any state. Since coming to government 10 years ago there are 190,000 extra businesses, which is a fantastic endorsement of the state, the state's economy and what this government is doing to attract more businesses.

Even though I am a metro MP, I know about the tax changes that we have made in the regions, particularly on the payroll tax to really make that the lowest payroll tax in the country. If you set up a business in the regions and you are beyond that threshold to pay payroll tax, it is a very attractive incentive to be setting up business in the regions. I know there are a few local companies that I have spoken to who have been contemplating setting up high-tech manufacturing facilities in Victoria. I have been encouraging them to have a look at our great regions to set up, because once they get to that size they will probably attract the payroll tax, and where better to set up than regional Victoria, with a very highly skilled workforce, access to transport networks and access to the port, export markets and of course our very favourable tax regime.

As a result of all of that business investment, the size of our economy has increased. It has increased to over \$600 billion in 2023–24 in nominal terms, and that means that in real terms Victoria's economy is now 11 per cent larger than before the pandemic and 31 per cent larger since the government was elected 10 years ago, which by any measure is demonstrating the growth in the state and the growth in the economy. All of the economic statistics and data are pointing to this growth.

I do want to talk about some of the big-ticket items that were promoted in this year's budget, and not necessarily in terms of absolute cost but just in terms of the difference that they are making to our local communities. The one I want to talk first about is the \$400 school saving bonus. Many, many parents will be receiving it – possibly today, this afternoon. Parents with children in our government schools



will be receiving an email with some login information today so that they can take advantage of that \$400. It covers a whole range of things – excursions, uniforms, camps. We know how difficult it is at the moment. The cost-of-living pressures are real for many, many families. Some schools have even cut back the number of excursions and the number of camps that they have had just so that it becomes more affordable for families, so having this \$400 accessible to families for these costs is absolutely critical coming right at this time of the year as they are going into the new school year. Particularly for students who are going into secondary school, just the cost of the textbooks and all the associated other things that you need for each of your different classes in secondary school adds up significantly, so this \$400 is coming really at the right time and is so desperately needed for many, many families.

I also want to just talk about some of our local projects that were funded in this year's budget. I was pleased to see we got a number of allocations for some of our terrific sporting clubs and sporting assets. It is so important, and the amount of work and the amount of participation that goes on at our local sporting clubs can never really be overestimated. I mean, it is tireless work by all of the volunteers, all of the committee members that put in to help their sporting clubs. As we have seen and as we saw particularly through the pandemic, having that outlet not only for junior sport but also for senior sport, for people to come and participate in their local community – they are so much the lifeblood of our community, our sporting groups.

I was really pleased to both advocate for and also be able to receive and pass on the good news that through the council the clubs' facilities were going to get some upgrades. Just to highlight some of these upgrades: Mont Albert Reserve, which is home to both the mighty Mont Albert Cricket Club as well as the Surrey Park Lacrosse Club, has received \$140,000 towards particularly pavilion upgrades. They have a wonderful facility and a wonderful pavilion that is not too old, but it does not have much of an external area where people can congregate and go and use that space to socialise and make more of the matches that they have at the ground. I know that they are already working with the Whitehorse council to develop those plans and make sure that something happens.

We have also managed to secure funding for an electronic scoreboard at Elgar Park. This will serve a number of clubs, particularly the Box Hill North Football Club, the amateur football club that plays out there. They are a terrific club. They have got the seniors team, but they have also offered me a position on the veterans team. They have an over-45s team. It has been a very long time since I played football. I was a small forward pocket at the time, back in the school football days, and I would probably be an even smaller forward pocket these days, so the attractiveness of coming in and putting on the boots and running around for the veterans does not quite take me, but I do appreciate the offer from the football club. Coming down and helping them to get a scoreboard is certainly a way I can help them out.

Koonung Reserve is a sporting facility in Blackburn North. There are currently two ovals and a very old pavilion. The pavilion must have been built in the 1960s or 70s. It has one room; that is how old it is. And the room is separated – obviously you have the home and away teams – by just one of those old vinyl curtains you would probably be familiar with from other facilities that were built around that period of time. That is all that separates the home and away teams. They also have a women's team, so how you manage home and away and then men's and women's teams is an enormous challenge. They do need to have new clubrooms. They have been pushing for a redevelopment for a number of years. I am glad to say that we were able to secure money towards a master plan for that facility to at least start that process, to look at what facilities the clubs and that area require.

We were also able to secure some funding, also for a scoreboard, at Koonung Reserve. Whether it is cricket with the Blackburn North Cricket Club or football with the Nunawading Lions football club – the two major codes that play at that oval – they all still use a manual scoreboard, just flicking through the blocks of numbers on the ground and sticking them on the old hook, and that is how it has been done since day one. I think the cricket team and the football team were able to secure some grants through the AFL and through Cricket Victoria towards the construction of an electronic scoreboard, but it did not cover the entire cost, and we were able to assist them greatly by making a contribution

## MOTIONS

4740

Legislative Assembly

Tuesday 26 November 2024

---

towards that. So they are some great local projects that we will be seeing over the next couple of years. Like I said, they make a huge difference to the local sporting clubs, just being able to show that you really take pride in your area and pride in your community by upgrading these facilities.

I am also really pleased to see how our budget commitments from previous years are continuing and continuing to grow the Box Hill community, particularly in our schools. Last week I was at Kerrimuir Primary School to see how their multipurpose gym was faring. It is such a terrific build and there is such terrific need for that site. If I recall correctly, that was funded back in the 2021 budget. We are getting very close to the completion stage now; I think it is due for completion in the first half of 2025. It is really taking shape, and it is going to be, again, such a boon for the community. Basketball is so big in the Box Hill community. The demographics of the community just love basketball. You go down to the junior basketball clubs, and there is such a diverse mix of kids that come to play. Particularly in the Chinese community a lot of families like to take their kids to basketball and get them involved in junior basketball, and we simply do not have enough courts. There has already been a lot of interest from the many junior community clubs in our area in hiring the facility once it is completed, but it is just as important for the school.

The school has been running assemblies outside for years and years and years because they simply do not have an indoor facility that is large enough to accommodate whole-school assemblies. Finally when this gym is completed and delivered they will be able to have their assemblies inside in all weather. It will be a wonderful asset to the school, and I am really looking forward to being able to see it finally open.

The other school that I wanted to give a shout-out to was Laburnum Primary School, which we also funded. I think that was in 2022, and that was for a replacement classroom wing. I think there are 10 new classrooms which are being delivered as part of that project. That is a school which is right on the doorstep of Box Hill and the Box Hill activity centre. We know that that is experiencing growth, so it is really important that these extra classrooms are delivered. I cannot wait to see this project delivered. I think it is a wonderful budget that is really hitting the mark in Box Hill.

**Kim WELLS** (Rowville) (17:46): The budget for 2024–25: another Labor budget and yet another financial mess. It just goes to prove that Labor can never, ever manage money. It never has and it never will. State Labor has never, ever handed over the state finances to a coalition government in a better state than when they received them. Let me give you a couple of examples. In 1992 state Labor were a basket case, and we were called the rust bucket state of the country. We were so bankrupt that the state government was going to have to borrow money to pay for teachers, nurses and police wages. They were so bankrupt that they actually had to sell Loy Yang B to Mission Energy. I am always amused when the government says it was Jeff Kennett who privatised the SEC. It was actually started by the previous Labor government in the Cain–Kirner days.

It must be remembered that the SEC had a debt of \$7 billion. I am always amused by the press release that they put out at the time. It was put out by the Premier, who said:

The Victorian Government's decision to involve private investment in this new project is essential to our energy future.

But it was not about that. It was about how badly the state was being run. Tony Sheehan, the Treasurer at the time, said:

It will be the first time that part of a major State power station will be part-owned and managed by a private investor.

It will mean:

... improved plant performance and industrial relations in the power generation industry in Victoria.

## MOTIONS

Tuesday 26 November 2024

Legislative Assembly

4741

Then after the Bracks–Brumby period between 1999 and 2010 we had another financial mess. Massive write-downs of state taxes and cuts to GST meant a revenue cut of around \$8 billion and the budget was in structural deficit – another mess that the Baillieu government had to deal with.

So I always find it amusing in recent times when the Labor ministers get up and have the audacity to say in question time that we did not fund one police officer in that time between 2010 and 2014. We actually funded 1800 police and 1000 PSOs. The member for Croydon was part of that cabinet decision and the policymaking to make sure that we funded the 1800 police and 1000 PSOs. That was a real, good legacy.

But there were more issues that we had to deal with. One of them was regional rail, which the Labor government is so proud about. When we took it over we found all of a sudden, as Dr Death, the Department of Treasury and Finance's Grant Hehir, used to come in and say to me: 'Treasurer, we have an issue.' Regional rail had forgotten to include the cost of the signals – \$500 million that we had to find to put the signals on the regional rail. Then when we asked the question to Treasury, 'Where are all the trains coming from?' they had not ordered one extra train to run on regional rail, not one extra train. All of a sudden we had this brand new fantastic railway line running along, but we had no trains. We then had to go and find more money to fund trains to run on the regional rail.

The other issue was the Epping fruit market – another basket case. It was so bad that we had to take it out of the departments and put it into Treasury so we could maintain the costs on that. It was just so embarrassing. Myki did not work; we had to fix Myki. It was a financial mess after a financial mess. For the difference between Labor and Liberal, I refer to a Winston Churchill quote, one of my favourites: 'I contend that for a nation to try to tax itself into prosperity is like a man standing in a bucket and trying to lift himself up by the handle.' That pretty much sums up the difference between the Liberal–Nationals and Labor: while Labor try to tax their way into prosperity, we believe in sensible financial management.

I want to move on to domestic violence. Funding domestic violence is crucial. It is one of the scourges on society. We cannot get on top of domestic violence until the behaviour of men changes. When domestic violence is part of your family, the family is never, ever the same after multiple events of domestic violence. No matter how many times the husband or the father says, 'It will never happen again. I will stop drinking,' it does not last. It is repeat behaviour. It is something that a family never, ever recovers from because there is a breakdown in trust between the entire family.

I want to add that I am still a strong believer that Clare's law, which has been implemented in the UK and which should be implemented here, makes so much sense. You are trying to resolve an issue before it becomes an issue. In regard to family violence and Clare's law, it is the issue of the right to ask and the right to know. It came about when Clare Wood started dating a man who she met online. She had no idea of his violent past, and in the end she was murdered. Her father Michael Brown campaigned to ensure that other women were not in the same situation as her. The right to ask and the right to know are the two pillars which make a two-entry path to access evidence. I went and looked at this, and I worked with the UK police.

An example took place when I was there in the police station where a friend of a woman came to police and said, 'I am really, really concerned about my friend who has just met this fellow online from the other side of England. I need to know that my friend is going to be safe.' They checked the records. This man had a long history of violence against women. The police went out and said to the woman, 'We want you to bring in your friend tomorrow morning so we can discuss this with her.' They came in and discussed the record of that person, and it was able to be dealt with with the help of the friend and family. It is the right to know.

Online dating is obviously the big thing these days. Women should have the right to know, to be able to go to a police station and ask police, 'This is the fellow who I am dating. Is there or is there not a problem?' If there is not a problem, the police say, 'You have nothing to worry about.' If there is a

problem, then they are able to sit down with her and put around strong counselling and support for those women. It is knowing up-front. I just find it so difficult when we have so many programs after the fact. Clare's Law is before the fact, and it is something that I hope both sides of the Parliament would look at seriously. The right to ask and the right to know should be the right of every single woman who is entering a new relationship. People will say, 'Well, you know, is it a breach of privacy?' You are probably right; it is a breach of privacy, but I think there is a greater good in regard to a woman having the right to know. Hopefully Parliament will be able to work together to make it a lot safer, especially for women, because the cases – and it was even mentioned today during question time – are frightening. It is absolutely frightening what is happening to women. Making it 50 times worse is being assaulted or killed by someone that they know, who they have loved and trusted. It is just an awful situation.

Locally speaking, the budget spoke about a \$10 million major upgrade to Carrington Primary School, one of the really good schools in my electorate in Knoxfield. But the problem is we still cannot find where that money is in the budget, because it is actually a part of a pool. While they promised the local school that \$10 million is coming, it is actually not the case. We do not know what is going to happen to it – they are out doing consultation – but we need a commitment one way or the other about what is going to happen to that school funding for Carrington in Knoxfield.

The one concerning issue, in addition to what Rowville is not receiving, is that as soon as the federal Labor government came in, the Albanese government, they started cutting funding for our roads. Alan Tudge, the previous member for Aston, had made a number of commitments to be able to upgrade the roads in our area. For example, for the Rowville rail there was \$475 million secured, and we were waiting on the state to be able to match it and to get on with it. To even build it from Caulfield to Monash would have been a start. They cut the \$50 million for duplication of Napoleon Road in Rowville, they cut \$100 million for the Wellington Road upgrade, they cut the funding for the Dorset Road extension and of course they cut the \$4 billion for the east–west link. These are all incredibly important road projects. So now we have this dreadful situation where Albanese and the Labor government get elected and the first thing they do is say, 'Right, we are cutting all those funding commitments that Alan Tudge, the member for Aston, had made.' In our electorate in Rowville, when you look at the roads, it is just one pothole after another. I know the member for Croydon talks about this as well: all of the major roads in our electorates are just covered in potholes. We had four potholes on Ferntree Gully Road. They came out and fixed them, and we thought, 'Gee, how good is that? They have actually fixed them,' because we wrote to the minister about it. Four days later the potholes were exactly the same as they were. I do not know what they are doing in order to try and fix these potholes, but it just simply is not working.

We have got a federal election coming up, and it is going to be a bit difficult for the Albanese government to now turn around and go, 'Oh, by the way, the state is completely broke; we cannot make those commitments where we have already cut that funding.' The duplications, the upgrade to Wellington Road and the Dorset Road extension should all be state-funded projects.

But for some reason the money that is being paid in interest on the debt – and I think the debt is now forecast to be up to \$228 billion. I mean, it is just phenomenal. I think when we left it was \$53 billion, so it is four times greater in a matter of 10 years. It has gone from \$53 billion to \$228 billion, and now they have got themselves into this dreadful situation where all this money – vital money, taxpayers money – is being spent on the interest bill. As your credit rating decreases, the cost of interest increases because of the higher risk, and that is the dreadful situation that we have got ourselves into.

The people of Rowville deserve so much better, and between now and the next election, whether it be the federal election or the state election, we are going to be campaigning every single day to make sure that our schools are upgraded, that our roads are fixed and that the hospital waitlist is cut.

**Paul MERCURIO** (Hastings) (18:01): I rise to speak on the 2024–25 state budget. I would firstly like to thank the Treasurer and his team for putting another budget together. It is certainly no easy task

## MOTIONS

Tuesday 26 November 2024

Legislative Assembly

4743

to do, and there are many challenges to overcome, as we are all aware. But I do truly believe that we have the best people on our side to conduct this important work, which is to deliver for all Victorians a fair and equitable budget to progress our great state and continue the fantastic work that this Labor government does.

I remember on the evening of the budget announcement I went outside and I spoke to one of the television reporters that was talking about the budget. We had a quick chat, and he said to me, 'You know, Paul, it's a fair budget. It's the sort of budget we needed.' I was a little bit shocked, but I was grateful. I said, 'Well, can you say something nice on television?' And sure enough, he actually made a positive comment on the nightly news about the budget, so I am very grateful for that. And he was correct; it is the budget we needed for this time.

Last year I was privileged and honoured to have given my first speech in this place. I spoke about how I wanted to keep communities connected and, using a seat at the table, to advocate and push for real change in my electorate, which had not been seen really for 16 years because we had a Liberal incumbent. One of those ways to keep our communities connected is quite simple: public transport. I have spoken about this many, many times – the fact that you cannot get a bus to go from the Western Port side of the Mornington Peninsula to the Port Phillip side without making a long detour, for instance, from Hastings up to Frankston, changing to the bus in Frankston or even catching the train up there, and then catching the bus from Frankston back to Mornington. It is a 2- to 2½-hour trip. I am very happy to say that in last year's budget, the 2023–24 budget, I got money for planning for a cross-peninsula bus service, and I am very grateful to say that in the 2024–25 budget I got further money for infrastructure and community engagement. That community engagement has happened; it happened in September and October and was incredibly positive. People are talking about it in my electorate, and they cannot wait until we progress further with getting the bus. I certainly look forward to joining with many members of my community and jumping on the first bus to go from Hastings to Mornington in maybe 20 minutes, and I promise that I will tap on. That is what a seat at the table can achieve.

Another matter I raised in my inaugural speech was the sad fact that people feel like Western Port is the forgotten side of the Mornington Peninsula, but I do believe the tide is turning. The more I go out in the community, the more I see pride in people in what they are doing and achieving, be that through the business they run, the community group they volunteer for or simply the fact that they just love where they live. But those people need our support too so that they do not feel forgotten, which is why this government is delivering for them.

We all know that our local sporting clubs and the volunteers that run them can certainly stretch a dollar pretty far, so whatever you give them is utilised to its maximum potential. I was recently at the Somerville Recreation Reserve – well, not recently; it was quite a while ago – with the Premier. I was very grateful that she came down. It is the home of the Somerville Eagles senior and junior football clubs and netball clubs, Somerville Bowling Club, Somerville Cricket Club and also Somerville Tennis Club. We were there to announce \$300,000 that was going to them in the budget for much-needed work and upgrades to their facilities. There are over 54 clubs going through the Somerville Recreation Reserve, so it is a much-loved ground and it is a very much used ground. I know that they will make the best of that funding, and I also look forward to seeing the works complete. Additionally, there was \$100,000 given to the Hastings Tennis Club so that they can do some work around their club. They have four courts playing every weekend, and I know they will welcome any type of support. They have recently had lighting upgrades, and they are also about to have some court upgrades on two courts that are not in use at the moment.

Getting more people on the courts to have a hit and keep up their fitness also helps mental health, because we know playing any type of sport has positive benefits on our minds and our bodies, and that is something that I am sure we can all agree we need all the time. Let us keep it positive. So thanks to Ron, Peter, Debbie, Adrian, Karyn, Sam and Darryl for continuing to advocate for all your clubs. The effort you put in is what makes things like this happen, and I will continue to work with you for what the future holds. That is what a seat at the table can achieve.

What is also exciting about this budget is that it will continue to invest in and provide for young families and Victorians through all levels of education, from our youngest in kinders across the state that are thriving because of our landmark Building Blocks grants, providing newly built kinders, additional rooms or play spaces, to those that are also making their places of learning for everyone by putting inclusive equipment and practices in place that are for all kids, because every child deserves to have the best early education possible with as few barriers as possible. I have been fortunate to visit some of our wonderful kinders across the electorate of Hastings and see firsthand what these grants are achieving. I have visited these kindergartens with the former Premier Dan Andrews but also with current members and ministers, and it is always great to visit the kinders and read them a story, especially when they want to sit in your lap – not the teachers or the minister, the kids – because obviously they are having a good time and they feel good. We have supplied money to different communities for IT equipment for kinders so they can continue to provide education. We also visited earlier this year the new site of the Long Street kindergarten in Langwarrin, which will soon be co-located at the Langwarrin Community Centre, providing so many young families in Langwarrin with additional and much-needed kindergarten places.

But the support for families and kids at school does not stop there. Whenever I am out and about talking with parents or schools, there has been a common theme: is there any help for them to pay for various school costs like camps or uniforms? And of course we all know what the answer to that is. This is why every student enrolled at a government school and eligible families at non-government schools will have access to the \$400 school saving bonus. This money can be used for school camps, excursions, sporting activities and all those little extras that do run up a bill for families. We are providing much-needed relief to those that need it, and we know that any extra investment in our kids' education is just a positive step for the future. The \$400 school saving bonus is building upon the incredible work that this Labor government has done since 2014 in our schools.

I have seen a few of the Smile Squad vans in action, and I must say they are fantastic. Essentially a dentist practice on wheels, they provide students with free dental care and teach them the importance of keeping your teeth and gums clean and healthy. The staff are all very friendly as well, with oral health therapists, dentists, dental assistants and more providing a much-needed service to our kids. When I was a kid we did not have a van that came to our school. I know I have spoken about this before. We used to have to catch a bus to Freo to the dental clinic, which was full of students and was not a very good experience. Mum used to bribe us with a block of Cadbury's chocolate afterwards if we went. So I am very grateful for the dental vans.

Additional funding of \$6.8 million is included in the 2024–25 budget that will expand on the Glasses for Kids program, an awesome program that provides prep to year 3 students at participating schools with the chance to get free vision screening and further eye testing and, if needed, a pair of glasses. Now that kids have beaming smiles and can see much better, they also need to be learning on a full stomach. We have committed a further \$21.1 million into our hugely successful schools breakfast club programs across the state. No child should have to come to school hungry or try to learn whilst their focus is on a meal. This will provide students with a healthy breakfast, lunch, snacks or possibly a take-home pack for those that need it. With all the stresses that kids must deal with these days, having to go through it all with a growling stomach should not be happening. That is what having a seat at the table can achieve.

Being part of a Labor government that has implemented gender-responsive budgeting is truly incredible. In Victoria we make sure that when we make decisions we are thinking about how it will impact all of our population, not half like in the past – you know, like the male half – but all of the population. I have said this before, in my inaugural speech, that during my time as a dancer in a ballet company men and women were all equal. There were only people working incredibly hard together. Men lifted women, women lifted men. We worked together as a team of equals, everyone giving everything to the performance, to the audience, to each other. It was only when I left that world and entered the business world that I saw this concept of women not being equal to men, and it stunned

## MOTIONS

Tuesday 26 November 2024

Legislative Assembly

4745

me. Now, two years into this term, I am proud of the ongoing commitment and hard work by the Allan Labor government for true equality within our government and within our communities. In this budget we are continuing the funding of Respectful Relationships, which is a program that is helping students, teachers and carers to understand how gender norms can affect attitudes and behaviour within society. That is gender-responsive budgeting in action. That is why it is incredibly important that we look through multiple lenses when it comes to policy ideas and implementation. With this Parliament finally achieving gender parity, their seats at the table have been achieved – having a seat at the table has achieved that.

I have spoken about some of the things that this budget has achieved and some of the money that my community has received from this budget to help build a better and stronger community. On top of that, the Labor government continues to support my electorate by funding a variety of community needs that are not budget bids but ongoing commitments. We have announced a variety of funding. St Jude's Primary School in Langwarrin received \$1.8 million in the non-government schools fund. This will create three new learning spaces and renovate four classrooms in the old junior building. We have also announced \$230,000, combined, in bushfire preparedness grants for Western Port Secondary College, Somers School Camp, Woodlands Primary School, Balnarring Primary School, Tyabb Primary School, Hastings Primary School, Crib Point Primary School and Perseverance Primary School on French Island. Last year Bunjilwarra Koori health service received up to \$335,000 over three years. Bittern Primary School received \$3 million for upgrading and modernising their classrooms. This year Western Port Secondary College opened their new \$11.5 million learning hub for junior and senior students. I thank the Deputy Premier for coming down in fact for a morning tea with 20 local principals from the various schools, and we also opened the facilities.

Also this year Flinders Christian Community College opened their Joshua Centre, with the Allan Labor government contributing \$1.5 million, and just recently they have received some further grant funding I believe for kindergarten planning. The Frankston Naval Memorial Club in Langwarrin South received a veterans improvement grant of \$34,500, which they used to install solar panels, and in May a further \$46,000 for new storage sheds. Over \$90,000 combined in Living Local grants was given to Willum Warrain, Western Port Men's Shed, Sages Cottage, Abacus Learning and Presentation Family Centre to enable community organisations to continue their important work with funds for minor building refurbishments or to acquire equipment.

Over the last couple of years we have funded \$271,000 for the Hastings boat ramp pontoon renewal, including provisions for a hoist to enable all abilities. We have had \$37,000 combined in active school grants for Western Port Secondary College and other primary schools in my electorate, and this is to implement a whole-school approach to improving student physical activity.

We have had Tiny Towns funds. Western Port Biosphere received \$8000 to deliver informative and visually striking signage for French Island to highlight the hidden treasures that the island possesses. They also received \$930,000 to upgrade the boat ramp on French Island, and that work is about to commence, which is great. There has been further funding. We got over \$10 million for the Myers and Coolart roads roundabout, which is very dangerous. These bits and pieces, where people will often say, 'We don't get any funding; we don't get any support,' all up probably represent over \$30 million of funding that the Allan Labor government is pumping into my electorate to support my community, and I am very grateful for that. Post COVID we are certainly living in a vastly different economic time, with challenges that no governments faced in the past. Inflation and rising costs are being felt all over the world, and no government is immune to these pressures, which is why I believe this budget balances out the need to be financially responsible while still delivering for Victorians across education, health care, business and all aspects of life. I will continue to fight for my community. I thank the Treasurer for this budget.

**Martin CAMERON** (Morwell) (18:16): I will push on through with my 15 minutes. The voice is a bit croaky. I stand here as the member for Morwell to represent my community down in the Latrobe Valley. I think it is happy birthday to all the new politicians that were elected two years ago, so it is

good for us. But what I have found standing in the chamber is a lot of the time when we are talking about infrastructure and budgets or anything that the government does, we are always ‘nation leading’, and it flies in the face of what I find is happening down in the Latrobe Valley. To have to sit and listen about things that are going on in the city when we are doing it tough out in the regions and hear the government say, ‘Yes, we are looking after our regions’ – well, I beg to differ, especially given what has happened down in the Latrobe Valley.

Respectfully – and it is not going to be an unparliamentary word that I will use – I have got it written here that there are going to be maybe a few f-bombs that I am going to drop in the contribution, but they are not going to be that one you are all thinking they are going to be. It will be parliamentary, but there will be a few of a word that starts with F. I could speak for hours about the government’s sustained neglect of the Latrobe Valley, which is what I am going to do here. In the interests of time I thought I would instead provide a little bit of a report card of where we sit after Labor’s 10 years in government and how it has served my region, the seat of Morwell and the people of the Latrobe Valley.

We start with health. The government has spent a lot of money on the Latrobe Regional Hospital. It is a great facility, with hundreds of millions of dollars poured into it, but there is no money to staff it. It is a hospital with no staff. We have this magnificent facility that has been opened, and we cannot attract staff to actually look after the people of the region. In the Latrobe Valley they are travelling from as far as Gippsland East and Gippsland South, but our wait times there are incredibly long. The people in charge of the hospital are trying to do their best, but we cannot attract doctors and nurses to the region to work there, because not only are they struggling to get housing to live there but they are really struggling to get their children into preschool and into primary school because of circumstances that have gone on. For our health system in the Latrobe Valley the government get an absolute fail on the report card. They have not helped us out at all, especially in the two years I have been here. We have just seen recently the ambulance services and the paramedics get a pay rise, but that has not stopped the ramping that is at the hospital. Time and time again the people of the Latrobe Valley are left without an ambulance in the Latrobe Valley because they are off around the countryside, around Gippsland, helping out. We are struggling to actually facilitate the needs of the people, the everyday people. When they pick up the phone and they are in need, the government is failing to help them out. The paramedics, when I was speaking to them, were actually using technology virtually out of the ark, and the government needs to work harder to give them the state-of-the-art facilities inside the ambulances that they need to make them work better. So for that, once again – another one – the government has failed on that.

We move on to our roads. I have got certain roads in my electorate. One is the Bank Street intersection. It was promised safety upgrades and there have been works done on it, but we still wait and wait and wait for traffic lights. This is on the major highway running through Traralgon, and people are taking their lives in their own hands as they try and negotiate the intersection. The government’s way of fixing it has been to drop the speed to 60 kilometres an hour so if there is an accident – and there will be another one because there have been accidents before. One involved a school bus, but because they were doing 60 kilometres an hour, the damage was contained, and there was no-one hurt. There were people taken to hospital, but they were checked out, and they were okay. So once again we have another failure of the government to provide traffic lights. They say that they will be coming, and when we press the government when they will be there, November – and I think we are in November now – 2026. That is the forecast for when these traffic lights will go up. So we need to continue on with the people of the Latrobe Valley relying on the goodwill of whoever is in the other car to keep them safe.

The Tyers bridge – and I have banged on about the Tyers bridge – is always flooded, so the government decided they would build a new bridge and shut the road down for over 12 months. So to access Tyers you had to go the long way around. Well, when we opened it up, two days after it was open we had a little bit of rain in the area and it flooded again and they had to shut it. So here is a government with a big promise of providing a bridge for the people at Tyers – a major thoroughfare as we go through –



## MOTIONS

Tuesday 26 November 2024

Legislative Assembly

4747

that has failed once again, because when it rains a bridge that has been lifted up out of the ground still floods. They have failed on all fronts there.

We have the Lloyd Street–Waterloo Road rail crossing in Moe, which was promised upgrades. We had been told that they would start two months ago, but when pressed again we have found out that the government have not even purchased the land to do it. Labor has removed over 84 level crossings in Melbourne, which is fantastic, but it cannot address one level crossing issue. We do not want to remove it; we just want to make it safe, and they have failed to do that for the people of Moe.

Industry – the Latrobe Valley Authority was in operation for six years. The LVA was formed when the Hazelwood power station was shutting down to help the region transition. They spent \$300 million to produce a glossy brochure, while jobs in the Latrobe Valley decreased. So here is something the government has put in place to bring employment to the region which has failed miserably. The electronic vehicle manufacturing facility where electric vehicles were going to be manufactured fell over – no interest. It was going to provide 500 jobs for the people in the Latrobe Valley. It was not just a project that may happen but a project that was dead in the water – another fail.

Development – 43 per cent of our land for our housing and commercial expansion is locked up under coal overlays that are more than 40 years old. Now, we are shutting down the coal-fired power stations, so the mines are not going to expand. But the minister says that we are not going to lift these overlays and that we still need them in place, even though they are 40 years old and there is going to be no expansion. There were probably never, ever going to be any more coal works done on these particular parcels of land. We have had a lot of stuff being shut down in the valley, with our power stations, which are on death row as well. We have Yallourn shutting in 2028. Loy Yang A is going to shut in the mid-2030s, and Loy Yang B will probably have to follow suit if they cannot use the coal out of the mine later on.

I noticed today – and everybody here would have seen it – that the sun was not shining because it was foggy and the wind was not blowing because of the calm conditions, hence why we still had the fog. Today renewables were generating less than 3 per cent of what was needed for Victoria, so we are still reliant on the coal industry, and the government is shutting this down. Where are our jobs going to be? The Minister for the State Electricity Commission and for bringing back the renewables made a major announcement last week of a new solar farm and battery, but not in the Latrobe Valley. Since you are shutting down jobs and people are going to be losing their jobs, wouldn't you try and bring work to the Latrobe Valley to keep the people of the Latrobe Valley in work and also help them stay in the Latrobe Valley by giving them some certainty?

We have a job – well, it is a thought, really – the minister for the SEC does, and it is called the Hydrogen Energy Supply Chain (HESC) project. It is a hydrogen project which is being backed by the Japanese government, and I know, speaking with the Treasurer, that this is an option that is ready to go which will provide certainty and jobs for the Latrobe Valley. But we have a minister – and we talk about blockers – who is the only roadblock in the way of this project getting up and going. We have a minister that stands at the table and tells us to our faces that our energy prices are going down, down, down. Well, they are not. If you ask any person, and if I ask anyone here in the chamber, if you have your prices coming through –

**Vicki Ward:** On a point of order, Acting Speaker, in terms of misrepresentation of what the minister actually says, when people use Energy Compare, when they get cheaper deals, the energy prices do go down. She also talks to the fact that electricity –

**The ACTING SPEAKER (John Mullahy):** That is not a point of order.

**Martin CAMERON:** People are awake to what is going on. I know it is a bit touchy talking about coal, and it is a passion of mine because that is what the people of the Latrobe Valley have done for a living for the last hundred years – supply power to Victoria and the rest of Australia. We need to make sure that there are jobs coming into the area. So far the government have shut down the timber industry,

they are shutting the coal industry and they have shut the white paper manufacturing. So they are the jobs going out; what are the jobs coming in? They tell us that bringing back the SEC is going to provide 59,000 new jobs. Well, we need a few of them in the Latrobe Valley. We need to be manufacturing what we need for these renewable projects that are going to happen into the future.

The Commonwealth Games – what a fiasco that was. No games so far; no legacy projects. We were meant to have housing built on the back of the athletes village. It has gone very quiet. There have been maybe one or two sporting clubs that have heard noises that there will be some funding coming, but we need tangible funding on the ground which is going to help the people of the Latrobe Valley.

In schools one of our biggest problems – and this is a budgetary requirement that we do need – is the Victorian School Building Authority's make-safe program. While it works and makes it safe, they are leaving schools in the lurch and having to provide funding, which should be going to help employ teachers to educate the children, to fix works that the government should be doing – maintenance work, roof leaks, mould on the walls. They are happy enough to come down and talk the talk, but then they walk away and leave the schools holding the baby.

Crime on our streets – we do not have to be Einstein to work out that that is at a crisis point too. We have had a family in here today to talk about their son and what happened. Our crime levels are going up. Right across the board we do not have a lot of good news in the Latrobe Valley. It has been a fail for the budget, it has been a fail for the Treasurer.

**Luba GRIGOROVITCH** (Kororoit) (18:31): This year's budget is the ninth budget that this Labor government has handed down since coming into office almost 10 years ago. I am finally getting the chance to rise and speak to it, and I am absolutely delighted because over the past few months I have had the absolute pleasure of seeing firsthand exactly how our budget has assisted my local community. Whether it is helping with the cost of living, making sure that our kids can be their best, record funding for health care, as I know everyone around this chamber has seen, or continuing to invest in more of the services which families rely on, the Victorian Allan Labor budget 2024–25 has invested in our community, and it is something that we are all incredibly proud of.

The Victorian economy has created more than 560,000 jobs since September 2020, the highest job growth in Australia. Those opposite would have us believe that that is just not true, but it is: the highest jobs growth in Australia. One in seven of all people employed in Victoria have been employed since September 2020, and about one in three of all jobs created nationwide over this period have been in Victoria. This is the most jobs created by any state in Australia in both absolute and also percentage terms. As a result, unemployment in Victoria remains historically low at about 4 per cent, near the lowest it has been in nearly 50 years.

Since the depths of the COVID pandemic, business investment has increased by nearly 40 per cent. This is around one-third higher than the rest of Australia. In 2023 alone investment grew by more than 13 per cent, the largest increase of all the states at almost 6 percentage points higher growth than the rest of Australia. The only reason that we are in such a good position as we are today is the good forecast ahead of us and our economy growing. This is because on this side of the chamber we have a Labor government which is ready to do what it must for working people's wellbeing and one that simply will not shirk responsibility.

Unemployment and youth unemployment are a problem in my seat of Kororoit, and they unfortunately have been for generations. My seat's community are a proud, resilient people, but the fact that so many of them occupy the bottom of the economic pile means that they are often blighted by a pervasive lack of access to local jobs, education and opportunity in life. It is social injustice. It is obvious that the pervasiveness of unemployment destroys lives, it scars families and it leads to all of the obvious knock-on consequences, whether that be drug abuse, crime, alcoholism, youth crime or problem gambling. As I said before, there is still much more that this state government needs to do and can do to alleviate unemployment in seats like mine where it is concentrated the most.

The money in this budget is going to amenities, schools and community spaces in Kororoit. It will help keep it the dignified and lively melting pot of a place that it is. With the current cost of living, covering supplies and extracurricular activities can be hard on families doing it tough. Whether that be uniforms, camps, excursions, we all know that it all adds up. That is why we are providing a one-off school saving bonus to help cover the costs. The \$400 bonus will help make sure that our kids have everything they need for the school day, supporting families and children at government schools and families at our non-government schools who need it most.

From speaking to a number of parents, the \$400 bonus could not come at a better time. Anne-Marie, a local Kororoit resident, actually popped into my office the other day because she received the little advert that came up in the school newsletter in Compass. She wanted to know if it was a scam. I was so proud to tell her that, no, it was not – that this \$400 school saving bonus was something that would be in their pockets. It is dedicated to helping cover the costs of learning essentials and the extracurricular activities that we all know made school so much fun and continue to do that for students today. It will be available by the start of the 2025 school year. My office is so much looking forward to assisting the many, many families in the electorate that will need assistance, and I encourage all members in this place to help out as many families as possible to make sure that they receive that school bonus.

For those of you that did not know, our government is also tripling our free Glasses for Kids program, making sure that even more young Victorians can be their best in the classroom and beyond. Having already helped 34,000 kids across our state, this investment will help 74,000 more, providing free vision screening and prescription glasses for students who need it most.

We know that learning is not limited to the classroom. We are investing \$6 million to extend our Get Active Kids voucher, providing up to \$200 to help eligible families with the cost of sporting club registrations, uniforms and equipment.

With this budget we are investing more than \$1.8 billion to continue building the Education State and building a better future for Victoria's children. Families should be able to count on having a great local school, no matter where they live. We promised to build 100 new schools by 2026 – that is phenomenal. Already we have opened 75 primary, secondary and specialist schools where they are needed the most. One example that is very close to my heart is of course the Dharra School and the Yarrabing Secondary College. They were both opened earlier this year by the Minister for Education and me. This is a beautiful community and one that is going to absolutely thrive in a growing area where we need these schools the most. Parents have been yelling out for a new school in this area, and I was so proud to be able to announce, but more importantly to open, these two schools earlier in the year.

We have a further nine on the way, including the new Tarneit Plains primary school in Mount Atkinson, another thriving community. I know I have gone on about the Mount Atkinson community a lot, but it is an area that is growing – every single day more dwellings are popping up there – and we need the amenities, the education and all of the facilities close by to this growing estate. This school will receive a share of \$948 million for new school construction to deliver a brand new primary school which will be opened by 2026. Our government is also making further investments in education by purchasing land for a new Aintree North primary school, which is of course its interim name. Again, Aintree, Mount Atkinson – as my good friend the member for Melton knows, it is all a growing area.

Those opposite might be wondering why I am telling you this. It is because both the member for Melton and I cover Australia's fastest growing LGA. Our LGA of Melton is having 54 babies per week. That is a phenomenal amount, and it means that we need to futureproof our areas to ensure that we have got the right facilities. I am confident that this budget is going to ensure that that happens. This Labor government is making sure that we have great local schools close to where people are choosing to call home so that they have access to a great education, and we know that a great education gives children the best start to life and the best start to their future.

## MOTIONS

We are providing funding for five community hubs in Brimbank. Many of our primary schools in Kororoit, along with the community hubs, support migrant and refugee families, particularly mothers and young children, to connect with playgroups, schools and of course each other. As we all know, we need these services to provide health, education and settlement support. I regularly visit the community hub at Deer Park North Primary School. In fact I actually went to the end of term 3 break-up with the mums and bubs. It was a few months ago now, but it was one of those times out of the office that I well and truly enjoyed.

I remember sitting there with all of the mothers – I think there were about 12 of us – and one of the mums said to me, ‘You know what, I’m a new mum, and I hadn’t left the house for months. Thanks to this happening here at this community hub in walking distance I’ve actually come out of the house, and it’s been a saviour for me.’ That is something that really makes you realise how important it is for mums and bubs to be able to have the support that they truly need to make sure that they feel like they are not isolated in the community. They were excited on the day to share the range of different skills that they had learned, but most importantly, I loved to hear how much of a chance it gave them to connect with other parents. I want to thank Ruth, who is the hub leader at Deer Park North Primary School, for all of the work that she does, for the openness in sharing a meal and in encouraging everybody to speak up. There were many stories that were shared. There was a lot of laughter. There were even a few tears, and it was really a warm environment. I look so forward to going at the end of term 4 for their final celebration for the year.

We are providing \$110,000 to the Caroline Chisholm Society, another community hub which is in Kororoit. This hub provides women and children who are experiencing homelessness in the western suburbs with specialist homelessness services. Again, this is really the work of an angel that the Caroline Chisholm Society do. It has been my honour to get to know these workers there, and my hat goes off to them. Thank you to each and every one of them for the work that they do. They do invaluable work. They assist to identify housing options and provide advocacy and support to access private and social housing. I cannot thank them enough for the work that they continue to do for the members of our community.

As part of a total package of \$28.78 million the budget supports the continuation of the Brimbank Melton Community Legal Centre’s family violence program, which provides legal assistance to victim-survivors of family violence through health justice partnerships. Again, I lean on my good friend the member for Melton, who came along with me, along with the minister, who is in the chamber at the moment, and we actually visited some of these services. It has been our honour to be able to go to these services and see firsthand the great work that is happening. We know that there has been an increase in family violence not only in Victoria but across Australia. As a government we are making sure that those organisations have the support that they need to assist those victim-survivors and their families.

Only today – this morning in fact – we all came together in Queen’s Hall and celebrated the journey that we have all been on. I again want to recognise the minister, the Premier and the former Premier for all of the work that we have done in this domestic violence space. I also want to make mention of all of the speakers across both sides who spoke today so passionately. Without singling any of you out, you all spoke so passionately about the varied heartaches that each and every one of you have all gone through with domestic violence. It is sad, but it is something that I am proud that our government has recognised, and we are trying to make a difference.

On to our multicultural community, Kororoit is proudly home to a beautiful African community of many different nationalities. This budget delivers \$5.13 million to help to continue delivering 14 African Australian led homework clubs across Victoria to students who require additional tailored support. I must say one of our local African churches has really led the way in this homework club. It has been my absolute honour to go down and see firsthand the work that the tutors do to make sure that the kids are engaged in doing their homework and making a difference. I know there are many, many students in Kororoit, but there is one in particular who I will not name because I know he would

die of embarrassment – I cannot wait for his results to come out. There are many that have been part of this homework group that I am so confident are going to do so well in this year 12 round. I so look forward to all that can really be achieved not only through your ATAR that you receive on 14 December but also beyond. We are all rooting for you. This budget – and I have seen it firsthand – gives the positive impact that these programs are having on the community and for those students who are benefiting from these programs.

There is also \$6.63 million which is going to support the youth crime prevention and early intervention project – again, a very important project. It plays a critical role in reducing reoffending and ensuring that more young people will be supported and diverted away from custody. Funding provides for the continuation of the program across the police service areas of both Brimbank and Wyndham.

As the former Rail, Tram and Bus Union secretary, I cannot resist giving this one a shout-out: \$133.44 million in funding from this budget is going to go towards supporting our regional rail network, including operating newly delivered train stabling yards, stations and VLocity trains.

This is another Labor budget which puts people's priorities first. It is a budget that cares about people and cares about families. I know that the Kororoit community still need so much more to meet their needs and problems, as does all of Victoria. Along with my colleagues, I know that there is a lot more to be done, but we will all keep fighting and ensuring that our areas get looked after. After all, that is why we are in this place. This budget is a great start in showing that Labor is not leaving anyone in Victoria behind.

My spine shivers to think how much damage those opposite would have done to my constituents in Kororoit and in the west in this economic climate, and it is another reason why I am so proud to stand on this side of the chamber alongside the Allan-led Labor government and spruik about the great achievements of this budget. I look forward to seeing even more that comes to fruition over the next few months and then announcing the new budget in 2025.

**Chris CREWTER** (Mornington) (18:46): I rise today to speak on this take-note on the 2024–25 budget that was handed down 203 days ago. It has taken quite a while to get to this point to have the opportunity finally to speak – on the day that happens to be the two-year anniversary since my election and the election of many others here in the chamber. The situation has got much worse since the budget; it has got much worse over the last 203 days. The original situation that we heard about was that by 2027 there would be a \$188 billion debt with \$26 million of taxpayer-funded interest payments every single day. But in the last few days we have had projections showing that the debt will grow to \$228 billion by 2028, which will mean even more interest payments every single day for taxpayers.

The member for Kororoit before mentioned that this government cares about people and cares about families. How are you caring about people, how are you caring about families and indeed how are you caring about children when they will have to pay this debt back for perhaps decades or even generations to come if this debt is not brought in soon and lowered soon? We have projections and current rates of debt growing at \$80 million a day, which is above the rate that we are paying back by 2027 of \$26 million a day. It is growing at a rate where a bailout has even been talked about in recent news articles and elsewhere. It is growing at a rate where the credit rating has been downgraded and where we might soon see further credit rating downgrades as well. We have the largest debt per capita in the whole of Australia, which is not something to be proud about. We have the lowest credit rating out of any state in Australia as well.

But this debt is not just about numbers, it is about what it is doing in terms of our ability to provide the infrastructure and services that our communities and Victorians need and deserve. For example, if you look at roads across my electorate and across the whole of Victoria, we are seeing an enormous amount of potholes that are sitting there for ages. Indeed in some cases they are craters. We see homelessness going up and up and up in my electorate and across the Mornington Peninsula. The Mornington

## MOTIONS

Peninsula now has the fourth highest level of homelessness in Victoria. That is matched with the situation where we have 61,000 now on the public housing waitlist.

Crime rates and crime incidents continue to go up as well. In my electorate alone crime incidents have gone up by 22 per cent in the last year and family violence rates have gone up by 17 per cent. In this space, and particularly because of the debt levels we now face, Victoria Police are 1000 personnel short of where they need to be. In my electorate of Mornington the reception hours for Mornington police have been reduced from 24 hours down to 16 hours. We have the situation where bail laws have been weakened, and it is very discouraging for police, who are in the situation of arresting criminals and having to rearrest them and rearrest them again and again as they keep getting bail. I know that Mornington police are doing the best they can to tackle the increased crime rate. However, it is clear that they are under-resourced and underfunded, and that links back to this budget we are talking about. I have personally spoken with police officers in my local area who have stated that they need more resources and staffing to tackle the increased crime rate and indeed to do the preventative crime work that they want to do. Despite consistent representations to the Minister for Police and to this Labor government, it is a travesty that this government has not only refused to better resource Mornington police, but they have actively cut funds from crime prevention and community safety initiatives.

If we look more broadly at the situation we are facing in Victoria because of this debt, on public transport so many projects have been neglected because the Allan Labor government has tunnel vision on the \$216 billion Suburban Rail Loop. They have also significantly overspent and wasted funds on many other projects across Victoria. I note that recently the Labor government signed the first major tunnelling contracts for the Suburban Rail Loop despite expert recommendations against this. If we did have more funds available, we could do so much more for public transport in my electorate and beyond, particularly for places that have minimal public transport or indeed have no public transport altogether. For example, I have been advocating fiercely for changes to bus routes around Mornington just to get buses to service existing bus stops at two retirement villages, a holiday village and a school, and I have been advocating for a long time now – even before I was elected – for the Mornington to Hastings bus service. I will give credit where credit is due. Finally, after working hard with the community and advocating to this government, they have committed to the Mornington–Hastings bus route, and they have finally committed to delivering bus services to these retirement villages, but the people of the retirement villages have been told that these simple route changes will not happen until that Mornington to Hastings bus route is brought about even though they could happen now. I am calling on and continue to call upon this government to make those changes now. We should not have to wait even longer for the Mornington to Hastings bus service to come about.

I have also been advocating for rail services to our electorate, which currently has none whatsoever. But state Labor's lack of investment due to financial mismanagement in extending metro rail from Frankston through to Baxter and not committing to the project that was in part funded a number of years ago through my efforts when I was in federal Parliament has led to Labor at the federal level dropping \$225 million of budgeted funds that I had secured for this project, which importantly would have not only provided services to Baxter, Langwarrin, the hospital and the university but would have opened the way for services to return to Mornington, Somerville and Hastings and on the Stony Point line.

Beyond my electorate, places like Mildura still do not have passenger rail, even though we have had, by the next election, 23 out of the last 27 years of Labor government here in Victoria. That is the largest population centre in Australia with no service. Places like Horsham, where I grew up, have no regular rail services other than the occasional Overlander. It is disgraceful that Victorians continue to be ignored because of the Allan Labor government's financial mismanagement and cost blowouts on other projects.

Homelessness, as I mentioned, is getting out of hand on the Mornington Peninsula. In fact, as I mentioned, we have the fourth-highest level of homelessness in the state. The number of people who are homeless on the peninsula is estimated to be anywhere between 1000 to 2000 plus, although no

exact numbers are known. Fifteen to 20 per cent of that number consists of people who are sleeping rough, which is an extremely high rate compared to the rest of the state. Ever since my election as the member for Mornington I have been tirelessly urging the state government to intervene to solve the homelessness crisis on the peninsula. In particular I called on the Minister for Housing to ensure that vacant public housing is fit for purpose. I believe, at least according to the data that has been provided to the Mornington Peninsula shire, that over 30 per cent of public houses on the peninsula are vacant due to being in disrepair, unfit for purpose or otherwise unavailable for habitation. This is disgraceful, as many of these homes could be provided to vulnerable individuals. In addition, while the government has proposed building a significant amount of new public houses across Victoria, only a very small portion of these have actually been built, and an even smaller proportion on the peninsula. A local mum contacted me recently, stating:

We are now homeless. We spent 2 nights sleeping in the car and are now in crisis accommodation. We are being housed in a motel with men who have been removed from their homes due to committing family violence, with addicts and people suffering from Mental Health issues. The door to our motel room is a flimsy interior door, there is no heating, and the cleanliness of the room is appalling.

This is distressing, and we are failing our most vulnerable. That is an example of a person who is not yet sleeping rough, but many people are sleeping rough. I just met with another mother of a young daughter who has been sleeping in her car in different friends' driveways for many months now. This is a disgraceful situation that needs to be fixed.

Linked to this is public housing, and this also links to the debt issue, because if we had more money to spend, we could actually resolve a lot of these issues. I am reliably informed, as I mentioned, that over 30 per cent of public houses on the peninsula are vacant due to being in disrepair or otherwise. But so far I have heard absolutely nothing from the state government in terms of solutions to these vacant homes, and this is not just confined to the Mornington Peninsula. Victoria has thousands of vacant public housing dwellings and continues to have the worst occupancy rates in the nation, with new data showing that the state has added a mere 300 new public homes in the past eight years.

What does the government say to people in my electorate like Linda, in her late 70s, who is going blind, no longer able to drive and surviving on the pension in private rentals, depending on friends and community resources for food? More than 4000 residents like her are on the public housing waiting list, but there are just 1400 social housing properties across the peninsula.

Speaking of insane, a few months ago the Victorian government spent \$20 million on an affordable housing block in Cheltenham, a property which was linked to a liquidated building company which has strong links to notorious residential construction company SLC Bayside, which collapsed last year. The Cheltenham property itself has multiple defects. You would think that the government would do their due diligence. Unfortunately, this is a pattern across the state. The world of development is essentially a cowboy industry for some. An overall lack of oversight in the construction industry under this Labor government is fuelling a legacy of defects in apartment blocks across Victoria, and it is making it hard for builders trying to do the right thing as well because they have to compete on cost with those doing the wrong thing. That includes, for example, cracking foundations, balcony defects, mould, flammable cladding, water leaks and more.

The member for Brighton and I went recently to a place in Frankston South that I have been talking about for many years now whose issues have not yet been resolved by this Labor government. The issues were first raised in late 2018. They have been on national media and more, and they are really suffering. Developers in their case used cheap materials, cheap finishes and cheap construction. I raised the fact of the tribulation of the residents at Culcairn Drive in Frankston South, who have been left many hundreds of thousands of dollars out of pocket due to the many defects in their apartments. Simply put, there need to be criminal consequences for these builders and developers, not just fines, because at the moment they are not even taking action to fix what they caused in the first place. They cannot keep getting away with it, and I was incredibly disappointed to see little to nothing done to address this growing issue in the 2024 budget.

Now let us go to roads. The Allan Labor government's 45 per cent cut to the road maintenance budget since 2020 has led to the appalling state of roads in metropolitan and regional areas. Wayne from Mount Eliza in my electorate is only one of many who have written to me about potholes being an absolute disgrace and a deathtrap for motorists. Furthermore, it feels like every second week I am representing constituents to the minister who are concerned about the maintenance, overgrown vegetation and general state of disrepair on the Nepean Highway and Esplanade. Rowan from Mount Eliza, Susan and Amanda are just a few constituents that have raised this issue with me.

I do want to comment as well on the consistent delays by both the state and federal Labor governments on the repairs to both the Forest Drive and Uralla Road intersections, two deadly intersections which strike fear into the hearts of locals every time they drive through them. The state government have now finally commenced the Forest Drive works after the Albanese government nearly scrapped the funding that was committed by the federal Labor government many years ago after the state Labor government played games on this project simply due to politics for many, many years. But we are still waiting for the Uralla Road intersection upgrade to commence. I will continue to advocate for these upgrades to go ahead –

**The DEPUTY SPEAKER:** Order! I am required by sessional orders to interrupt business now. The member will have the call when the matter returns to the house.

**Business interrupted under sessional orders.**

#### *Adjournment*

**The DEPUTY SPEAKER:** The question is:

That the house now adjourns.

#### **Health system**

**Matthew GUY** (Bulleen) (19:00): (941) My adjournment matter tonight is for the Minister for Health. It concerns the situation of an 86-year-old constituent of mine, which has been raised with me by her son Glenn. I will provide the full details to the minister's office, as I know the minister asks me and all members to do such things as a matter of privacy. I will raise the matter directly with her and ask her to meet with his family to explain the situation which I raise.

This constituent fell over and broke her leg in the shower and managed to crawl out over the next few hours to drag herself from the bathroom to the kitchen to reach her phone and call 000 – with a broken leg. She is 86. An ambulance did respond and managed to pick her up, taking her to the Austin Hospital. She went straight to emergency, where her injury was diagnosed, and was admitted to hospital. From that time, two Sundays ago, Glenn's mother was left without food or water and was told by staff that she had to fast for her surgery. The surgery was never rostered and was never intended to be rostered, although doctors continually told her she was on a list, ready to be operated on. Glenn's mother went 48 hours with no more than a cup of water and half a salad sandwich until he went in on Tuesday morning and confronted medical staff. He was told his mother was on the emergency list but that she would not be seen on Tuesday morning and that it might be done Tuesday afternoon or Tuesday evening. She was finally given food on Tuesday morning. The hospital has told her since that no surgery was in fact planned for Tuesday; she was never listed for surgery on Tuesday. Glenn's 86-year-old mother was lying in hospital with a broken leg and no date or schedule to operate to fix this broken leg. No plan or timeline to implement treatment at all was put in place. The only plan seemed to be that they keep her, in Glenn's words, 'drugged up on painkillers until she either gave up and passed away or infection started to set in, or God knows what else'.

Glenn does not blame the doctors or the nurses. He says there is simply not enough of them to look after patients like his mother. He is, as you can imagine, very upset and very distressed, and the family wants an explanation from the government. As I have said, I am more than happy to provide all details to the office of the Minister of Health to seek a basic explanation. The action I seek for my adjournment



tonight is that the minister meets with Glenn's family to give a detailed explanation as to what happened in the circumstance of his mother, who was finally operated on on the Saturday but who had been left in this dreadful situation, which was not the fault of medical staff but simply a result, as Glenn says, of a shortage of those able to care for her in the system.

### **Container deposit scheme**

**Tim RICHARDSON** (Mordialloc) (19:03): (942) My adjournment this evening is to the Minister for Environment. The action I seek is for the minister to update Mordialloc residents on the benefits of the container deposit scheme in our patch. We passed the wonderful milestone of 1 billion containers returned as part of the CDS. There were knockers and blockers at the time who undermined this project and talked it down and belittled it, but Victorians got on board with recycling like we have never seen before. Before the container deposit scheme in Victoria was launched, drink containers were one of the most littered items in Victoria. Over the past 12 months alone a staggering one-third of containers have been saved from landfill and recycled through the scheme.

As a Frankston train line member of Parliament, nestled along Port Phillip Bay in one of the most beautiful areas in Victoria, I know the impacts of litter on our communities and our sea life. Our wonderful schools and communities have the I Sea, I Care Dolphin Research Institute engagement. We know with big rain and storm events or on days when tens of thousands flock to the eastern coastline of Port Phillip Bay we see significant amounts of traffic and litter through that area. Having the option of the container deposit scheme and having that investment going in, \$100 million has been returned. Whether it is to charitable causes or back into the pockets of Victorians, it has been a great and important contribution. Just think of the possibilities of those options and what you can use this for.

There is the recycling element and there are the practical solutions that we see in our community. Just a little while ago the Mordialloc Freeway was completed. It was a fantastic project, known for its 60,000 vehicle movements diverting trucks and cars off local roads. One of the other little-known facts is the significant amount of plastic waste that was put into the noise walls that were developed – 75 per cent recycled plastic, collected from households across the state. The recycled noise wall panels helped to divert more than 570 tonnes of plastic waste from landfill. So there are alternative uses across that circular economy and possibilities that exist in diverting that waste; that was one of the most extraordinary elements of that. The panels at the time were a mixture of recycled plastics, including milk bottles, juice bottles, shampoo bottles and soft plastics, and it collected the equivalent of 25,000 Victorian homes' plastic waste in one year.

This is the circular economy in action – container deposit schemes, infrastructure and road projects all coming together. It would not have been possible without the leadership of the Minister for Climate Action, then the Minister for Environment; the Minister for Health; Ingrid Stitt in the other place; and the current Minister for Environment, an absolutely wonderful champion of the environment and the container deposit scheme. I would be really thrilled with an update on how that has benefited the patch in the Mordialloc electorate.

### **Maternal and child health services**

**Annabelle CLEELAND** (Euroa) (19:06): (943) My adjournment this evening is for the Minister for Health, and the action I seek is that no regional maternity services close as a result of Labor's newly announced taskforce. With the announcement of this maternity taskforce, there are worries of a resource shift away from regional local services to larger hospitals in Melbourne. There is cost cutting that is resulting in the closure of midwifery units and continuity-of-care programs right across regional Victoria. Our regional maternity services are already under immense pressure and need more support than they are currently receiving from this government. Local service closures, staff cuts, a lack of effective resources to provide care and a decrease in the options available for new mums are just some of the many, many issues that have been raised directly with me. A lack of funding support from this government has already resulted in providers like Benalla Health having to close their birthing services

and Kilmore health's maternity ward operating on reduced hours between 6 am and 6 pm. Unfortunately, try as we might, having a baby may occasionally need to happen outside of business hours.

With closures and reduced hours at hospitals right across the region, many of these women will be forced towards hospitals such as Northeast Health Wangaratta for maternity care now. Wangaratta's maternity care supports over 700 births per year and provides care for families from towns right across regional Victoria who are already unable to access care close to home. The hospital recently lost 30 midwives from their staff and are still dealing with a hiring freeze and a lack of resources following the Department of Health's directive to contain costs. No clarity has been provided since then regarding the future of Northeast's midwifery practice or potential staffing increases, despite their waitlist of expecting mothers growing. When I spoke with Lauren, a registered midwife from the region, she said the cuts will impact Wangaratta's iconic midwifery group practice, regarded by many as the gold standard in maternity services. This is a continuity-of-care model that results in lower rates of intervention, lower risks of preterm birth and foetal loss and higher rates of maternal satisfaction. The program costs less as well, despite the government still trying to shut them down.

In an electorate that spans 13,000 square kilometres it is shameful that the majority of local women cannot access maternity care. Having spoken to parents across the region, it is clear our midwives and maternity health providers need more support and not less. Katey Voysey from Kilmore said from early in her pregnancy it was clear that many of the local GPs were uninformed in caring for women experiencing high-risk pregnancies. She was often having to prompt for tests to be done and request additional tests as well; otherwise her daughter was likely not to be carried to term. Her story is troubling, and there are too many like it. I came into this place with a positive outlook to campaign for increased services across our hospitals, not to fight to maintain the bare minimum of funding to stay open.

#### **Bentleigh electorate telecommunications infrastructure**

**Nick STAIKOS** (Bentleigh) (19:09): (944) My adjournment matter this evening is for the attention of the Minister for Government Services and concerns an apparent lack of mobile coverage in and around the Centre Road, East Bentleigh, shopping strip. The action I seek is that the minister raises this matter with the Commonwealth government's Minister for Communications the Honourable Michelle Rowland. Residents of East Bentleigh have raised with me the difficulties that they experience when trying to use their devices at the local shopping strip. As a resident of East Bentleigh myself – and I have got my electorate office on Centre Road, East Bentleigh – I experience similar difficulties. People have trouble looking up something on their phone at the local Ritchies supermarket, for example, but also experience difficulty in loading their e-script at the local pharmacy or transferring funds between accounts. It is a shopping centre, after all. Often you have to walk a fair distance up Centre Road in order to get a strong enough signal to do these basic tasks. When you look at coverage maps online, there does appear to be quite a noticeable gap in 5G coverage in this particular location of East Bentleigh. I ask that the minister raises this matter with her federal counterpart and provides advice.

#### **Goulburn Valley Highway**

**Cindy McLEISH** (Eildon) (19:10): (945) I have a matter for the Minister for Roads and Road Safety. Road users across my electorate complain about lots of issues, and deservedly so – potholes, of which there are way too many to mention, crumbling surfaces and unsealed shoulders. If you travel on the Goulburn Valley Highway between Yea and Molesworth, you must contend with all of those issues on top of the additional issues created by the centre wire rope barriers, all 10 kilometres of them, which are consistently dinged. It is now getting hard to see the barriers in amongst the vegetation which is growing in and around them. The action I seek is for the minister to arrange for the removal of the bushes, shrubs and trees that are growing next to and among the barriers. This needs to be done quick smart before they become more dangerous.

The vegetation is very much getting out of hand. There are too many bushes to count. Many are a metre high and almost as wide. There is definitely one gum tree in the mix and loads of grasses and weeds. Importantly, locals want to know how much higher do the trees and bushes need to get before they are removed. Surely they have reached this point now. Constituent concerns are threefold: firstly, the vegetation can impact visibility if not removed; secondly, the root system can undermine the road, and we know as trees get larger and bushes get larger the root system also grows and it can compromise the road surface; and thirdly, people are worried about how the barriers themselves undermine the road. There are so many points where the barriers are anchored to the road, and each of these points not only allows a seed to settle and we get a new tree or a new bush but also is an entry point for water.

We know that the roads are in a pretty dire state across Victoria and certainly across my electorate, and this is something that may have been able to be avoided. The centre wire rope barriers themselves have always been contentious. They were installed at an initial cost of \$18 million. They were open for 5 minutes, the speed was reduced again, and the whole section was virtually resealed. They have got permanent overhead signs near Yarck and Limestone that are hardly ever on. These were at a cost of \$530,000. They do not get used much. Currently there is a message about driving on drugs. Sometimes it might be about school starting, but there are no school crossings in the immediate vicinity. This is another area that I think has been neglected by the government. We should not have trees and shrubs growing out of the middle of the road where it is not a median strip. It is just in and amongst the centre wire rope barriers, and it is not good enough. People want to know what is going to happen and when it is going to happen.

#### Place names

**Gary MAAS** (Narre Warren South) (19:13): (946) The adjournment matter I wish to raise is for the attention of the Minister for Planning and concerns the name-a-place initiative. The action that I seek is that the minister provide an update on how the Victorian government's name-a-place initiative will benefit constituents in my electorate of Narre Warren South. I welcome this initiative because it seeks to recognise people of all backgrounds, genders, identities and walks of life, including Australians from under-represented groups in our society. They may be a person or a group from a sporting club. They might be a volunteer, a multicultural or a multifaith group – anyone or any group of people who have made a contribution to the betterment of the lives of Victorians.

Unfortunately this focus on the unrepresented, those whose invitations we accept and those who we make invitations to has led to a backlash from a few, those who seek to divide for the benefit of a political or even a bigoted end. This is something that I have personally seen from the naming of Guru Nanak Lake in my electorate of Narre Warren South, which goes to acknowledge our large Australian Sikh community in Victoria and the incredible work that they do, especially in the outer south-east. Their work, culture and faith in Sikhism are all inextricably linked. You cannot go and separate the faith from the culture just because it meets political goals. Although the naming of this lake was not a part of the name-a-place initiative, the naming reflects the intent of this initiative to broaden our recognition of groups and individuals and multiculturalism in Victoria, even if some on the right and the far right, as you would have it, will continue to divide. When the leaders of Australia's most prominent neo-Nazi group attend a rally you organised, stand beside you, listen to what you have to say and applaud you for bigoted division of our community, you really have to ask what side of history you are on and whether you are standing on the correct side of it.

Despite these voices, I am proud to be a part of our Allan Labor government, who will recognise migrants, women, our LGTBIQ+ community, our traditional owners and even those who may have disabilities who are continuing to make invaluable contributions to our Victoria. I look forward to sharing the minister's response with my community.

**The DEPUTY SPEAKER:** I remind all members that the word 'you' refers to the Chair. I would appreciate if it was not used.

### Cultural heritage assessments

**Roma BRITNELL** (South-West Coast) (19:16): (947) My adjournment matter is for the Minister for Treaty and First Peoples, and the action I seek is that the minister put in place a framework that ensures transparency and accountability of cultural heritage assessments so they can be conducted in a timely manner with fairness and equity. In the seaside town of Port Fairy an issue has arisen regarding the construction of a footpath along the foreshore on Ocean Drive. As work commenced, the discovery of cultural heritage items brought the works to a standstill in September. While the community understands the necessity of preserving history and culture, the prolonged Allan Labor government assessment process has raised questions about accountability and transparency. Since the works halted, locals have been left in the dark about timelines for resumption. The Department of Premier and Cabinet has indicated that the assessment will take several months, pushing out the likely resolution until after summer. The works encompass a kilometre of beach frontage which is fenced off in an unsightly manner with intermittent breaks to access the beach. The assessment process delays have exacerbated feelings of resentment and confusion due to the lack of government transparency. It undermines reconciliation and respect. Unfortunately the Indigenous community is caught in the crossfire, appearing to be the reason for these hold-ups.

In Portland hang-gliders and paragliders have enjoyed launching off Bishops Rock for decades. They were recently informed that as of 30 November they are banned from the site due to a cultural heritage objection. The Victorian Hang Gliding and Paragliding Association has been seeking information for several months, and locals were only informed of this decision a few weeks ago. Locals tell me that Parks Victoria stated they are not at liberty to disclose the rationale for the ban. The secrecy has left the gliders wondering how they negatively affect cultural heritage and why hikers and surfers can still use the area.

Housing developments in South-West Coast have experienced successive delays due to the Allan Labor government's cultural heritage assessment process. It needs fixing urgently because we are in a housing crisis. They also damage the reputation of the Indigenous community, which is unjustly blamed for the inefficiencies. The Allan Labor government needs to streamline processes and reduce the timelines of assessments rather than cause local division.

These examples highlight that the current government's cultural heritage assessments lack transparency and accountability. There are no mandated response times nor cost guidelines, no requirement for explanations of decisions and no appeal avenues. This absence of an overarching framework is detrimental to community cohesion and fosters resentment towards the Indigenous community. In south-west Victoria the Aboriginal community is striving to enhance understanding and respect of their Indigenous culture. However, lengthy footpath closures, paragliding bans and housing development delays threaten to undermine years of progress. Leadership is urgently required from the Allan Labor government to ensure that processes are fair, equitable and transparent before more damage is done. The Indigenous community should not be vilified for the shortcomings of a government's processes; rather, they should be embraced as vital partners in the pursuit of a more inclusive and respectful society.

### Cambridge Reserve dog park

**Dylan WIGHT** (Tarneit) (19:19): (948) My adjournment this evening is for the Minister for Environment, and I ask the minister to update my constituents on the construction timeline for the Cambridge Reserve dog park in Hoppers Crossing. The Allan Labor government has invested \$7.5 million over the past four years to deliver 31 new off-leash dog parks across the state under the suburban parks and building works programs. In the 2023–24 budget \$13.4 million was allocated to further expand the new and upgraded dog parks program, delivering on the election promise to protect parks, pets and wildlife.

On 17 May the minister announced funding for 19 new and upgraded dog parks across Victoria, including Cambridge Reserve in Hoppers Crossing. The new dog park will feature concrete paths, a

bin, dog-bag dispensers, a double-gated entry, open lawn and gravel areas, drinking fountains and a 1.2-metre-high perimeter fence. This park will cover at least 3000 square metres – I will repeat that, 3000 square metres – aligning with the council off-leash plan to ensure even distribution of local off-leash areas. The Allan Labor government has contributed \$350,000 to this project with the Wyndham City Council, in partnership with the Department of Energy, Environment and Climate Action. They are responsible for its design and delivery. Construction is expected to be completed by mid-2025, and my constituents in Hoppers Crossing will absolutely love it.

### **Bay Road–Highland Avenue, Sandringham**

**Brad ROWSWELL** (Sandringham) (19:20): (949) I rise to raise an adjournment matter for the Minister for Roads and Road Safety, and the action that I seek is for the minister for roads to commit to a permanent safety solution at the intersection of Bay Road and Highland Avenue. I want to take you on a journey, if you will allow me to do so. As you are travelling towards Southland, towards Nepean Highway, on Bay Road on the left-hand side, out from practically nowhere there is this kerb that juts out of Bay Road at the intersection of Highland Avenue. It is not safe. If you are travelling down Bay Road on the left-hand side of the road and you are approaching Highland Avenue, often you will veer into the right-hand side of the Bay Road lane in order to avoid this protrusion on the road. It is unsafe, and many hundreds of locals have raised this matter with me directly.

I have raised this in correspondence with the minister, and the minister has assured me that the government will ‘investigate potential solutions for this matter’. But the reason I am raising this as an adjournment matter this evening is this: the community deserves much better than platitudes from the minister. What the community deserves in my area is a definitive answer. We want to know when this intersection will be fixed. What is the timeframe for it to be fixed? What is the solution for it to be fixed? We deserve that. It is a matter of safety. Bay Road has something like 60,000 car movements on it a day. I have written to VicRoads and now the Department of Transport and Planning any number of times about Bay Road. They have said to me that they will not introduce any new traffic interventions on that road until the number of car movements on that road increases significantly. Bay Road is a highly populated road. The intersection of Bay Road and Highland Avenue is a safety issue for local residents, and I firmly believe that local residents deserve a definitive answer from the minister for roads as to when this intersection will be fixed.

### **Greenvale Reservoir Park**

**Iwan WALTERS** (Greenvale) (19:23): (950) My adjournment matter this evening is for the Minister for Water in the other place, and the action I seek is for the minister to provide me and my community with an update on the funded plans to reopen the southern section of Greenvale Reservoir Park following last week’s momentous announcement of \$3 million to upgrade and reopen this park. It was very exciting to join the minister and senior leaders of Parks Victoria and Melbourne Water to make this announcement, which is something that I have been tirelessly working to secure, alongside members of the Greenvale community, since I was elected two years ago today. Greenvale Reservoir supplies over a million people across Melbourne’s west and north with the freshest drinking water in the world, and while essential works to strengthen the dam wall and safeguard Melbourne’s water supply led to the park’s closure for a number of years, with this new funding Parks Victoria and Melbourne Water can now undertake the upgrade works to make the southern section of the park safe and accessible for community enjoyment. This investment will deliver new entry points for pedestrians, upgraded walking trails and new facilities as well as critical vegetation clean-up and street safety works.

Generations of local families have enjoyed spending time here, and I am delighted that this investment by the Allan Labor government means that Greenvale residents will again have access to this beautiful parkland right on their doorstep. For many whose parents worked in Australia’s manufacturing heartland of Broadmeadows, it was precious open space known locally as ‘out the back of Ford’, or ‘Ford’un Arkast’ to the thousands of Turkish families for whom it was such a special gathering place.

While works to expand the reservoir wall and safeguard Melbourne's drinking water supply have changed the park's footprint from the space that our community remembers, this funding ensures that all parts of Greenvale Reservoir Park can be accessed by our growing community and enjoyed by generations to come. This is real action that is delivering what matters for Greenvale, not the empty words of Liberals more interested in division and slogans than delivery and substance.

**The DEPUTY SPEAKER:** Before I call the minister, just for clarity, the member for Bentleigh raised a matter on mobile coverage in Bentleigh. The action, as I took it, was to raise the matter with the federal minister. In *Rulings from the Chair*, Acting Speaker Crisp, 2015, states:

Asking for advocacy is not a matter for the adjournment debate.

However, Speaker Brooks in 2017 did say that writing a letter is an action. Would the member for Bentleigh like to clarify how he would like the minister to raise the matter?

**Nick Staikos:** Yes, I want the Minister for Government Services to write a letter to the Honourable Michelle Rowland MP about mobile coverage in East Bentleigh.

**The DEPUTY SPEAKER:** I thank the member for Bentleigh for the clarification.

### Responses

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (19:26): The honourable member for Bulleen raised a matter for the Minister for Health regarding the health care of his 86-year-old constituent and has sought an action from the Minister for Health to meet with the family and explain to the family the circumstances of her case. The member for Mordialloc raised a matter for the Minister for Environment seeking an update on actions with regard to the benefits of the container deposit scheme in his Mordialloc electorate. And I know there are some great videos of the member for Mordialloc using the container deposit scheme very recently.

The member for Euroa raised a matter for the Minister for Health regarding ensuring that there are no closures of maternity services in regional Victoria, in particular regarding the maternity services review work that she outlined just recently. The member for Bentleigh, as we are well acquainted with, raised a matter for the Minister for Government Services to write a letter to the Minister for Communications the Honourable Michelle Rowland regarding the mobile coverage on Centre Road, East Bentleigh. The member for Eildon raised a matter for the Minister for Roads and Road Safety seeking action to arrange for the removal of trees, shrubs, serrated tussock and other vegetation that is obscuring and undermining the road barriers – wire rope barriers and the like – in her electorate. The hardworking member for Narre Warren South raised a matter for the Minister for Planning. The action that he sought was an update on how the Victorian government's name and place policy will benefit his electorate and Victorians more broadly.

The member for South-West Coast raised a matter for the Minister for Treaty and First Peoples seeking action with regard to her responsibilities on the framework regarding cultural heritage assessments. The member for Tarneit raised a matter for the Minister for Environment regarding actions and initiatives for the timelines for the Cambridge Reserve dog park in Hoppers Crossing, which he advises his electorate are very excited about. The member for Sandringham raised a matter for the Minister for Roads and Road Safety, and the action that he sought was regarding some permanent safety solutions at the intersection of Bay Road and Highland Avenue. And the extremely hardworking member for Greenvale raised a matter for the Minister for Water in the other place seeking action and an update on the funded plan for the Greenvale Reservoir Park opening at the southern end, which he has worked very hard to deliver for his community. He seeks the latest update on that being returned to the community in his Greenvale electorate. I commend those matters to you, Deputy Speaker.

**The DEPUTY SPEAKER:** Thank you, Minister. Thank you, members. The house stands adjourned until tomorrow morning.

**House adjourned 7:29 pm.**